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Appendix A

BASIC ELEMENTS parsed from

ILO CONSTITUTION, CONVENTIONS, AND RECOMMENDATIONS pertaining to:

- ❖ **freedom of association and collective bargaining**
- ❖ **non-discrimination and equality**
- ❖ **acceptable conditions - wages**
- ❖ **acceptable conditions - hours**
- ❖ **acceptable conditions - occupational safety and health**
- ❖ **labor administration and labor inspection**
- ❖ **obligations to compile statistics**

NB: This Appendix breaks down the key substantive elements of the ILO Constitution, Conventions, and Recommendations into more concise obligations imposed on governments. The bullet points below are therefore candidate indicators of compliance with relevant rights and standards.

These bullet points are based exclusively on textual analysis of the ILO Constitution, Conventions and Recommendations. If we choose to use any of the bullet points as indicators, they will require further refinement. That is, this document merely begins the process of restating the ILO instruments in the form of discrete obligations. Interpretations by ILO supervisory bodies and other sources may assist in

refining the indicators.

I do not mean to suggest that all or even many of the bullet points will in fact serve as indicators or will provide the basis for more refined indicators. Conversely, I do not mean to imply that the bullet points constitute comprehensive indicators of the relevant rights and standards. Upon further examination, this body of bullet points will almost certainly be found both over-inclusive and under-inclusive; and individual bullet points may or may not be sufficiently strongly related to the underlying concepts we wish to measure.

By comprehensively setting out ILO norms, however, we can better see the structure and hierarchy of those norms. We may also see gaps in that structure, calling for recourse to other international, regional, or national norms.

I. ILO CONSTITUTION and CONVENTIONS

The key substantive elements of relevant provisions of the ILO Constitution and ILO Conventions, arranged by topic, are as follows:

A. Freedom of Association and Collective Bargaining

ILO Constitution

- “[A]n improvement of those conditions [of labor] is urgently required; as, for example, by...recognition of the principle of freedom of association....”

Convention no. 98 – Right to Organize and Collective Bargaining Convention, 1949

- Government shall ensure that workers have adequate protection against acts of anti-union discrimination in respect of their employment.

- Government shall ensure that workers are protected against acts calculated to make the employment of a worker subject to the condition that he or she shall not join a union.
- Government shall ensure that workers are protected against acts calculated to make the employment of a worker subject to the condition that he or she shall relinquish trade union membership.
- Government shall ensure that workers are protected against dismissal by reason of union membership.
- Government shall ensure that workers are protected against acts that otherwise prejudice a worker by reason of union membership.
- Government shall ensure that workers are protected against dismissal because of participation in union activities outside working hours.
- Government shall ensure that workers are protected against acts that otherwise prejudice a worker because of participation in union activities outside working hours.
- Government shall ensure that workers are protected against dismissal because of participation in union activities, with the consent of the employer, within working hours.
- Government shall ensure that workers are protected against acts that otherwise prejudice a worker because of participation in union activities, with the consent of the employer, within working hours.
- Government shall ensure that workers' organizations enjoy adequate protection against

any acts of interference by employers in the organizations' establishment.

- Government shall ensure that workers' organizations enjoy adequate protection against any acts of interference by employers in the organizations' functioning.
- Government shall ensure that employers' organizations enjoy adequate protection against any acts of interference by workers' organizations in their establishment.
- Government shall ensure that employers' organizations enjoy adequate protection against any acts of interference by workers' organizations in their functioning.
- Government shall prohibit acts designed to promote the establishment of workers' organizations under the domination of employers.
- Government shall prohibit acts designed to financially support workers' organizations with the object of placing such organizations under the control of employers.
- Government shall prohibit acts designed to support workers' organizations by non-financial means with the object of placing such organizations under the control of employers.
- Government shall establish machinery appropriate to national conditions, where necessary, for the purpose of ensuring respect for the right to organize as defined above.
- Government shall take measures appropriate to national conditions, where necessary, to encourage the full development of machinery for voluntary negotiation between employers' and workers' organizations over terms and conditions

of employment.

- Government shall take measures appropriate to national conditions, where necessary, to encourage the full utilization of machinery for voluntary negotiation between employers' and workers' organizations over terms and conditions of employment.
- Government shall determine the extent to which the above guarantees apply to the armed forces.
- Government shall determine the extent to which the above guarantees apply to the police.
- This Convention does not deal with the position of public servants engaged in the administration of the State, nor shall it be construed as prejudicing their rights or status in any way.

Convention no. 87 – Freedom of Association and Protection of the Right to Organize Convention, 1949

- In this Convention the term **organization** means any organization of workers or of employers for furthering and defending the interests of workers or of employers.
- Government shall ensure that workers have the right to establish organizations of their own choosing without previous authorization.
- Government shall ensure that employers have the right to establish organizations of their own choosing without previous authorization.
- Government shall ensure that workers have the right to join organizations of their own choosing without previous authorization.

- Government shall ensure that employers have the right to join organizations of their own choosing without previous authorization.
- Government shall ensure that workers' organizations have the right to draw up their constitutions and rules.
- Government shall ensure that workers' organizations have the right to elect their representatives in full freedom.
- Government shall ensure that workers' organizations have the right to organize their administration and activities.
- Government shall ensure that workers' organizations have the right to formulate their programs.
- Government shall ensure that employers' organizations have the right to draw up their constitutions and rules.
- Government shall ensure that employers' organizations have the right to elect their representatives in full freedom.
- Government shall ensure that employers' organizations have the right to organize their administration and activities.
- Government shall ensure that employers' organizations have the right to formulate their programs.
- Government shall not restrict the above rights.
- Government shall not interfere in the above organizations.
- Government shall not dissolve workers'

organizations.

- Government shall not suspend workers' organizations.
- Government shall not dissolve employers' organizations.
- Government shall not suspend employers' organizations.
- Government shall ensure that workers' organizations have the right to establish federations.
- Government shall ensure that workers' organizations have the right to join federations.
- Government shall ensure that workers' federations have the right to affiliate with international organizations of workers.
- Government shall ensure that employers' organizations have the right to establish federations.
- Government shall ensure that employers' organizations have the right to join federations.
- Government shall ensure that employers' federations have the right to affiliate with international organizations of employers.
- Government shall ensure that the acquisition of legal personality by workers' organizations shall not be made subject to conditions of such a character as to restrict the rights above.
- Government shall ensure that the acquisition of legal personality by workers' federations shall not be made subject to conditions of such a character as to restrict the rights above.

- Government shall ensure that the acquisition of legal personality by employers' organizations shall not be made subject to conditions of such a character as to restrict the rights above.
- Government shall ensure that the acquisition of legal personality by employers' federations shall not be made subject to conditions of such a character as to restrict the rights above.
- Government shall ensure that in exercising the above rights workers, like other persons, shall respect the law of the land.
- Government shall ensure that in exercising the above rights workers' organizations, like other organized collectivities, shall respect the law of the land.
- Government shall ensure that in exercising the above rights employers, like other persons, shall respect the law of the land.
- Government shall ensure that, in exercising the above rights, employers' organizations, like other organized collectivities, shall respect the law of the land.
- Government shall ensure that the law of the land does not impair the guarantees above.
- Government shall determine the extent to which the above guarantees shall apply to the armed forces.
- Government shall determine the extent to which the above guarantees shall apply to the police.
- Government shall take all necessary and appropriate measures to ensure that workers may exercise freely the right to organize.
- Government shall take all necessary and

appropriate measures to ensure that employers may exercise freely the right to organize.

Convention no. 135 – Workers' Representatives Convention, 1971

- For the purpose of this Convention the term **workers' representatives** means persons who are recognized as such under national law or practice, whether they are--(a) trade union representatives, namely, representatives designated or elected by trade unions or by members of such unions; or (b) elected representatives, namely, representatives who are freely elected by the workers of the undertaking in accordance with provisions of national laws or regulations or of collective agreements and whose functions do not include activities which are recognized as the exclusive prerogative of trade unions in the country concerned. National laws or regulations, collective agreements, arbitration awards or court decisions may determine the type or types of workers' representatives which shall be entitled to the protection and facilities provided for in this Convention.
- Government shall ensure that workers' representatives in the undertaking enjoy effective protection against any act prejudicial to them based on their status as a workers' representative, in so far as they act in conformity with existing laws or collective agreements or other jointly agreed arrangements.
- Government shall ensure that workers' representatives in the undertaking enjoy effective protection against any act prejudicial to them based on their activities as a workers' representative, in so far as they act in conformity with existing laws or collective agreements or other jointly agreed arrangements.

- Government shall ensure that workers' representatives in the undertaking enjoy effective protection against any act prejudicial to them based on union membership, in so far as they act in conformity with existing laws or collective agreements or other jointly agreed arrangements.
- Government shall ensure that workers' representatives in the undertaking enjoy effective protection against any act prejudicial to them based on participation in union activities, in so far as they act in conformity with existing laws or collective agreements or other jointly agreed arrangements.
- Government shall ensure that workers' representatives are afforded such facilities in the undertaking as may be appropriate in order to enable them to carry out their functions promptly and efficiently.
- Government, in determining the appropriateness of such facilities, may take account of the characteristics of the industrial relations system of the country.
- Government, in determining the appropriateness of such facilities, may take account of the needs of the undertaking concerned.
- Government, in determining the appropriateness of such facilities, may take account of the size of the undertaking concerned.
- Government, in determining the appropriateness of such facilities, may take account of the characteristics of the capabilities of the undertaking concerned.
- Government shall ensure that the granting of such facilities does not impair the efficient operation of the undertaking concerned.

- Government shall ensure that, where there exist in the same undertaking both trade union representatives and elected representatives, appropriate measures shall be taken, wherever necessary, to ensure that the existence of elected representatives is not used to undermine the position of the trade unions concerned.
- Government shall ensure that, where there exist in the same undertaking both trade union representatives and elected representatives, appropriate measures shall be taken, wherever necessary, to encourage cooperation on all relevant matters between the elected representatives and the trade unions concerned.
- Government shall give effect to the above rules through national laws or regulations, collective agreements, or in any other manner consistent with national practice.

Convention no. 154 – Collective Bargaining Convention, 1981

- For purposes of this Convention – **collective bargaining** includes all employer-employee negotiations for (a) terms and conditions of employment, (b) regulating employer-employee relations, and (c) regulating relations between employer and worker organizations.
- Government may determine the extent to which collective bargaining extends to worker representatives other than unions as defined in the 1971 Workers' Representatives Convention.
- Government shall take appropriate measures to ensure that non-union worker representatives are not used to undermine the position of the workers' organizations.

- Government shall take measures, adapted to national conditions, to promote collective bargaining.
- Government shall take such measures with the aim to make collective bargaining possible for all groups of workers.
- Government shall progressively extend collective bargaining to matter (a) above.
- Government shall progressively extend collective bargaining to matter (b) above.
- Government shall progressively extend collective bargaining to matter (c) above.
- Government may implement industrial relations systems in which collective bargaining takes place within conciliation institutions, in which the parties voluntarily participate.
- Government may implement industrial relations systems in which collective bargaining takes place within arbitration institutions, in which the parties voluntarily participate.
- Government may implement industrial relations systems in which collective bargaining takes place within a combination of conciliation and arbitration institutions, in which the parties voluntarily participate.

Convention no. 144 – Tripartite Consultation (International Labor Standards) Convention, 1976

- Government shall operate procedures for consultation among representatives of government, employers, and workers in accordance with national practice.

- Government shall conduct tripartite consultations on government replies to items on the agenda of the International Labor Conference.
- Government shall conduct tripartite consultations on proposals for submission to the government of Conventions and Recommendations.
- Government shall conduct tripartite consultations on periodic re-examination of unratified Conventions to consider their promotion.
- Government shall conduct tripartite consultations on questions regarding ILO Article 22 reports.
- Government shall conduct tripartite consultations on proposals for denunciation of ratified ILO Conventions.
- Government shall conduct the tripartite consultations at fixed intervals, no less frequently than once a year.
- Government shall issue public reports annually on the Consultations when this is considered appropriate.

Convention no. 151 – Labor Relations (Public Service) Convention, 1978

- Government may exclude policy-making employees from the coverage of this Convention.
- Government may exclude confidential employees from the coverage of this Convention.
- Government may exclude armed forces from the coverage of this Convention.
- Government may exclude police from the coverage of this Convention.

- Government shall provide adequate protection to public employees against anti-union discrimination.
- Government shall protect public employees against conditioning employment on not joining a worker organization.
- Government shall protect public employees against conditioning employment on relinquishing membership in a worker organization.
- Government shall protect public employees against prejudicial acts for membership in a worker organization.
- Government shall protect public employees against prejudicial acts for participating in activities of a worker organization.
- Government shall ensure that public employees' organizations are completely independent of the government.
- Government shall not interfere in the establishment of public employees' organizations.
- Government shall not interfere in the functioning of public employees' organizations
- Government shall not interfere in the administration of public employees' organizations.
- Government shall not dominate public employees' organizations with the purpose of controlling them.
- Government shall not support public employees' organizations by financial means with the purpose of controlling them.
- Government shall not support public employees' organizations by non-financial means with the

purpose of controlling them.

- Government shall afford facilities to public employees' organizations to carry out their functions during and outside work hours.
- Government shall promote use of machinery for negotiation of terms and conditions of employment between public authorities and public employees' organizations.
- Government shall, alternatively, promote use of other methods that allow public employees' representatives to participate in the determination of their terms and conditions.
- Government shall settle disputes over public employees' terms and conditions through negotiation.
- Government shall, alternatively, settle disputes over public employees' terms and conditions through impartial mediation.
- Government shall, alternatively, settle disputes over public employees' terms and conditions through impartial conciliation.
- Government shall, alternatively, settle disputes over public employees' terms and conditions through impartial arbitration.
- Government shall guarantee public employees the same civil and political rights of association as other employees, subject to the obligations of their status and functions.

*Convention no. 141 – Rural Workers' Organizations Convention,
1975*

- For purposes of this Convention, **rural workers**

shall include all rural wage earners, tenants, sharecroppers, or small owner-occupiers.

- Government shall ensure that all categories of rural workers, whether they are wage earners or self-employed, shall have the right to establish organizations of their own choosing without previous authorization.
- Government shall ensure that all categories of rural workers, whether they are wage earners or self-employed, shall have the right, subject only to the rules of the organization concerned, to join organizations of their own choosing without previous authorization
- Government shall ensure that rural workers' organizations are independent.
- Government shall ensure that rural workers' organizations are voluntary.
- Government shall ensure that rural workers' organizations remain free from all interference.
- Government shall ensure that rural workers' organizations remain free from all coercion.
- Government shall not make acquisition of legal personality by organizations of rural workers subject to conditions that restrict the freedom of rural workers' organizations from interference.
- Government shall not make acquisition of legal personality by organizations of rural workers subject to conditions that restrict the freedom of rural workers' organizations from coercion.
- Government may require rural workers like other persons to respect the law of the land.
- Government may require rural workers

organizations, like other organized collectivities, to respect the law of the land.

- Government shall ensure that the law of the land does not impair the guarantees of free association of rural workers.
- Government shall ensure that the law of the land does not impair the guarantees of free association of rural workers' organizations.
- Government shall ensure that the law of the land is not applied to impair the guarantees of free association of rural workers.
- Government shall ensure that the law of the land is not applied so as to impair the guarantees of free association of rural workers' organizations.
- Government shall have a national policy concerning rural development with the purpose of facilitating the establishment and growth, on a voluntary basis, of strong and independent organizations of rural workers as an effective means of ensuring the participation of rural workers, without discrimination as defined in the Discrimination (Employment and Occupation) Convention, 1958, in economic and social development and in the benefits resulting therefrom.
- Government shall carry out a policy of active encouragement of rural workers' organizations.
- Government shall eliminate obstacles to the establishment of rural workers' organizations.
- Government shall eliminate obstacles to the growth of rural workers' organizations.
- Government shall eliminate obstacles to rural workers' organizations' pursuit of their lawful

activities.

- Government shall eliminate legislative discrimination against rural workers' organizations as may exist.
- Government shall eliminate administrative discrimination against rural workers' organizations as may exist.
- Government shall eliminate legislative discrimination against the members of rural workers' organizations.
- Government shall eliminate administrative discrimination against the members of rural workers' organizations.
- Government shall promote the widest possible understanding of the need to further the development of rural workers' organizations.
- Government shall promote the widest possible understanding of the contribution rural workers' organizations can make to improving employment opportunities in rural areas.
- Government shall promote the widest possible understanding of the contribution rural workers' organizations can make to improving general conditions of work and life in rural areas.
- Government shall promote the widest possible understanding of rural workers' contribution to increasing the national income.
- Government shall promote the widest possible understanding of rural workers' organizations' contribution to achieving a better distribution of national income.

Convention no. 11 – Right of Association (Agriculture) Convention, 1921

- Government shall secure to all those engaged in agriculture the same rights of association as to industrial workers.
- Government shall repeal any statutory or other provisions restricting the rights of association of workers engaged in agriculture.

B. Non-Discrimination and Equality Rights

ILO Constitution

- “[A]n improvement of those conditions [of labor] is urgently required; as, for example, by...recognition of the principle of equal remuneration for work of equal value....”

Convention no. 111 – Discrimination (Employment and Occupation) Convention, 1988

- For purposes of this Convention – **discrimination** is defined as any distinction, exclusion or preference made on the basis of race, color, sex, religion, political opinion, national extraction or social origin, which has the effect of nullifying or impairing equality of opportunity or treatment in employment or occupation, or other basis of distinction, exclusion or preference determined by the government after consultation with worker and employer organizations. Any distinction, exclusion or preference based on the inherent requirements of the job shall not be deemed discrimination. The terms **employment** and **occupation** include access to vocational training, access to employment and to particular occupations, and terms and conditions of employment.

- Government must pursue a national policy designed to promote equality of opportunity with respect to employment and occupation.
- Government must pursue a national policy designed to promote equality of treatment with respect to employment and occupation.
- Government must pursue a national policy designed to eliminate discrimination.
- Government may, however, implement any distinction based on the inherent requirements of a job.
- Government shall seek cooperation of employer and worker organizations in promoting the non-discrimination policy.
- Government shall enact legislation to secure compliance with the non-discrimination policy.
- Government shall promote educational programs to secure compliance with the non-discrimination policy.
- Government shall repeal any statutes and regulations inconsistent with the non-discrimination policy.
- Government shall ensure compliance with the policy in vocational guidance.
- Government shall ensure observance of the policy in vocational training.
- Government shall ensure observance of the policy in placement services.
- Government shall ensure observance of the policy in any employment under the control of the government.

- Government may provide special measures to meet the particular requirements of persons who are generally recognized to require special protection.

Convention no. 100 – Equal Remuneration Convention, 1952

- For the purpose of this Convention—(a) the term **remuneration** includes the ordinary, basic or minimum wage or salary and any additional emoluments whatsoever payable directly or indirectly, whether in cash or in kind, by the employer to the worker and arising out of the worker's employment; (b) the term **equal remuneration for men and women workers for work of equal value** refers to rates of remuneration established without discrimination based on sex.
- Government shall ensure equal remuneration for men and women for work of equal value.
- Government may use legislation or regulations to ensure equal remuneration for men and women for work of equal value.
- Government may use collective bargaining to ensure equal remuneration for men and women for work of equal value.
- Government may use a combination of laws, regulations, and collective bargaining to ensure equal remuneration for men and women for work of equal value.
- Government shall take measures to promote objective appraisal of jobs to determine whether they are work of equal value.
- Government shall not deem differential rates

between workers to violate the principle of equal remuneration when such rates correspond to differences in the work performed as determined by such objective appraisal.

- Government shall cooperate with the employers' and workers' organizations concerned for purposes of giving effect to the above rules.

Convention no. 177 – Home Work Convention, 1996

- For purposes of this Convention— (a) the term **home work** means work carried out by a person, to be referred to as a homemaker (i) in his or her home or in other premises of his or her choice, other than the workplace of the employer; (ii) for remuneration; (iii) which results in a product or service as specified by the employer, irrespective of who provides the equipment, materials or other inputs used, unless this person has the degree of autonomy and of economic independence necessary to be considered an independent worker under national laws, regulations or court decisions; (b) persons with employee status do not become homeworkers within the meaning of this Convention simply by occasionally performing their work as employees at home, rather than at their usual workplaces; (c) the term **employer** means a person, natural or legal, who, either directly or through an intermediary, whether or not intermediaries are provided for in national legislation, gives out home work in pursuance of his or her business activity.
- Government shall implement a national policy on home work aimed at improving the situation of homeworkers, in consultation with the most representative organizations of employers and workers and, where they exist, with organizations concerned with homeworkers and those of employers of homeworkers.

- Government shall periodically review the national policy on home work aimed at improving the situation of homeworkers, in consultation with the most representative organizations of employers and workers and, where they exist, with organizations concerned with homeworkers and those of employers of homeworkers.
- Government's national policy on home work shall promote, as far as possible, equality of treatment between homeworkers and other wage earners, taking into account the special characteristics of home work and, where appropriate, conditions applicable to the same or a similar type of work carried out in an enterprise.
- Government shall promote equality of treatment in relation to the homeworkers' right to establish organizations of their own choosing.
- Government shall promote equality of treatment in relation to the homeworkers' right to join organizations of their own choosing.
- Government shall promote equality of treatment in relation to the homeworkers' right to participate in the activities of homeworkers' organizations.
- Government shall protect homeworkers against discrimination in employment and occupation.
- Government shall protect homeworkers equally with other workers in the field of occupational safety and health.
- Government shall protect homeworkers' equal remuneration.
- Government shall provide homeworkers with equal statutory social security protection.
- Government shall provide homeworkers with equal

access to training.

- Government shall guarantee homeworkers the same minimum age for employment as other workers.
- Government shall ensure homeworkers have the same maternity protection as other workers.
- The national policy on home work shall be implemented by means of laws and regulations, collective agreements, arbitration awards or in any other appropriate manner consistent with national practice.
- Government shall take appropriate measures so that labor statistics include, to the extent possible, home work.
- Government shall apply national laws and regulations on workplace safety and health to home work, taking account of its special characteristics.
- Government shall prohibit use of substances in home work for reasons of safety and health.
- Government shall, where it permits the use of intermediaries in home work, determine the respective responsibilities of employers and intermediaries.
- Government shall implement a system of inspection consistent with national law and practice to ensure compliance with the laws and regulations applicable to home work.
- Government shall provide effective remedies, including penalties where appropriate, in case of violation of homeworker laws and regulations.
- This Convention does not affect more favorable

provisions applicable to homeworkers under other international labor Conventions.

Convention no. 169 – Indigenous and Tribal Peoples Convention, 1989

- This Convention applies to: (a) tribal peoples in independent countries whose social, cultural and economic conditions distinguish them from other sections of the national community, and whose status is regulated wholly or partially by their own customs or traditions or by special laws or regulations; (b) peoples in independent countries who are regarded as indigenous on account of their descent from the populations which inhabited the country, or a geographical region to which the country belongs, at the time of conquest or colonization or the establishment of present state boundaries and who, irrespective of their legal status, retain some or all of their own social, economic, cultural and political institutions. The use of the term **peoples** in this Convention shall not be construed as having any implications for the rights which may attach to the term under international law.
- Government shall ensure that self-identification as indigenous or tribal is a fundamental criterion for determining the groups to which the provisions of this Convention apply.
- Government shall, with the participation of the peoples concerned, take systematic action to protect their rights.
- Government shall, with the participation of the peoples concerned, take systematic action to guarantee respect for their integrity.
- Government shall ensure that members of these peoples gain equal protection from national laws

and regulations granted to other members of the population.

- Government shall promote the full realization of the social, economic and cultural rights of these peoples with respect for their social and cultural identity, their customs and traditions and their institutions.
- Government shall assist indigenous peoples to eliminate socio-economic gaps that may exist between them and other members of the national community, in a manner compatible with their aspirations and ways of life.
- Government shall protect the full human rights of Indigenous and tribal peoples.
- Government shall not discriminate between the male and female members of indigenous peoples.
- Government shall take special measures as appropriate for safeguarding the persons of the peoples concerned.
- Government shall take special measures as appropriate for safeguarding the institutions of the peoples concerned.
- Government shall take special measures as appropriate for safeguarding the property of the peoples concerned.
- Government shall take special measures as appropriate for safeguarding the labor of the peoples concerned.
- Government shall take special measures as appropriate for safeguarding the cultures of the peoples concerned.
- Government shall take special measures as appropriate for safeguarding the environment of

the peoples concerned.

- Government shall not take such special measures contrary to the freely expressed wishes of the peoples concerned.
- Government's guarantee to indigenous peoples of the general rights of citizenship, without discrimination, shall not be prejudiced in any way by such special measures.
- Government shall respect the integrity of the values, practices and institutions of these peoples.
- Government shall, with the participation of the peoples affected, adopt policies to mitigate the difficulties experienced by these peoples in facing new conditions of life and work.
- Government shall, in applying the provisions of this Convention, consult the peoples concerned, through appropriate procedures and in particular through their representative institutions, whenever consideration is being given to legislative or administrative measures which may affect them directly.
- Government shall, in applying the provisions of this Convention, establish means by which these peoples can freely participate, to at least the same extent as other sectors of the population, at all levels of decision-making in elective institutions and administrative and other bodies responsible for policies and programs which concern them.
- Government shall, in applying the provisions of this Convention, establish means for the full development of these peoples' own institutions and initiatives, and in appropriate cases provide the resources necessary for this purpose.
- Government shall carry out consultations in application of this Convention in good faith and in

a form appropriate to the circumstances, with the objective of achieving agreement or consent to the proposed measures.

- Government shall guarantee the peoples concerned the right to decide their own priorities for the process of development as it affects their lives, beliefs, institutions and spiritual well-being and the lands they occupy or otherwise use.
- Government shall guarantee the peoples concerned the right to exercise control, to the extent possible, over their own economic, social and cultural development.
- Government shall guarantee the right of the peoples concerned to participate in the formulation, implementation and evaluation of plans and programs for national and regional development which may affect them directly.
- Government shall give priority to the improvement of the conditions of life and work and levels of health and education of the peoples concerned, with their participation and cooperation, in plans for the overall economic development of areas they inhabit.
- Government shall design any special projects for development of the areas in question to promote such improvement.
- Government shall ensure that, whenever appropriate, studies are carried out, in cooperation with the peoples concerned, to assess the social, spiritual, cultural and environmental impact on them of planned development activities.
- Government shall use the results of these studies as fundamental criteria for the implementation of these development activities.
- Government shall take measures, in cooperation

with the peoples concerned, to protect and preserve the environment of the territories they inhabit.

- Government shall, in applying national laws and regulations to the peoples concerned, give due regard to their customs or customary laws.
- Government shall guarantee these peoples the right to retain their own customs and institutions, where these are not incompatible with fundamental rights defined by the national legal system and with internationally recognized human rights.
- Government shall provide procedures, whenever necessary, to resolve conflicts which may arise in the application of this principle.
- Government shall, to the extent compatible with the national legal system and internationally recognized human rights, respect the methods customarily practiced by the peoples concerned for dealing with offenses committed by their members.
- Government shall, in criminal cases, take into consideration the customs of these peoples in regard to penal matters.
- Government shall, in imposing penalties laid down by general law on members of these peoples, take account of their economic, social and cultural characteristics.
- Government shall, in criminal cases against these peoples, give preference to methods of punishment other than confinement in prison.
- Government shall prohibit and punish the exaction from members of the peoples concerned of compulsory personal services in any form, whether paid or unpaid, except in cases prescribed by law

for all citizens.

- Government shall guarantee to the peoples the right to take legal proceedings, either individually or through their representative bodies, for the effective protection of these rights.
- Government shall ensure that members of these peoples can understand and be understood in legal proceedings, where necessary through the provision of interpretation or by other effective means.
- Governments shall respect the special importance for the cultures and spiritual values of the peoples concerned of their relationship with the lands or territories, or both as applicable, which they occupy or otherwise use.
- Governments shall particularly respect the collective aspects of these peoples' relationship with the lands which they occupy or use.
- Government shall guarantee the rights of ownership and possession of the peoples concerned over the lands which they traditionally occupy.
- Government shall take measures in appropriate cases to safeguard the right of the peoples concerned to use lands not exclusively occupied by them, but to which they have traditionally had access for their subsistence and traditional activities.
- Government shall pay particular attention to the situation of nomadic peoples and shifting cultivators in respect of their right to use lands not exclusively occupied by them, but to which they have traditionally had access for their subsistence and traditional activities.
- Government shall take steps as necessary to

identify the lands which the peoples concerned traditionally occupy.

- Government shall take steps as necessary to guarantee effective protection of these peoples' rights of ownership and possession.
- Government shall establish adequate procedures within the national legal system to resolve land claims by the peoples concerned.
- Government shall safeguard the rights of the peoples concerned to the natural resources pertaining to their lands.
- Government shall safeguard the right of these peoples to participate in the use, management and conservation of the natural resources pertaining to their lands.
- Government shall, in cases in which the government retains the ownership of mineral or sub-surface resources or rights to other resources pertaining to lands, maintain procedures through which it shall consult these peoples, with a view to ascertaining whether and to what degree their interests would be prejudiced, before undertaking or permitting any programs for the exploration or exploitation of such resources pertaining to their lands.
- Government shall guarantee these peoples the right wherever possible to participate in the benefits of such exploration and exploitation of resources.
- Government shall guarantee these peoples the right to receive fair compensation for any damages which they may sustain as a result of such exploration and exploitation of resources.
- Government shall, subject to the following indicators, ensure that the peoples concerned

shall not be removed from the lands which they occupy.

- Government shall ensure that, where the government considers relocation of these peoples necessary as an exceptional measure, such relocation shall take place only with their free and informed consent.
- Government shall ensure that, where their consent cannot be obtained, their relocation takes place only following appropriate procedures established by national laws and regulations, including public inquiries where appropriate, which provide the opportunity for effective representation of the peoples concerned.
- Government shall guarantee these peoples the right, whenever possible, to return to their traditional lands, as soon as the grounds for relocation cease to exist.
- Government shall, when such return is not possible, as determined by agreement or, in the absence of such agreement, through appropriate procedures, provide these peoples in all possible cases with lands of quality and legal status at least equal to that of the lands previously occupied by them, suitable to provide for their present needs and future development.
- Government shall guarantee the peoples concerned are compensated under appropriate guarantees, where such peoples express a preference for compensation in money or in kind.
- Government shall guarantee that persons thus relocated shall be fully compensated for any resulting loss or injury.
- Government shall guarantee that procedures established by the peoples concerned for the transmission of land rights among members of

these peoples are respected.

- Government shall consult the peoples concerned whenever consideration is being given to their capacity to alienate their lands or otherwise transmit their rights outside their own community.
- Government shall prevent persons not belonging to these peoples from taking advantage of their customs or of lack of understanding of the laws on the part of their members to secure the ownership, possession or use of land belonging to them.
- Government shall impose adequate penalties for unauthorized intrusion upon, or use of, the lands of the peoples concerned.
- Government shall take measures to prevent such offenses.
- Government shall ensure that national agrarian programs secure to the peoples concerned treatment equivalent to that accorded to other sectors of the population with regard to the provision of more land for these peoples when they have not the area necessary for providing the essentials of a normal existence, or for any possible increase in their number.
- Government shall ensure that national agrarian programs secure to the peoples concerned treatment equivalent to that accorded to other sectors of the population with regard to the provision of the means required to promote the development of the lands which these peoples already possess.
- Government shall, within the framework of national laws and regulations, and in cooperation with the peoples concerned, adopt special measures to ensure the effective protection with regard to recruitment and conditions of employment of workers belonging to these peoples, to the extent

that they are not effectively protected by laws applicable to workers in general.

- Government shall do everything possible to prevent any discrimination between workers belonging to the peoples concerned and other workers, in particular as regards admission to employment, including skilled employment.
- Government shall do everything possible to prevent any discrimination between workers belonging to the peoples concerned and other workers, in particular as regards promotion.
- Government shall do everything possible to prevent any discrimination between workers belonging to the peoples concerned and other workers, in particular as regards equal remuneration for work of equal value.
- Government shall do everything possible to prevent any discrimination between workers belonging to the peoples concerned and other workers, in particular as regards medical assistance.
- Government shall do everything possible to prevent any discrimination between workers belonging to the peoples concerned and other workers, in particular as regards social assistance.
- Government shall do everything possible to prevent any discrimination between workers belonging to the peoples concerned and other workers, in particular as regards occupational safety and health.
- Government shall do everything possible to prevent any discrimination between workers belonging to the peoples concerned and other workers, in particular as regards all social security benefits.

- Government shall do everything possible to prevent any discrimination between workers belonging to the peoples concerned and other workers, in particular as regards housing.
- Government shall do everything possible to prevent any discrimination between workers belonging to the peoples concerned and other workers, in particular as regards the right of association.
- Government shall do everything possible to prevent any discrimination between workers belonging to the peoples concerned and other workers, in particular as regards freedom for all lawful trade union activities.
- Government shall do everything possible to prevent any discrimination between workers belonging to the peoples concerned and other workers, in particular as regards the right to conclude collective agreements with employers or employers' organizations.
- Government shall take measures to ensure that workers belonging to the peoples concerned, including seasonal, casual and migrant workers in agricultural and other employment, as well as those employed by labor contractors, enjoy the protection afforded by national law and practice to other such workers in the same sectors.
- Government shall do everything possible to ensure indigenous people are fully informed of their rights under labor legislation and of the means of redress available to them.
- Government shall ensure that workers belonging to these peoples are not subjected to working conditions hazardous to their health, in particular through exposure to pesticides or other toxic substances.

- Government shall ensure that workers belonging to these peoples are not subjected to coercive recruitment systems.
- Government shall ensure that workers belonging to these peoples are not subjected to bonded labor.
- Government shall ensure that workers belonging to these peoples are not subjected to debt servitude.
- Government shall ensure that workers belonging to these peoples enjoy equal opportunities and equal treatment in employment for men and women.
- Government shall ensure that workers belonging to these peoples enjoy protection from sexual harassment.
- Government shall pay particular attention to the establishment of adequate labor inspection services in areas where workers belonging to the peoples concerned undertake wage employment, in order to ensure compliance with the provisions of this Convention.
- Government shall ensure members of the peoples concerned enjoy opportunities at least equal to those of other citizens in respect of vocational training measures.
- Government shall take measures to promote the voluntary participation of members of the peoples concerned in vocational training programs of general application.
- Government shall, whenever existing programs of vocational training of general application do not meet the special needs of the peoples concerned, with the participation of these peoples, ensure the provision of special training programs and

facilities.

- Government shall ensure that any special training programs are based on the economic environment, social and cultural conditions and practical needs of the peoples concerned.
- Government shall ensure that any studies made by the government respecting such training programs shall be carried out in cooperation with these peoples, who shall be consulted on the organization and operation of such programs.
- Government shall ensure that, where feasible, these peoples shall progressively assume responsibility for the organization and operation of such special training programs, if they so decide.
- Government shall recognize handicrafts, rural and community-based industries, and subsistence economy and traditional activities of the peoples concerned, such as hunting, fishing, trapping and gathering, as important factors in the maintenance of their cultures and in their economic self-reliance and development.
- Governments shall, with the participation of these people and whenever appropriate, ensure that these activities are strengthened and promoted.
- Government shall, upon the request of the peoples concerned, provide appropriate technical and financial assistance wherever possible, taking into account the traditional technologies and cultural characteristics of these peoples, as well as the importance of sustainable and equitable development.
- Government shall progressively extend social security schemes to cover the peoples concerned.
- Government shall apply social security schemes to such peoples without discrimination against them.

- Government shall ensure that adequate health services are made available to the peoples concerned, or shall provide them with resources to allow them to design and deliver such services under their own responsibility and control, so that they may enjoy the highest attainable standard of physical and mental health.
- Government shall ensure that health services shall, to the extent possible, be community-based.
- Government shall ensure that such health services are be planned and administered in cooperation with the peoples concerned.
- Government shall ensure that such health services take into account the peoples' economic, geographic, social and cultural conditions as well as their traditional preventive care, healing practices and medicines.
- Government shall ensure that he health care system gives preference to the training and employment of local community health workers.
- Government shall ensure that he health care system focuses on primary health care while maintaining strong links with other levels of health care services.
- Government shall ensure that the provision of such health services is coordinated with other social, economic and cultural measures in the country.
- Government shall ensure that members of the peoples concerned have the opportunity to acquire education at all levels on at least an equal footing with the rest of the national community.
- Education programs and services for the peoples concerned shall be developed and implemented

by the government in cooperation with them to address their special needs, and shall incorporate their histories, their knowledge and technologies, their value systems and their further social, economic and cultural aspirations.

- Government shall ensure the training of members of these peoples and their involvement in the formulation and implementation of education programs, with a view to the progressive transfer of responsibility for the conduct of these programs to these peoples as appropriate.
- Government shall ensure the right of these peoples to establish their own educational institutions and facilities, provided that such institutions meet minimum standards established by the government in consultation with these peoples.
- Government shall provide appropriate resources for such educational institutions and facilities.
- Government shall ensure that children belonging to the peoples concerned shall, wherever practicable, be taught to read and write in their own indigenous language or in the language most commonly used by the group to which they belong.
- When the previous obligation is not practicable, government shall undertake consultations with these peoples with a view to the adoption of measures to achieve this objective.
- Government shall take adequate measures to ensure that these peoples have the opportunity to attain fluency in the national language or in one of the official languages of the country.
- Government shall take measures to preserve and promote the development and practice of the indigenous languages of the peoples concerned.

- Government shall make it aim of education of these peoples to impart general knowledge and skills that will help children belonging to the peoples concerned to participate fully and on an equal footing in their own community and in the national community,
- Government shall adopt measures appropriate to the traditions and cultures of the peoples concerned, to make known to them their rights and duties, especially in regard to labor, economic opportunities, education and health matters, social welfare and their rights deriving from this Convention.
- Government shall, If necessary, make known their rights and duties by means of written translations and through the use of mass communications in the languages of these peoples.
- Government shall take educational measures among all sections of the national community, and particularly among those that are in most direct contact with the peoples concerned, with the object of eliminating prejudices that they may harbor in respect of these peoples.
- Government shall make efforts to ensure that history textbooks and other educational materials provide a fair, accurate and informative portrayal of the societies and cultures of these peoples.
- Government shall take appropriate measures, including by means of international agreements, to facilitate contacts and cooperation between indigenous and tribal peoples across borders, including activities in the economic, social, cultural, spiritual and environmental fields.
- Government shall ensure that agencies or other appropriate mechanisms exist to administer the programs affecting the peoples concerned.

- Government shall ensure that such agencies or mechanism have the means necessary for the proper fulfillment of the functions assigned to them.
- Government programs shall include the planning, co-ordination, execution and evaluation, in cooperation with the peoples concerned, of the measures provided for in this Convention.
- Government programs shall include the proposing of legislative and other measures to the competent authorities and supervision of the application of the measures taken, in cooperation with the peoples concerned.
- Government programs shall include the supervision of the application of the measures taken, in cooperation with the peoples concerned.
- Government shall determine the nature and scope of the measures to be taken to give effect to this Convention in a flexible manner, having regard to the conditions characteristic of each country.
- The application of the provisions of this Convention shall not adversely affect rights and benefits of the peoples concerned pursuant to other Conventions and Recommendations, international instruments, treaties, or national laws, awards, custom or agreements.

Convention no. 122 – Employment Policy Convention, 1964

- Government shall pursue a policy to promote full employment.
- Government shall pursue a policy to promote productive employment.

- Government shall pursue a policy to promote freely chosen employment.
- Government's employment policy shall aim at ensuring that there is work for all who are available for and seeking work.
- Government's employment policy shall aim at ensuring that such work is as productive as possible.
- Government's employment policy shall aim at ensuring that there is freedom of choice of employment and the fullest possible opportunity for each worker to qualify for, and to use his skills and endowments in, a job for which he is well suited, irrespective of race, color, sex, religion, political opinion, national extraction or social origin.
- Government's employment policy shall take due account of the stage and level of economic development and the mutual relationships between employment objectives and other economic and social objectives.
- Government shall ensure that representatives of the persons affected by the government employment policy, and in particular representatives of employers and workers, shall be consulted concerning employment policies,

*Convention no. 156 – Workers with Family Responsibilities
Convention, 1981*

- This Convention applies to men and women workers with responsibilities in relation to their dependent children, where such responsibilities restrict their possibilities of preparing for, entering, participating in or advancing in economic activity. The provisions of this Convention shall also apply to men and women workers with responsibilities in

relation to other members of their immediate family who clearly need their care or support, where such responsibilities restrict their possibilities of preparing for, entering, participating in or advancing in economic activity. For purposes of this Convention, the terms dependent child and other member of the immediate family who clearly needs care or support mean persons defined as such in each country by legal regulation or collective bargaining. The workers covered by the above definitions are hereinafter referred to as ***workers with family responsibilities***. For purposes of this Convention, the term ***discrimination*** is defined by Articles 1 and 5 of the Discrimination (Employment and Occupation) Convention, 1958.

- Government shall apply this Convention to all branches of economic activity and all categories of workers.
- Government shall implement a national policy to enable persons with family responsibilities to exercise their right to engage in employment without discrimination, with a view to creating effective equality of opportunity and treatment for men and women workers.
- Government shall implement a national policy to enable persons with family responsibilities to exercise their right to engage in employment, to the extent possible, without conflict between their employment and family responsibilities, with a view to creating effective equality of opportunity and treatment for men and women workers.
- Government shall take all measures compatible with national conditions to enable workers with family responsibilities to exercise their right to free choice of employment, with a view to creating effective equality of opportunity and treatment for men and women workers.

- Government shall take all measures compatible with national conditions to enable workers with family responsibilities to exercise their right to assert their needs in terms and conditions of employment, with a view to creating effective equality of opportunity and treatment for men and women workers.
- Government shall take all measures compatible with national conditions to take account of the needs of workers with family responsibilities in community planning.
- Government shall take all measures compatible with national conditions to develop child care, public or private.
- Government shall take all measures compatible with national conditions to develop family services, public or private.
- Government shall take appropriate measures to promote information and education which engender broader public understanding of the principle of equality of opportunity and treatment for men and women workers.
- Government shall take appropriate measures to promote information and education which engender broader public understanding of the problems of workers with family responsibilities.
- Government shall take all measures compatible with national conditions and possibilities, including measures in the field of vocational guidance and training, to enable workers with family responsibilities to become and remain integrated in the labor force.
- Government shall take all measures compatible with national conditions and possibilities, including measures in the field of vocational guidance and

training to re-enter the labor force after an absence due to those responsibilities.

- Government shall guarantee that family responsibilities shall not constitute a valid reason for termination of employment.
- Government may apply this Convention by stages if necessary, account being taken of national conditions: Provided that such measures of implementation as are taken shall apply in any case to all covered workers.
- Government shall guarantee employers' and workers' organization the right to participate, in a manner appropriate to national conditions and practice, in devising and applying measures designed to give effect to the provisions of this Convention.

*Convention no. 143 – Migrant Workers (Supplementary Provisions)
Convention, 1975*

- For the purpose of this Convention, the term **migrant worker** means a person who migrates or who has migrated from one country to another with a view to being employed otherwise than on his own account.
- Government shall respect the basic human rights of all migrant workers.
- Government shall systematically seek to determine whether there are illegally employed migrant workers on its territory.
- Government shall systematically seek to determine whether migrant workers are subject to conditions contravening relevant international multilateral or bilateral instruments or agreements, or national laws or regulations.

- Government shall ensure that the representative organizations of employers and workers are fully consulted and enabled to furnish any information in their possession on this subject.
- Government shall adopt all necessary and appropriate measures to suppress clandestine movements of migrants for employment.
- Government shall adopt all necessary and appropriate measures to suppress illegal employment of migrants.
- Government shall adopt all necessary and appropriate measures against those who employ workers who have immigrated in illegal conditions.
- Government shall undertake systematic contact and exchange of information with other governments on the subjects of clandestine and illegal migration, in consultation with representative organizations of employers and workers.
- Government shall undertake measures in order to prosecute the authors of manpower trafficking whatever the country from which they exercise their activities.
- Government shall define and apply administrative, civil and penal sanctions, which include imprisonment in their range, against the organization of movements of migrants for employment involving the abuses as defined in this Convention.
- Government shall apply administrative, civil and penal sanctions, which include imprisonment in their range, against the illegal employment of migrant workers.
- Government shall ensure the effective detection of

the illegal employment of migrant workers.

- Government shall enact laws that define and apply administrative, civil and penal sanctions, for illegal employment of migrant workers, which include imprisonment in their range in respect of knowing assistance to such movements, whether for profit or otherwise.
- Government shall ensure that a prosecuted employer has the right to furnish proof of his or her good faith.
- Government shall ensure that the representative organizations of employers and workers are consulted in regard to the laws and regulations and other measures provided for in this Convention.
- Government shall not withdraw authorization of residence by the mere fact of the migrant worker's loss of his employment.
- Government shall not withdraw authorization of work by the mere fact of the migrant worker's loss of his employment,
- Government shall ensure that migrant workers enjoy equality of treatment with nationals in respect in particular of guarantees of security of employment.
- Government shall ensure that migrant workers enjoy equality of treatment with nationals in respect in particular of the provision of alternative employment.
- Government shall ensure that migrant workers enjoy equality of treatment with nationals in respect in particular of the provision of relief work and retraining.

- Government shall ensure that a worker who has not respected guest worker laws and regulations and cannot regularize his position, enjoys equality of treatment for himself and his family in respect of rights arising out of past employment as regards remuneration.
- Government shall ensure that a worker who has not respected guest worker laws and regulations and cannot regularize his position, enjoys equality of treatment for himself and his family in respect of rights arising out of past employment as regards social security.
- Government shall ensure that a worker who has not respected guest worker laws and regulations and cannot regularize his position, enjoys equality of treatment for himself and his family in respect of rights arising out of past employment as regards all other benefits.
- Government shall ensure, in case of dispute about the preceding rights, that the worker may present his case to a competent body, either himself or through a representative.
- Government shall ensure that the worker does not bear his and his family's cost of expulsion.
- Government shall, if it chooses, give persons who are illegally residing or working within the country the right to stay.
- Government shall, if it chooses, give persons who are illegally residing or working within the country the right to take up legal employment.
- Government shall guarantee, by methods appropriate to national conditions and practice, equality of opportunity in respect of employment for lawful migrant workers.

- Government shall guarantee, by methods appropriate to national conditions and practice, equality of treatment in respect of occupation for lawful migrant workers.
- Government shall guarantee, by methods appropriate to national conditions and practice, equality of trade union rights of lawful migrant workers.
- Government shall guarantee, by methods appropriate to national conditions and practice, equality of opportunity and treatment in respect of cultural rights of lawful migrant workers.
- Government shall guarantee, by methods appropriate to national conditions and practice, equality of opportunity and treatment in respect of individual and collective freedoms for lawful migrant workers.
- Government shall, by methods appropriate to national conditions and practice, seek the cooperation of employers' and workers' organizations and other appropriate bodies in promoting the acceptance and observance of the rights and obligations provided in this Convention.
- Government shall, by methods appropriate to national conditions and practice, enact such legislation and promote such educational programs as may be calculated to secure the acceptance and observance of the rights and obligations.
- Government shall, by methods appropriate to national conditions and practice, encourage educational programs aimed at acquainting migrant workers as fully as possible with their rights and obligations.
- Government shall, by methods appropriate to

national conditions and practice, encourage educational programs aimed at acquainting migrant workers as fully as possible with activities designed to give effective assistance to migrant workers in the exercise of their rights and for their protection.

- Government shall, by methods appropriate to national conditions and practice in consultation with representative organizations of employers and workers, formulate and apply a social policy appropriate to national conditions and practice which enables migrant workers and their families to share in advantages enjoyed by its nationals.
- Government may take account, without adversely affecting the principle of equality of opportunity and treatment, of such special needs as migrant workers and their families may have until they are adapted to the society of the country of employment.
- Government shall, by methods appropriate to national conditions and practice, take all steps to assist and encourage the efforts of migrant workers and their families to preserve their national and ethnic identity and their cultural ties with their country of origin, including the possibility for children to be given some knowledge of their mother tongue.
- Government shall, by methods appropriate to national conditions and practice, guarantee equality of treatment with regard to working conditions for all migrant workers who perform the same activity whatever might be the particular conditions of their employment.
- Government shall take all necessary measures to facilitate the reunification of the families of all migrant workers legally residing in its territory.

- Government may assure migrant workers the right to geographical mobility, subject to the conditions that the migrant worker has resided lawfully in its territory for the purpose of employment for a prescribed period not exceeding two years or, if its laws or regulations provide for contracts for a fixed term of less than two years, that the worker has completed his or her first work contract.
- Government may after appropriate consultation with the representative organizations of employers and workers make regulations concerning recognition of occupational qualifications acquired outside its territory, including certificates and diplomas.
- Government may restrict access to limited categories of employment or functions where this is necessary in the interests of the State.
- Government may conclude multilateral or bilateral agreements with a view to resolving problems arising from its application.

*Convention no. 97 – Migration for Employment (Revised)
Convention, 1949*

- For the purpose of this Convention the term **migrant for employment** means a person who migrates from one country to another with a view to being employed otherwise than on his own account and includes any person regularly admitted as a migrant for employment.
- Government shall maintain an adequate and free service to assist migrants for employment, and in particular to provide them with accurate information.
- Government shall take all appropriate steps

against misleading propaganda relating to emigration and immigration.

- Government shall take appropriate measures to facilitate the departure, journey and reception of migrants for employment.
- Government shall maintain, within its jurisdiction, appropriate medical services responsible for ensuring that migrants for employment and members of their families enjoy adequate medical attention and good hygienic conditions at the time of departure, during the journey and on arrival in the territory of destination.
- Government shall maintain, within its jurisdiction, appropriate medical services responsible for ascertaining, where necessary, both at the time of departure and on arrival, that migrants for employment and the members of their families authorized to accompany or join them are in reasonable health.
- Government shall apply, without discrimination in respect of nationality, race, religion or sex, to immigrants lawfully within its territory, treatment no less favorable than that which it applies to its own nationals in respect of remuneration, including family allowances where these form part of remuneration, in so far as such matters are regulated by law or regulations, or are subject to the control of administrative authorities.
- Government shall apply, without discrimination in respect of nationality, race, religion or sex, to immigrants lawfully within its territory, treatment no less favorable than that which it applies to its own nationals in respect of hours of work, in so far as such matters are regulated by law or regulations, or are subject to the control of administrative authorities.
- Government shall apply, without discrimination in

respect of nationality, race, religion or sex, to immigrants lawfully within its territory, treatment no less favorable than that which it applies to its own nationals in respect of overtime arrangements, in so far as such matters are regulated by law or regulations, or are subject to the control of administrative authorities.

- Government shall apply, without discrimination in respect of nationality, race, religion or sex, to immigrants lawfully within its territory, treatment no less favorable than that which it applies to its own nationals in respect of restrictions on home work, in so far as such matters are regulated by law or regulations, or are subject to the control of administrative authorities.
- Government shall apply, without discrimination in respect of nationality, race, religion or sex, to immigrants lawfully within its territory, treatment no less favorable than that which it applies to its own nationals in respect of minimum age of employment, in so far as such matters are regulated by law or regulations, or are subject to the control of administrative authorities
- Government shall apply, without discrimination in respect of nationality, race, religion or sex, to immigrants lawfully within its territory, treatment no less favorable than that which it applies to its own nationals in respect of training and apprenticeship, in so far as such matters are regulated by law or regulations, or are subject to the control of administrative authorities.
- Government shall apply, without discrimination in respect of nationality, race, religion or sex, to immigrants lawfully within its territory, treatment no less favorable than that which it applies to its own nationals in respect of women's work, in so far as such matters are regulated by law or regulations, or are subject to the control of administrative authorities.

- Government shall apply, without discrimination in respect of nationality, race, religion or sex, to immigrants lawfully within its territory, treatment no less favorable than that which it applies to its own nationals in respect of work of the young, in so far as such matters are regulated by law or regulations, or are subject to the control of administrative authorities.
- Government shall apply, without discrimination in respect of nationality, race, religion or sex, to immigrants lawfully within its territory, treatment no less favorable than that which it applies to its own nationals in respect of membership of trade unions.
- Government shall apply, without discrimination in respect of nationality, race, religion or sex, to immigrants lawfully within its territory, treatment no less favorable than that which it applies to its own nationals in respect of the benefits of collective bargaining.
- Government shall apply, without discrimination in respect of nationality, race, religion or sex, to immigrants lawfully within its territory, treatment no less favorable than that which it applies to its own nationals in respect of social security (that is to say, legal provision in respect of employment injury, maternity, sickness, invalidity, old age, death, unemployment and family responsibilities, and any other contingency which, according to national laws or regulations, is covered by a social security scheme), subject to the following limitations: (I) there may be appropriate arrangements for the maintenance of acquired rights and rights in course of acquisition; (II) national laws or regulations of immigration countries may prescribe special arrangements concerning benefits or portions of benefits which are payable wholly out of public funds, and concerning allowances paid to persons who do not

fulfill the contribution conditions prescribed for the award of a normal pension.

- Government shall apply, without discrimination in respect of nationality, race, religion or sex, to immigrants lawfully within its territory, treatment no less favorable than that which it applies to its own nationals in respect of employment taxes, dues or contributions payable in respect of the person employed.
- Government shall apply, without discrimination in respect of nationality, race, religion or sex, to immigrants lawfully within its territory, treatment no less favorable than that which it applies to its own nationals in respect of legal proceedings relating to the matters referred to in this Convention.
- Government shall determine the extent to which and manner in which these provisions shall be applied in respect of matters regulated by the law or regulations of the constituent states, provinces or cantons, or subject to the control of the administrative authorities thereof.
- Government shall ensure that its employment service and other services connected with migration will cooperate in appropriate cases with the corresponding services of other governments.
- Government shall ensure that the services rendered by its public employment service to migrants for employment are rendered free.
- Government shall ensure that a migrant for employment who has been admitted on a permanent basis and the members of his family who have been authorized to accompany or join him shall not be returned to their territory of origin or the territory from which they emigrated because the migrant is unable to follow his occupation by reason of illness contracted or injury sustained subsequent to entry, unless he so wishes or the

government has an agreement with another government that so provides.

- Government may determine, when migrants for employment are admitted on a permanent basis upon arrival in the country of immigration, that the preceding right shall take effect only after a reasonable period which shall in no case exceed five years from the date of admission of such migrants.
- Government shall permit, taking into account the limits allowed by national laws and regulations concerning export and import of currency, the transfer of such part of the earnings and savings of the migrant for employment as the migrant may desire.
- Governments shall, in cases where the number of migrants going from the territory of one government to that of another is sufficiently large, whenever necessary or desirable enter into agreements for the purpose of regulating matters of common concern arising in connection with the application of the provisions of this Convention.

Convention no. 97 - Annex I

- This Annex applies to migrants for employment who are recruited otherwise than under Government-sponsored arrangements for group transfer.
- For the purpose of this Annex (a) the term **recruitment** means (i) the engagement of a person in one territory on behalf of an employer in another territory, or (ii) the giving of an undertaking to a person in one territory to provide him with employment in another territory, together with the making of any arrangements in connection with the operations mentioned in (i) and (ii) including the seeking for and selection of emigrants and the preparation for departure of the emigrants; (b) the

term **introduction** means any operations for ensuring or facilitating the arrival in or admission to a territory of persons who have been recruited within the meaning of paragraph (a) of this Article; and (c) the term **placing** means any operations for the purpose of ensuring or facilitating the employment of persons who have been introduced within the meaning of paragraph (b) of this Article.

- Government shall ensure that the right to engage in the operations of recruitment, introduction and placing shall be restricted to (a) public employment offices or other public bodies of the territory in which the operations take place; (b) public bodies of a territory other than that in which the operations take place which are authorized to operate in that territory by agreement between the governments concerned; and (c) any body established in accordance with the terms of an international instrument.
- Government shall ensure that, In so far as national laws and regulations or a bilateral arrangement permit, the operations of recruitment, introduction and placing may be undertaken by the prospective employer or a person in his service acting on his behalf, subject, if necessary in the interest of the migrant, to the approval and supervision of the government.
- Government may, in so far as national laws and regulations or a bilateral arrangement permit, allow the operations of recruitment, introduction and placing to be undertaken by a private agency, if given prior authorization so to do by the government where the said operations are to take place, in such cases and under such conditions as may be prescribed by (i) the laws and regulations of that government, or (ii) agreement between the government of emigration or any body established in accordance with the terms of an international instrument and the government of immigration.

- Government where recruiting operations take place shall supervise the activities of bodies and persons to whom the above authorizations have been granted, other than any body established in accordance with the terms of an international instrument, the position of which shall continue to be governed by the terms of the said instrument or by any agreement made between the body and the government concerned.
- Government shall not permit the acceptance of a migrant for employment for admission to the territory by any person or body other than the government of the territory of immigration.
- Government shall ensure that the services rendered by its public employment service in connection with the recruitment, introduction or placing of migrants for employment are rendered free.
- Government, if it maintains a system of supervision of contracts of employment between an employer or a person acting on his behalf and a migrant for employment, shall require (a) that a copy of the contract of employment shall be delivered to the migrant before departure or, if the governments concerned so agree, in a reception center on arrival in the territory of immigration; (b) that the contract shall contain provisions indicating the conditions of work and particularly the remuneration offered to the migrant; (c) that the migrant shall receive in writing before departure, by a document which relates either to him individually or to a group of migrants of which he is a member, information concerning the general conditions of life and work applicable to him in the territory of immigration.
- Government shall, if a copy of the contract is to be delivered to the migrant on arrival in the country of immigration, inform the migrant in writing before departure, by a document which relates either to

him individually or to a group of migrants of which he is a member, of the occupational category for which he is engaged and the other conditions of work, in particular the minimum wage which is guaranteed to him.

- Government shall ensure that the provisions of the preceding paragraphs are enforced and that appropriate penalties are applied in respect of violations thereof.
- Government shall, as appropriate, simplify the administrative formalities of immigration and emigration.
- Government shall, as appropriate, provide interpretation services to immigrants.
- Government shall, as appropriate, provide any necessary assistance during an initial period in the settlement of the migrants and members of their families authorized to accompany or join them.
- Government shall, as appropriate, safeguard the welfare, during the journey and in particular on board ship, of migrants and members of their families authorized to accompany or join them.
- Government, if it maintains a system of supervision over contracts of employment, shall enter into bilateral or multilateral agreements that indicate the methods by which the contractual obligations of the employers shall be enforced.
- Government shall subject to appropriate penalties any person who promotes clandestine or illegal immigration to appropriate penalties.

Convention no. 97 - Annex II

- This Annex applies to migrants for employment who are recruited under Government-sponsored arrangements for group transfer.

- For the purpose of this Annex--(a) the term **recruitment** means--(i) the engagement of a person in one territory on behalf of an employer in another territory under a Government-sponsored arrangement for group transfer, or (ii) the giving of an undertaking to a person in one territory to provide him with employment in another territory under a Government-sponsored arrangement for group transfer, together with the making of any arrangements in connection with the operations mentioned in (i) and (ii) including the seeking for and selection of emigrants and the preparation for departure of the emigrants; (b) the term **introduction** means any operations for ensuring or facilitating the arrival in or admission to a territory of persons who have been recruited under a Government-sponsored arrangement for group transfer within the meaning of subparagraph (a) of this paragraph; and (c) the term **placing** means any operations for the purpose of ensuring or facilitating the employment of persons who have been introduced under a Government-sponsored arrangement for group transfer within the meaning of subparagraph (b) of this paragraph.
- Government shall, subject to the provisions of the following paragraph, restrict the right to engage in the operations of recruitment, introduction and placing to (a) public employment offices or other public bodies of the territory in which the operations take place; (b) public bodies of a country other than that in which the operations take place which are authorized to operate in that country by agreement between the Governments concerned; and (c) any body established in accordance with the terms of an international instrument.
- Government may, in so far as national laws and regulations or a bilateral arrangement permit, and subject, if necessary in the interest of the migrant, to the approval and supervision of the government, permit the operations of recruitment, introduction

and placing to be undertaken by (a) the prospective employer or a person in his service acting on his behalf; or (b) private agencies.

- Government shall subject to prior authorization the operations of recruitment, introduction and placing, where the said operations are to take place in such cases and under such conditions as may be prescribed by (a) the laws and regulations of that country, or (b) agreement between the governments of the countries of emigration, or (c) any body established in accordance with the terms of an international instrument and the government of immigration.
- Government of the country where the operations take place shall, in accordance with any agreements made between the governments concerned, supervise the activities of bodies and persons to whom authorizations have been issued in pursuance of the preceding paragraph, other than any body established in accordance with the terms of an international instrument, the position of which shall continue to be governed by the terms of the said instrument or by any agreement made between the body and the government concerned.
- Government of the country of immigration shall, before authorizing the introduction of migrants for employment, ascertain whether there is not a sufficient number of persons already available capable of doing the work in question.
- Government shall ensure that the services rendered by its public employment service in connection with the recruitment, introduction or placing of migrants for employment are rendered free.
- Government shall ensure that the administrative costs of recruitment, introduction and placing are not borne by the migrants.

- Government of a country of transit shall, in the case of collective transport of migrants from one country to another necessitating passage in transit through a third country, take measures for expediting the passage of migrants and for avoiding delays and administrative difficulties.
- Government which maintains a system of supervision of contracts of employment between an employer, or a person acting on his behalf, and a migrant for employment shall require that a copy of the contract of employment shall be delivered to the migrant before departure or, if the governments concerned so agree, in a reception center on arrival in the country of immigration.
- Government which maintains a system of supervision of contracts of employment between an employer, or a person acting on his behalf, and a migrant for employment shall require that the contract shall contain provisions indicating the conditions of work and particularly the remuneration offered to the migrant.
- Government which maintains a system of supervision of contracts of employment between an employer, or a person acting on his behalf, and a migrant for employment shall require that the migrant receive in writing before departure, by a document which relates either to him or her individually or to a group of migrants of which he or she is a member, information concerning the general conditions of life and work applicable to him or her in the country of immigration.
- Government shall ensure that, where a copy of the contract is to be delivered to the migrant on arrival in the territory of immigration, he or she shall be informed in writing before departure, by a document which relates either to him or her individually or to a group of migrants of which he or she is a member, of the minimum wage which is guaranteed to him or her.

- Government shall ensure that, where a copy of the contract is to be delivered to the migrant on arrival in the territory of immigration, he or she shall be informed in writing before departure, by a document which relates either to him or her individually or to a group of migrants of which he or she is a member, of other conditions of work for which he or she is engaged.
- Government shall ensure that the provisions of the preceding paragraphs are enforced and that appropriate penalties are applied in respect of violations thereof.
- Government shall, as appropriate, simplify the administrative formalities for exercising the rights in this Annex.
- Government shall, as appropriate, provide interpretation services for exercising the rights in the Annex.
- Government shall, as appropriate, provide any necessary assistance, during an initial period in the settlement of the migrants and members of their families authorized to accompany or join them.
- Government shall, as appropriate, safeguard the welfare, during the journey and in particular on board ship, of migrants and members of their families authorized to accompany or join them.
- Government shall, as appropriate, permit the liquidation and transfer of the property of migrants for employment admitted on a permanent basis.
- Government shall take appropriate measures to assist migrants for employment, during an initial period, in regard to matters concerning their conditions of employment; where appropriate, such measures may be taken in cooperation with

approved voluntary organizations.

- Government shall ensure that, if a migrant for employment introduced into the country in accordance with the provisions of this Annex fails, for a reason for which he is not responsible, to secure the employment for which he has been recruited or other suitable employment, the cost of his return and that of the members of his family who have been authorized to accompany or join him, including administrative fees, transport and maintenance charges to the final destination, and charges for the transport of household belongings, shall not fall upon the migrant.
- Government of the country of immigration shall, if it determines that the employment for which a migrant for employment was recruited under this Annex is unsuitable, take appropriate measures to assist him or her in finding suitable employment which does not prejudice national workers and shall take such steps as will ensure his or her maintenance pending placing in such employment, or his or her return to the area of recruitment if the migrant is willing or agreed to such return at the time of his or her recruitment, or his or her resettlement elsewhere.
- Government of the country of immigration shall, If a migrant for employment who is a refugee or a displaced person and who has entered a territory of immigration in accordance with this Annex becomes redundant in any employment in that territory, use its best efforts to enable him or her to obtain suitable employment which does not prejudice national workers, and shall take such steps as will ensure his or her maintenance pending placing in suitable employment or his or her resettlement elsewhere.
- Governments of the countries concerned shall enter into agreements for the purpose of regulating matters of common concern arising in connection

with the application of the provisions of this Annex.

- Governments' agreements maintaining a system of supervision over contracts of employment shall indicate the methods by which the contractual obligations of the employer shall be enforced.
- Governments' agreements maintaining a system of supervision over contracts of employment shall provide, where appropriate, for cooperation between the governments or a body established in accordance with the terms of an international instrument and the government of the country of immigration, in respect of the assistance required by this Annex to be given to migrants concerning their conditions of employment.
- Government shall ensure that any person who promotes clandestine or illegal immigration shall be subject to appropriate penalties.

Convention no. 97 - Annex III

- Government shall exempt personal effects belonging to recruited migrants for employment and members of their families who have been authorized to accompany or join them from customs duties on arrival in the country of immigration.
- Government shall exempt portable hand-tools and portable equipment of the kind normally owned by workers for the carrying out of their particular trades belonging to recruited migrants for employment and members of their families who have been authorized to accompany or join them from customs duties on arrival in the territory of immigration if such tools and equipment can be shown at the time of importation to be in their actual ownership or possession, to have been in their possession and use for an appreciable time, and to be intended to be used by them in the course of their occupation.

- Government shall exempt personal effects belonging to migrants for employment and members of their families who have been authorized to accompany or join them from customs duties on the return of the said persons to their country of origin if such persons have retained the nationality of that country at the time of their return there.
- Government shall exempt portable hand-tools and portable equipment of the kind normally owned by workers for the carrying out of their particular trades belonging to migrants for employment and members of their families who have been authorized to accompany or join them from customs duties on return of the said persons to their country of origin if such persons have retained the nationality of that country at the time of their return there and if such tools and equipment can be shown at the time of importation to be in their actual ownership or possession, to have been in their possession and use for an appreciable time, and to be intended to be used by them in the course of their occupation.

*Convention no. 143 – Migrant Workers (Supplementary Provisions)
Convention, 1975*

- Government shall respect the basic human rights of all migrant workers.
- Government shall systematically seek to determine whether there are illegally employed migrant workers on its territory.
- Government shall systematically seek to determine whether there depart from, pass through or arrive in its territory any movements of migrants for employment in which the migrants are subjected during their journey, on arrival or during

their period of residence and employment to conditions contravening relevant international multilateral or bilateral instruments or agreements, or national laws or regulations.

- Government shall adopt all necessary and appropriate measures, both within its jurisdiction and in collaboration with other governments to suppress clandestine movements of migrants for employment and illegal employment of migrants.
- Government shall adopt all necessary and appropriate measures, both within its jurisdiction and in collaboration with other governments against the organizers of illicit or clandestine movements of migrants for employment departing from, passing through or arriving in its territory.
- Government shall adopt all necessary and appropriate measures, both within its jurisdiction and in collaboration with other governments against those who employ workers who have immigrated in illegal conditions.
- Governments shall, in particular, take such measures as are necessary, at the national and the international level, for systematic contact and exchange of information on the subject with other governments, in consultation with representative organizations of employers and workers.
- Government shall provide by national laws or regulations for the effective detection of the illegal employment of migrant workers.
- Government shall provide by national laws or regulations for the definition and the application of administrative, civil and penal sanctions, which include imprisonment in their range, in respect of the illegal employment of migrant workers.
- Government shall provide by national laws or regulations for the definition and the application of administrative, civil and penal sanctions, which

include imprisonment in their range, in respect of the organization of movements of migrants for employment defined as involving the abuses referred to in this Convention.

- Government shall provide by national laws or regulations for the definition and the application of administrative, civil and penal sanctions, which include imprisonment in their range, in respect of knowing assistance to such movements, whether for profit or otherwise.
- Government shall ensure that an employer prosecuted by virtue of the provision made in pursuance of this Article shall have the right to furnish proof of his or her good faith.
- Government shall ensure that the representative organizations of employers and workers shall be consulted in regard to the laws and regulations and other measures provided for in this Convention and designed to prevent and eliminate the abuses referred to above.
- Government shall ensure that on condition that he or she has resided legally in the territory for the purpose of employment, the migrant worker shall not be regarded as in an illegal or irregular situation by the mere fact of the loss of his or her employment, which shall not in itself imply the withdrawal of his authorization of residence or, as the case may be, work permit.
- Government shall ensure that migrant workers enjoy equality of treatment with nationals in respect in particular of guarantees of security of employment.
- Government shall ensure that migrant workers enjoy equality of treatment with nationals in respect in particular of the provision of alternative employment.
- Government shall ensure that migrant workers

enjoy equality of treatment with nationals in respect in particular of relief work.

- Government shall ensure that migrant workers enjoy equality of treatment with nationals in respect in particular of guarantees of retraining.
- Government shall ensure that, without prejudice to measures designed to control movements of migrants for employment by ensuring that migrant workers enter national territory and are admitted to employment in conformity with the relevant laws and regulations, the migrant worker shall, in cases in which these laws and regulations have not been respected and in which his position cannot be regularized, enjoy equality of treatment for himself and his family in respect of rights arising out of past employment as regards remuneration.
- Government shall ensure that, without prejudice to measures designed to control movements of migrants for employment by ensuring that migrant workers enter national territory and are admitted to employment in conformity with the relevant laws and regulations, the migrant worker shall, in cases in which these laws and regulations have not been respected and in which his position cannot be regularized, enjoy equality of treatment for himself and his family in respect of rights arising out of past employment as regards social security.
- Government shall ensure that, without prejudice to measures designed to control movements of migrants for employment by ensuring that migrant workers enter national territory and are admitted to employment in conformity with the relevant laws and regulations, the migrant worker shall, in cases in which these laws and regulations have not been respected and in which his position cannot be regularized, enjoy equality of treatment for himself and his family in respect of rights arising out of past employment as regards other benefits.

- Government shall ensure that, in case of dispute about the rights referred to in the preceding [three bullet points], the worker shall have the possibility of presenting his case to a competent body, either himself or through a representative.
- Government shall ensure that in case of expulsion of the worker or his or her family, the cost shall not be borne by him or her.
- Nothing in this Convention shall prevent Governments from giving persons who are illegally residing or working within the country the right to stay and to take up legal employment.
- Government shall pursue a national policy to promote and to guarantee, by methods appropriate to national conditions and practice, equality of opportunity and treatment in respect of employment and occupation for persons who as migrant workers or as members of their families are lawfully within its territory.
- Government shall declare and pursue a national policy to guarantee, by methods appropriate to national conditions and practice, in respect of social security for persons who as migrant workers or as members of their families are lawfully within its territory.
- Government shall declare and pursue a national policy to guarantee, by methods appropriate to national conditions and practice, equality of opportunity and treatment in respect of trade union rights for persons who as migrant workers or as members of their families are lawfully within its territory.
- Government shall declare and pursue a national policy to guarantee, by methods appropriate to national conditions and practice, equality of opportunity and treatment in respect of cultural rights for persons who as migrant workers or as

members of their families are lawfully within its territory.

- Government shall declare and pursue a national policy to guarantee, by methods appropriate to national conditions and practice, equality of opportunity and treatment in respect of individual freedoms for persons who as migrant workers or as members of their families are lawfully within its territory.
- Government shall declare and pursue a national policy to guarantee, by methods appropriate to national conditions and practice, equality of opportunity and treatment in respect of collective freedoms for persons who as migrant workers or as members of their families are lawfully within its territory.
- For the purpose of the following Part of this Convention, the term **migrant worker** means a person who migrates or who has migrated from one country to another with a view to being employed otherwise than on his own account and includes any person regularly admitted as a migrant worker. This Part of this Convention does not apply to (a) frontier workers; (b) artistes and members of the liberal professions who have entered the country on a short-term basis; (c) seamen; (d) persons coming specifically for purposes of training or education; (e) employees of organizations or undertakings operating within the territory of a country who have been admitted temporarily to that country at the request of their employer to undertake specific duties or assignments, for a limited and defined period of time, and who are required to leave that country on the completion of their duties or assignments. The members of the family of the migrant worker to which this Part applies are the spouse and dependent children, father and mother.
- Government shall, by methods appropriate to

national conditions and practice seek the cooperation of employers' and workers' organizations and other appropriate bodies in promoting the acceptance and observance of the policy provided for in this Convention.

- Government shall, by methods appropriate to national conditions and practice, enact such legislation and promote such educational programs as may be calculated to secure the acceptance and observance of the policy.
- Government shall, by methods appropriate to national conditions and practice, take measures, encourage educational programs and develop other activities aimed at acquainting migrant workers as fully as possible with the policy, with their rights and obligations and with activities designed to give effective assistance to migrant workers in the exercise of their rights and for their protection.
- Government shall, by methods appropriate to national conditions and practice, repeal any statutory provisions and modify any administrative instructions or practices which are inconsistent with the policy
- Government shall, by methods appropriate to national conditions and practice in consultation with representative organizations of employers and workers, formulate and apply a social policy which enables migrant workers and their families to share in advantages enjoyed by its nationals while taking account, without adversely affecting the principle of equality of opportunity and treatment, of such special needs as they may have until they are adapted to the society of the country of employment.
- Government shall, by methods appropriate to national conditions and practice take all steps to assist and encourage the efforts of migrant

workers and their families to preserve their national and ethnic identity and their cultural ties with their country of origin, including the possibility for children to be given some knowledge of their mother tongue.

- Government shall, by methods appropriate to national conditions, guarantee equality of treatment, with regard to working conditions, for all migrant workers who perform the same activity whatever might be the particular conditions of their employment.
- Government may take all necessary measures which fall within its competence and collaborate with other governments to facilitate the reunification of the families of all migrant workers legally residing in its territory.
- Government may make the free choice of employment, while assuring migrant workers the right to geographical mobility, subject to the conditions that the migrant worker has resided lawfully in its territory for the purpose of employment for a prescribed period not exceeding two years or, if its laws or regulations provide for contracts for a fixed term of less than two years, that the worker has completed his first work contract.
- Government may after appropriate consultation with the representative organizations of employers and workers, make regulations concerning recognition of occupational qualifications acquired outside its territory, including certificates and diplomas.
- Government may restrict access to limited categories of employment or functions where this is necessary in the interests of the State.
- This Convention does not prevent governments from concluding multilateral or bilateral

agreements with a view to resolving problems arising from its application.

C. Acceptable Conditions – Wages

ILO Constitution

- “[A]n improvement in those conditions [of labor] is urgently required; as, for example, by...the provision of a living wage....”

Convention no. 131 – Minimum Wage Fixing Convention, 1970

- Government shall establish a system of minimum wages.
- Government, after consultation with worker and employer organizations, shall determine the groups of employees to be covered by the minimum wage.
- Government shall give minimum wages the force of law.
- Government shall ensure that the minimum wage is not abated.
- Government shall impose penal or other sanctions on employers who fail to pay minimum wages.
- Government, in setting the minimum wages, shall take into consideration needs of working families.
- Government, in setting the minimum wages, shall take into consideration general wage levels.
- Government, in setting the minimum wages, shall take into consideration cost of living.
- Government, in setting the minimum wages, shall take into consideration social security benefits.

- Government, in setting the minimum wages, shall take into consideration relative living standards of other groups.
- Government, in setting the minimum wages, shall take into consideration economic factors.
- Government, in setting the minimum wages, shall take into consideration the requirement of economic development.
- Government, in setting the minimum wages, shall take into consideration productivity levels.
- Government, in setting the minimum wages, shall take into consideration the goal of high levels of employment.
- Government shall create machinery, adapted to national conditions, to set minimum wages and adjust them periodically.
- Government shall create machinery, adapted to national conditions, to adjust minimum wages periodically.
- Government machinery shall consult with worker and employer organizations.
- Government shall take appropriate measures such as adequate inspection to enforce minimum wages.

*Convention no. 99 – Minimum Wage Fixing Machinery (Agriculture)
Convention, 1951*

- Government shall maintain adequate machinery whereby minimum rates of wages can be fixed for workers employed in agricultural undertakings and related occupations.

- Government shall be free to determine, after consultation with the most representative organizations of employers and workers concerned, where such exist, to which undertakings, occupations and categories of persons the minimum wage fixing machinery shall be applied.
- Government may exclude from the application of all or any of the provisions of this Convention categories of persons whose conditions of employment render such provisions inapplicable to them, such as members of the farmer's family employed by him or her.
- Government laws or regulations, collective agreements or arbitration awards may authorize the partial payment of minimum wages in the form of allowances in kind in cases in which payment in the form of such allowances is customary or desirable.
- Government shall ensure, in cases in which partial payment of minimum wages in the form of allowances in kind is authorized, that such allowances are appropriate for the personal use and benefit of the worker and his family and the value attributed to such allowances is fair and reasonable.
- Government shall be free to decide, subject to the conditions stated in the following paragraphs, the nature and form of the minimum wage fixing machinery, and the methods to be followed in its operation.
- Government shall, before a decision is taken about fixing the minimum wage, engage in full preliminary consultation with the most representative organizations of employers and workers concerned, where such exist.

- Government shall, before a decision is taken about fixing the minimum wage, engage in full preliminary consultation with any other persons specially qualified by their trade or functions whom the government deems it useful to consult.
- Government shall ensure that the employers and workers concerned take part in the operation of the minimum wage fixing machinery, or are consulted or have the right to be heard, in such manner and to such extent as may be determined by national laws or regulations but in any case on a basis of complete equality.
- Government shall ensure that minimum rates of wages which have been fixed shall be binding on the employers and workers concerned so as not to be subject to abatement.
- Government may permit exceptions to the minimum wage rates in individual cases, where necessary, to prevent curtailment of the opportunities of employment of physically or mentally handicapped workers.
- Government shall ensure that wages are not paid at less than the fixed rates in cases where they are applicable.
- Government shall provide for supervision for violation of minimum wage as may be necessary and appropriate to the conditions obtaining in agriculture in the country concerned.
- Government shall provide for inspection for violation of minimum wage as may be necessary and appropriate to the conditions obtaining in agriculture in the country concerned.
- Government shall provide for sanctions for violation of minimum wage as may be necessary and appropriate to the conditions obtaining in

agriculture in the country concerned.

- Government shall ensure that a worker to whom the minimum rates are applicable and who has been paid wages at less than these rates shall be entitled to recover, by judicial or other appropriate proceedings, the amount by which he has been underpaid, subject to such limitation of time as may be determined by national laws or regulations.

Convention no. 95 – Protection of Wages Convention, 1949

- In this Convention, the term **wages** means remuneration or earnings, however designated or calculated, capable of being expressed in terms of money and fixed by mutual agreement or by national laws or regulations, which are payable in virtue of a written or unwritten contract of employment by an employer to an employed person for work done or to be done or for services rendered or to be rendered. This Convention applies to all persons to whom wages are paid or payable.
- Government may, after consultation with the organizations of employers and employed persons directly concerned, if such exist, exclude from the application of all or any of the provisions of the Convention categories of persons whose circumstances and conditions of employment are such that the application to them of all or any of the said provisions would be inappropriate and who are not employed in manual labor or are employed in domestic service or work similar thereto.
- Government shall indicate any categories of persons which it proposes to exclude from the application of all or any of the provisions of the Convention.

- Government shall ensure wages payable in money shall be paid only in legal tender.
- Government shall prohibit payment of wages in the form of promissory notes, vouchers or coupons, or in any other form alleged to represent legal tender.
- Government may permit or prescribe the payment of wages by bank check or postal check or money order in cases in which payment in this manner is customary or is necessary because of special circumstances, or where a collective agreement or arbitration award so provides, or, where not so provided, with the consent of the worker concerned.
- Government laws or regulations, collective agreements or arbitration awards may authorize the partial payment of wages in the form of allowances in kind in industries or occupations in which payment in the form of such allowances is customary or desirable because of the nature of the industry or occupation concerned.
- Government shall prohibit the payment of wages in the form of liquor of high alcoholic content or of noxious drugs in all circumstances.
- Government shall, in cases in which partial payment of wages in the form of allowances in kind is authorized, ensure that such allowances are appropriate for the personal use and benefit of the worker and his family.
- Government shall, in cases in which partial payment of wages in the form of allowances in kind is authorized, ensure that the value attributed to such allowances is fair and reasonable.
- Government shall ensure that wages shall be paid directly to the worker concerned except as may be otherwise provided by national laws or regulations,

collective agreement or arbitration award or where the worker concerned has agreed to the contrary.

- Government shall prohibit employers from limiting in any manner the freedom of the worker to dispose of his wages.
- Government shall ensure that, where works stores for the sale of commodities to the workers are established or services are operated in connection with an undertaking, the workers concerned are free from any coercion to make use of such stores or services.
- Government shall, where access to other stores or services is not possible, ensure that goods are sold and services provided at fair and reasonable prices.
- Government shall, where access to other stores or services is not possible, ensure that stores established and services operated by the employer are not operated for the purpose of securing a profit but for the benefit of the workers concerned.
- Government shall ensure that wages are deducted only under conditions and to the extent prescribed by national laws or regulations or fixed by collective agreement or arbitration award.
- Government shall ensure that workers are informed, in the manner the government deems most appropriate, of the conditions under which and the extent to which such deductions may be made.
- Government shall prohibit any deduction from wages constituting a direct or indirect payment for the purpose of obtaining or retaining employment, made by a worker to an employer or his representative or to any intermediary (such as a

labor contractor or recruiter).

- Government shall ensure that wages may be attached or assigned only in a manner and within limits prescribed by national laws or regulations.
- Government shall ensure that wages are protected against attachment or assignment to the extent deemed necessary for the maintenance of the worker and his family.
- Government shall ensure that in the event of the bankruptcy or judicial liquidation of an undertaking, the workers employed therein are privileged creditors either as regards wages due to them for service rendered during such a period prior to the bankruptcy or judicial liquidation as may be prescribed by national laws or regulations, or as regards wages up to a prescribed amount as may be determined by national laws or regulations.
- Government shall ensure that wages constituting a privileged debt are paid in full before ordinary creditors may establish any claim to a share of the assets.
- Government shall fix by national law or regulations the relative priority of wages constituting a privileged debt and other privileged debts.
- Government shall ensure that wages are paid regularly.
- Government or collective bargaining or arbitration award shall prescribe the intervals for the payment of wages, except where other appropriate arrangements exist which ensure the payment of wages at regular intervals.
- Government shall ensure that, upon the termination of a contract of employment, the employer shall make a final settlement of all

wages due in accordance with national laws or regulations, collective agreement or arbitration award or, in the absence of any applicable law, regulation, agreement or award, within a reasonable period of time having regard to the terms of the contract.

- Government shall ensure that the payment of wages where made in cash is made on working days only and at or near the workplace, except as may be otherwise provided by national laws or regulations, collective agreement or arbitration award, or where other arrangements known to the workers concerned are considered more appropriate.
- Government shall prohibit the payment of wages in taverns or other similar establishments and, where necessary to prevent abuse, in shops or stores for the retail sale of merchandise and in places of amusement except in the case of persons employed therein.
- Government shall, where necessary, take effective measures to ensure that workers are informed, in an appropriate and easily understandable manner before they enter employment and when any changes take place, of the conditions in respect of wages under which they are employed.
- Government shall, where necessary, take effective measures to ensure that workers are informed, in an appropriate and easily understandable manner at the time of each payment of wages, of the particulars of their wages for the pay period concerned, in so far as such particulars may be subject to change.
- Government shall make the laws or regulations giving effect to the provisions of this Convention available for the information of persons concerned.

- Government shall ensure that the laws or regulations giving effect to the provisions of this Convention define the persons responsible for compliance therewith.
- Government shall ensure that the laws or regulations giving effect to the provisions of this Convention prescribe adequate penalties or other appropriate remedies for any violation thereof.
- Government shall ensure that the laws or regulations giving effect to the provisions of this Convention provide for the maintenance, in all appropriate cases, of adequate records in an approved form and manner.

*Convention no. 26 – Minimum Wage-Fixing Machinery Convention,
1928*

- For the purpose of this Convention, the term **trades** includes manufacture and commerce.
- Government shall create or maintain machinery whereby minimum rates of wages can be fixed for workers employed in certain of the trades or parts of trades (and in particular in home working trades) in which no arrangements exist for the effective regulation of wages by collective agreement or otherwise and wages are exceptionally low.
- Government shall be free to decide, after consultation with the organizations, if any, of workers and employers in the trade or part of trade concerned, in which trades or parts of trades, and in particular in which home working trades or parts of such trades, the minimum wage-fixing machinery shall be applied.
- Government shall be free to decide the nature and

form of the minimum wage-fixing machinery, and the methods to be followed in its operation.

- Government shall, before applying the machinery in a trade or part of trade, consult representatives of the employers and workers concerned, including representatives of their respective organizations, if any, as well as any other persons, being specially qualified for the purpose by their trade or functions, whom the government deems it expedient to consult.
- Government shall associate the employers and workers concerned in the operation of the machinery, in such manner and to such extent, but in any case in equal numbers and on equal terms, as may be determined by national laws or regulations.
- Government shall make minimum rates of wages which have been fixed binding on the employers and workers concerned so as not to be subject to abatement by them by individual agreement, nor, except with general or particular authorization of the government, by collective agreement.
- Government shall take the necessary measures, by way of a system of supervision and sanctions, to ensure that the employers and workers concerned are informed of the minimum rates of wages in force.
- Government shall take the necessary measures, by way of a system of supervision and sanctions, to ensure that the employers and workers concerned are not paid at less than these rates in cases where they are applicable.
- Government shall ensure that a worker to whom the minimum rates are applicable and who has been paid wages at less than these rates shall be entitled to recover, by judicial or other legalized

proceedings, the amount by which he or she has been underpaid, subject to such limitation of time as may be determined by national laws or regulations.

- Government shall communicate annually to the International Labor Office a general statement giving a list of the trades or parts of trades in which the minimum wage-fixing machinery has been applied, indicating the methods as well as the results of the application of the machinery and, in summary form, the approximate numbers of workers covered, the minimum rates of wages fixed, and the more important of the other conditions, if any, established relevant to the minimum rates.

D. Acceptable Conditions - Hours

ILO Constitution

- “[A]n improvement of those conditions [of labor] is urgently required; as, for example, by the regulation of hours of work including the establishment of a maximum working day and week....”

Convention no. 175 – Part-Time Work Convention, 1994

- For the purposes of this Convention: (a) the term ***part-time worker*** means an employed person whose normal hours of work are less than those of comparable full-time workers; (b) the normal hours of work referred to in subparagraph (a) may be calculated weekly or on average over a given period of employment; (c) the term ***comparable full-time worker*** refers to a full-time worker who: (i) has the same type of employment relationship; (ii) is engaged in the same or a similar type of work or occupation; and (iii) is employed in the same establishment or, when there is no

comparable full-time worker in that establishment, in the same enterprise or, when there is no comparable full-time worker in that enterprise, in the same branch of activity, as the part-time worker concerned; (d) full-time workers affected by partial unemployment, that is by a collective and temporary reduction in their normal hours of work for economic, technical or structural reasons, are not considered to be part-time workers.

- This Convention does not affect more favorable provisions applicable to part-time workers under other international labor Conventions.
- This Convention applies to all part-time workers; however, the government may, after consulting the representative organizations of employers and workers concerned, exclude wholly or partly from its scope particular categories of workers or of establishments when its application to them would raise particular problems of a substantial nature.
- Government shall indicate any particular category of workers or of establishments thus excluded and the reasons why this exclusion is judged necessary.
- Government shall ensure that part-time workers receive the same protection as that accorded to comparable full-time workers in respect of the right to organize.
- Government shall ensure that part-time workers receive the same protection as that accorded to comparable full-time workers in respect of the right to bargain collectively.
- Government shall ensure that part-time workers receive the same protection as that accorded to comparable full-time workers in respect of the right to act as workers' representatives.

- Government shall ensure that part-time workers receive the same protection as that accorded to comparable full-time workers in respect of the right to occupational safety and health.
- Government shall ensure that part-time workers receive the same protection as that accorded to comparable full-time workers in respect of discrimination in employment and occupation.
- Government shall ensure that part-time workers do not, solely because they work part time, receive a basic wage which, calculated proportionately on an hourly, performance-related, or piece-rate basis, is lower than the basic wage of comparable full-time workers, calculated according to the same method.
- Government shall adapt statutory social security schemes which are based on occupational activity so that part-time workers enjoy conditions equivalent to those of comparable full-time workers; these conditions may be determined in proportion to hours of work, contributions or earnings, or through other methods consistent with national law and practice.
- Government shall ensure that part-time workers receive conditions equivalent to those of comparable full-time workers in the field of maternity protection.
- Government shall ensure that part-time workers receive conditions equivalent to those of comparable full-time workers in the field of termination of employment.
- Government shall ensure that part-time workers receive conditions equivalent to those of comparable full-time workers in the field of paid annual leave and paid public holidays.

- Government shall ensure that part-time workers receive conditions equivalent to those of comparable full-time workers in the field of sick leave.
- Government may permit pecuniary entitlements to be determined in proportion to hours of work or earnings.
- Government may exclude part-time workers whose hours of work or earnings are below specified thresholds from the scope of any of the statutory social security schemes except in regard to employment injury benefits.
- Government shall ensure that such threshold is sufficiently low as not to exclude an unduly large percentage of part-time workers.
- Government shall periodically review the thresholds in force, and shall publicly state the reasons therefor.
- Government shall periodically review the thresholds in force, and shall publicly state whether consideration is being given to the progressive extension of protection to the workers excluded.
- Government shall ensure that the most representative organizations of employers and workers shall be consulted on the establishment, review and revision of such thresholds.
- Government shall ensure that workers have access to productive and freely chosen part-time work which meets the needs of both employers and workers, but shall maintain the protections required above.
- Government shall review laws and regulations that may prevent or discourage recourse to or

acceptance of part-time work.

- Government shall use employment services, where they exist, to identify and publicize possibilities for part-time work in their information and placement activities.
- Government shall give special attention, in employment policies, to the needs and preferences of specific groups such as the unemployed, workers with family responsibilities, older workers, workers with disabilities and workers undergoing education or training.
- Government may also undertake research and dissemination of information on the degree to which part-time work responds to the economic and social aims of employers and workers.
- Government shall, where appropriate, ensure that transfer from full-time to part-time work or vice versa is voluntary, in accordance with national law and practice.
- Government shall implement the obligations of this Convention by laws or regulations, except in so far as effect is given to them by means of collective agreements or in any other manner consistent with national practice.
- Government shall ensure that the most representative organizations of employers and workers shall be consulted before any such laws or regulations are adopted.

Convention no. 132 – Holidays with Pay Convention, 1970

- The provisions of this Convention, in so far as they are not otherwise made effective by means of collective agreements, arbitration awards, court

decisions, statutory wage fixing machinery, or in such other manner consistent with national practice as may be appropriate under national conditions, shall be given effect by national laws or regulations. This Convention applies to all employed persons, with the exception of seafarers.

- Government or appropriate machinery may, in so far as necessary, after consultation with the organizations of employers and workers concerned, where such exist, exclude from the application of this Convention limited categories of employed persons in respect of whose employment special problems of a substantial nature, relating to enforcement or to legislative or constitutional matters, arise.
- Government shall ensure the right of every person to whom this Convention applies an annual paid holiday of a specified minimum length.
- Government shall specify the length of the holiday in a declaration to the ILO.
- Government shall ensure that the annual paid holiday is in no case less than three working weeks for one year of service.
- Government shall ensure that a person whose length of service in any year is less than that required for the full entitlement prescribed above shall be entitled in respect of that year to a holiday with pay proportionate to his length of service during that year.
- Government or appropriate machinery may prescribe a minimum period of service for entitlement to any annual holiday with pay.
- Government or appropriate machinery may prescribe a minimum period of no more than six

months for entitlement to annual holiday with pay.

- Government or appropriate machinery shall determine the manner in which length of service is calculated for the purpose of holiday entitlement.
- Government or appropriate machinery shall determine the conditions under which absence from work for such reasons beyond the control of the employed person concerned as illness, injury or maternity shall be counted as part of the period of service.
- Government or other appropriate machinery shall determine the conditions under which periods of incapacity for work resulting from sickness or injury may not be counted as part of the minimum annual holiday with pay.
- Government shall not count public and customary holidays, whether or not they fall during the annual holiday, as part of the minimum annual holiday with pay.
- Government shall ensure that every person taking the holiday envisaged in this Convention shall receive in respect of the full period of that holiday at least his normal or average remuneration (including the cash equivalent of any part of that remuneration which is paid in kind and which is not a permanent benefit continuing whether or not the person concerned is on holiday), calculated in a manner to be determined by the government or through the appropriate machinery.
- Government shall ensure that the amounts due shall be paid to the person concerned in advance of the holiday, unless otherwise provided in an agreement applicable to him and the employer.
- Government or other appropriate machinery may authorize the division of the annual holiday with

pay into parts.

- Government or other appropriate machinery shall ensure, unless otherwise provided in an agreement applicable to the employer and the employed person concerned, and on condition that the length of service of the person concerned entitles him to such a period, that one of the parts [of a divided holiday] shall consist of at least two uninterrupted working weeks.
- Government shall ensure that the uninterrupted part of the annual holiday with pay shall be granted and taken no later than one year, and the remainder of the annual holiday with pay no later than eighteen months, from the end of the year in respect of which the holiday entitlement has arisen.
- Government shall ensure that any part of the annual holiday which exceeds a stated minimum may be postponed, with the consent of the employed person concerned, beyond the period specified above and up to a further specified time limit.
- Government shall ensure that the minimum and the time limit referred to above shall be determined by the government after consultation with the organizations of employers and workers concerned, or through collective bargaining, or in such other manner consistent with national practice as may be appropriate under national conditions.
- Government shall ensure that the time at which the holiday is to be taken shall, unless it is fixed by regulation, collective agreement, arbitration award or other means consistent with national practice, be determined by the employer after consultation with the employed person concerned or his or her representatives.

- Government shall ensure that in fixing the time at which the holiday is to be taken, work requirements and the opportunities for rest and relaxation available to the employed person shall be taken into account.
- Government shall ensure that an employed person who has completed a minimum period of service corresponding to that above shall receive, upon termination of employment, a holiday with pay proportionate to the length of service for which he has not received such a holiday, or compensation in lieu thereof, or the equivalent holiday credit.
- Government shall, as appropriate to national conditions, prohibit and nullify agreements to relinquish the right to the minimum annual holiday with pay or to forgo such a holiday, for compensation or otherwise.
- Government or appropriate machinery may make rules in respect of cases in which the employed person engages, during the holiday, in a gainful activity conflicting with the purpose of the holiday.
- Government shall take effective measures appropriate to the manner in which effect is given to the provisions of this Convention to ensure the proper application and enforcement of regulations or provisions concerning holidays with pay, by means of adequate inspection or otherwise.
- Government may accept the obligations of this Convention in respect of employed persons in economic sectors other than agriculture, in respect of employed persons in agriculture, or both.

*Convention no. 106 – Weekly Rest (Commerce and Offices)
Convention, 1957*

- Government shall ensure that the provisions of this

Convention are made effective, in so far as they are not otherwise made effective by means of statutory wage fixing machinery, collective agreements, arbitration awards or in such other manner consistent with national practice as may be appropriate under national conditions.

- This Convention applies to all persons, including apprentices, employed in the following establishments, institutions or administrative services, whether public or private: (a) trading establishments; (b) establishments, institutions and administrative services in which the persons employed are mainly engaged in office work, including offices of persons engaged in the liberal professions; (c) in so far as the persons concerned are not employed in establishments referred to in Article 3 and are not subject to national regulations or other arrangements concerning weekly rest in industry, mines, transport or agriculture--(i) the trading branches of any other establishments; (ii) the branches of any other establishments in which the persons employed are mainly engaged in office work; (iii) mixed commercial and industrial establishments.
- Government may specify to which of the following categories this Convention applies: (a) establishments, institutions and administrative services providing personal services; (b) post and telecommunications services; (c) newspaper undertakings; and (d) theatres and places of public entertainment.
- Government shall, where necessary, make appropriate arrangements to define the line which separates the establishments to which this Convention applies from other establishments.
- Government, after consultation with the representative organizations of employers and workers concerned, or by other means authorized

by the government shall, in any case in which it is doubtful whether an establishment, institution or administrative service is one to which this Convention applies, settle the question.

- Government or other appropriate machinery may exclude from the provisions of this Convention establishments in which only members of the employer's family who are not or cannot be considered to be wage earners are employed.
- Government or other appropriate machinery may exclude from the provisions of this Convention persons holding high managerial positions.
- Government shall ensure that all persons to whom this Convention applies shall be entitled to an uninterrupted weekly rest period comprising not less than 24 hours in the course of each period of seven days.
- Government shall ensure that the weekly rest period shall, wherever possible, be granted simultaneously to all the persons concerned in each establishment.
- Government shall ensure that the weekly rest period shall, wherever possible, coincide with the day of the week established as a day of rest by the traditions or customs of the country or district.
- Government shall ensure that the traditions and customs of religious minorities shall, as far as possible, be respected.
- Government or appropriate machinery may apply special weekly rest schemes, where appropriate, to specified categories of persons or specified types of establishments covered by this Convention, regard being paid to all proper social and economic considerations, where the nature of the work is such that the above rule cannot be

applied.

- Government or appropriate machinery may apply special weekly rest schemes, where appropriate, to specified categories of persons or specified types of establishments covered by this Convention, regard being paid to all proper social and economic considerations, where the nature of the service performed by the establishment is such that the above rule cannot be applied.
- Government or appropriate machinery may apply special weekly rest schemes, where appropriate, to specified categories of persons or specified types of establishments covered by this Convention, regard being paid to all proper social and economic considerations, where the size of the population to be served is such that the above rule cannot be applied.
- Government or appropriate machinery may apply special weekly rest schemes, where appropriate, to specified categories of persons or specified types of establishments covered by this Convention, regard being paid to all proper social and economic considerations, where the number of persons employed is such that the above rule cannot be applied.
- Government shall ensure that all persons to whom such special schemes apply shall be entitled, in respect of each period of seven days, to rest of a total duration at least equivalent to the period prescribed above.
- Government shall ensure that decisions about any special weekly rest schemes shall be taken in consultation with the representative employers' and workers' organizations concerned, where such exist.
- Government may permit temporary exemptions,

total or partial, including the suspension or reduction of the rest period in case of accident, actual or threatened, but only so far as may be necessary to avoid serious interference with the ordinary working of the establishment.

- Government may permit temporary exemptions, total or partial, including the suspension or reduction of the rest period in case of force majeure, but only so far as may be necessary to avoid serious interference with the ordinary working of the establishment.
- Government may permit temporary exemptions, total or partial, including the suspension or reduction of the rest period in case of urgent work to premises and equipment, but only so far as may be necessary to avoid serious interference with the ordinary working of the establishment.
- Government may permit temporary exemptions, total or partial, including the suspension or reduction of the rest period in the event of abnormal pressure of work due to special circumstances, in so far as the employer cannot ordinarily be expected to resort to other measures.
- Government may permit temporary exemptions, total or partial, including the suspension or reduction of the rest period in order to prevent the loss of perishable goods.
- Government shall, in determining the circumstances in which temporary exemptions may be granted in accordance with the [above bullets], consult the representative employers' and workers' organizations concerned, where such exist.
- Government shall ensure that, where temporary exemptions are made in accordance with above provisions, the persons concerned shall be

granted compensatory rest of a total duration at least equivalent to the normal rest period prescribed above.

- Government shall ensure, in so far as wages are regulated by laws and regulations or subject to the control of administrative authorities, there shall be no reduction of the income of persons covered by this Convention as a result of the application of measures taken in accordance with the Convention.
- Government shall take appropriate measures to ensure the proper administration of regulations or provisions concerning the weekly rest, by means of adequate inspection or otherwise.
- Government shall, where it is appropriate to the manner in which effect is given to the provisions of this Convention, take the necessary measures in the form of penalties to ensure the enforcement of its provisions.

Convention no. 47 – Forty-Hour Week Convention, 1935

- Government shall apply the principle of a forty-hour week in such a manner that the standard of living is not reduced in consequence.
- Government shall apply the principle of a forty-hour week to classes of employment in accordance with the detailed provision prescribed by other Conventions.

Convention no. 30 – Hours of Work (Commerce and Offices) Convention, 1930

- This Convention shall apply to persons employed

in the following establishments, whether public or private: (a) commercial or trading establishments, including postal, telegraph and telephone services and commercial or trading branches of any other establishments; (b) establishments and administrative services in which the persons employed are mainly engaged in office work; (c) mixed commercial and industrial establishments, unless they are deemed to be industrial establishments. The Convention shall not apply to persons employed in the following establishments: (a) establishments for the treatment or the care of the sick, infirm, destitute, or mentally unfit; (b) hotels, restaurants, boarding-houses, clubs, cafés and other refreshment houses; (c) theatres and places of public amusement. The Convention shall nevertheless apply to persons employed in branches of the establishments mentioned in (a), (b) and (c) of this paragraph in cases where such branches would, if they were independent undertakings, be included among the establishments to which the Convention applies. For the purpose of this Convention the term **hours of work** means the time during which the persons employed are at the disposal of the employer; it does not include rest periods during which the persons employed are not at the disposal of the employer.

- Government shall define the line which separates commercial and trading establishments.
- Government shall define the line which separates establishments in which the persons employed are mainly engaged in office work, from industrial and agricultural establishments.
- Government may exempt from the application of the Convention (a) establishments in which only members of the employer's family are employed; (b) offices in which the staff is engaged in connection with the administration of public authority; (c) persons occupying positions of

management or employed in a confidential capacity; (d) travelers and representatives, in so far as they carry on their work outside the establishment.

- Government shall ensure that the hours of work of persons to whom this Convention applies shall not exceed forty-eight hours in the week and eight hours in the day, except as hereinafter otherwise provided.
- Government may permit the maximum hours of work in the week to be so arranged that hours of work in any day do not exceed ten hours.
- Government shall ensure that in case of a general interruption of work due to (a) local holidays, or (b) accidents or force majeure (accidents to plant, interruption of power, light, heating or water, or occurrences causing serious material damage to the establishments), hours of work in the day may be increased for the purpose of making up the hours of work which have been lost, provided that the following conditions are complied with: (a) hours of work which have been lost shall not be allowed to be made up on more than thirty days in the year and shall be made up within a reasonable lapse of time; (b) the increase in hours of work in the day shall not exceed one hour; (c) hours of work in the day shall not exceed ten.
- Government shall ensure that it is notified of the nature, cause and date of the general interruption of work, of the number of hours of work which have been lost, and of the temporary alterations provided for in the working time-table.
- Government may, in exceptional cases where the circumstances in which the work has to be carried on make the rules above inapplicable, permit hours of work to be distributed over a period longer than the week, provided that the average

hours of work over the number of weeks included in the period do not exceed forty-eight hours in the week and that hours of work in any day do not exceed ten hours.

- Government regulations shall determine the permanent exceptions which may be allowed for certain classes of persons whose work is inherently intermittent, such as caretakers and persons employed to look after working premises and warehouses.
- Government regulations shall determine the permanent exceptions which may be allowed for classes of persons directly engaged in preparatory or complementary work which must necessarily be carried on outside the limits laid down for the hours of work of the rest of the persons employed in the establishment.
- Government regulations shall determine the permanent exceptions which may be allowed for shops and other establishments where the nature of the work, the size of the population or the number of persons employed render inapplicable the working hours fixed in the basic rules above.
- Government may grant temporary exceptions in case of accident, actual or threatened, force majeure, or urgent work to machinery or plant, but only so far as may be necessary to avoid serious interference with the ordinary working of the establishment.
- Government may grant temporary exceptions to prevent the loss of perishable goods or avoid endangering the technical results of the work.
- Government may grant temporary exceptions to allow for special work such as stocktaking and the preparation of balance sheets, settlement days, liquidations, and the balancing and closing of

accounts.

- Government may grant temporary exceptions to enable establishments to deal with cases of abnormal pressure of work due to special circumstances, in so far as the employer cannot ordinarily be expected to resort to other measures.
- Government shall ensure that the rate of pay for the additional hours of work under the above exceptions shall not be less than one-and-a-quarter times the regular rate.
- Government shall make regulations for exceptions only after consultation with the workers' and employers' organizations concerned, special regard being paid to collective agreements, if any, existing between such workers' and employers' organizations.
- Government may suspend the operation of the provisions of this Convention in the event of war or other emergency endangering national safety.
- Government's obligations in this Convention shall not affect any custom or agreement whereby shorter hours are worked or higher rates of remuneration are paid than those provided by this Convention.
- Government's obligations under this Convention shall be in addition to and not in derogation of any other restrictions imposed by any law, order or regulation which fixes a lower maximum number of hours of employment or a higher rate of remuneration than those provided by this Convention.
- Government shall, for the effective enforcement of the provisions of this Convention, ensure adequate inspection.

- Government shall require every employer to notify, by the posting of notices in conspicuous positions in the establishment or other suitable place, or by such method as may be approved by the government, the times at which hours of work begin and end, and, where work is carried on by shifts, the times at which each shift begins and ends.
- Government shall require every employer to notify in the same way the rest periods granted to the persons employed which are not included in the hours of work.
- Government shall require every employer to keep a record in the form prescribed by the government of all additional hours of work performed and of the payments made in respect thereof.
- Government shall make it an offense to employ any person in violation of the hour restrictions in this Convention.
- Government shall take the necessary measures in the form of penalties to ensure that the provisions of the Convention are enforced.

Convention no. 14 – Weekly Rest (Industry) Convention, 1921

- For the purpose of this Convention, the term **industrial undertaking** includes (a) mines, quarries, and other works for the extraction of minerals from the earth; (b) industries in which articles are manufactured, altered, cleaned, repaired, ornamented, finished, adapted for sale, broken up or demolished, or in which materials are transformed; including shipbuilding and the generation, transformation and transmission of electricity or motive power of any kind; (c) construction, reconstruction, maintenance, repair, alteration, or demolition of any building, railway,

tramway, harbor, dock, pier, canal, inland waterway, road, tunnel, bridge, viaduct, sewer, drain, well, telegraphic or telephonic installation, electrical undertaking, gas work, water work, or other work of construction, as well as the preparation for or laying the foundations of any such work or structure; (d) transport of passengers or goods by road, rail, or inland waterway, including the handling of goods at docks, quays, wharves or warehouses, but excluding transport by hand.

- Government may, in addition to the above enumeration, define the line of division which separates industry from commerce and agriculture.
- Government shall ensure that the whole of the staff employed in any industrial undertaking, public or private, or in any branch thereof shall enjoy in every period of seven days a period of rest comprising at least twenty-four consecutive hours.
- Government shall ensure that this period of rest, wherever possible, is granted simultaneously to the whole of the staff of each undertaking.
- Government shall ensure that, wherever possible, the period of rest is fixed so as to coincide with the days already established by the traditions or customs of the country or district.
- Government may except from the application of the above rules persons employed in industrial undertakings in which only the members of one single family are employed.
- Government may authorize total or partial exceptions (including suspensions or diminutions) from the above rules, special regard being had to all proper humanitarian and economic considerations and after consultation with

responsible associations of employers and workers, wherever such exist.

- Government shall make, as far as possible, provision for compensatory periods of rest for suspensions or diminutions, except in cases where agreements or customs already provide for such periods.
- Government shall require each employer, director, or manager, where the weekly rest is given to the whole of the staff collectively, to make known such days and hours of collective rest by means of notices posted conspicuously in the establishment or any other convenient place, or in any other manner approved by the Government.
- Government shall require each employer, director, or manager, where the rest period is not granted to the whole of the staff collectively, to make known, by means of a roster drawn up in accordance with government regulation, the workers or employees subject to a special system of rest, and to indicate that system.

Convention no. 1 – Hours of Work (Industry) Convention, 1919

- For the purpose of this Convention, the term **industrial undertaking** includes particularly (a) mines, quarries, and other works for the extraction of minerals from the earth; (b) industries in which articles are manufactured, altered, cleaned, repaired, ornamented, finished, adapted for sale, broken up or demolished, or in which materials are transformed; including shipbuilding and the generation, transformation, and transmission of electricity or motive power of any kind; (c) construction, reconstruction, maintenance, repair, alteration, or demolition of any building, railway, tramway, harbor, dock, pier, canal, inland

waterway, road, tunnel, bridge, viaduct, sewer, drain, well, telegraphic or telephonic installation, electrical undertaking, gas work, waterwork or other work of construction, as well as the preparation for or laying the foundations of any such work or structure; (d) transport of passengers or goods by road, rail, sea or inland waterway, including the handling of goods at docks, quays, wharves or warehouses, but excluding transport by hand.

- Government in each country shall define the line of division which separates industry from commerce and agriculture.
- Government shall ensure that the working hours of persons employed in any public or private industrial undertaking or in any branch thereof, other than an undertaking in which only members of the same family are employed, shall not exceed eight in the day and forty-eight in the week, with the exceptions hereinafter provided for.
- Government shall not apply the provisions of this Convention to persons holding positions of supervision or management, nor to persons employed in a confidential capacity.
- Government shall not apply the provisions of this Convention to persons employed in a confidential capacity.
- Government shall not apply the provisions of this Convention where by law, custom, or agreement between employers' and workers' organizations, or, where no such organizations exist, between employers' and workers' representatives, the hours of work on one or more days of the week are less than eight, in which case the limit of eight hours may be exceeded on the remaining days of the week by the sanction of the government, or by agreement between such organizations or

representatives; provided, however, that in no case under the provisions of this paragraph shall the daily limit of eight hours be exceeded by more than one hour.

- Government shall ensure that, where persons are employed in shifts, it shall be permissible to employ persons in excess of eight hours in any one day and forty-eight hours in any one week, if the average number of hours over a period of three weeks or less does not exceed eight per day and forty-eight per week.
- Government may permit exceptions to the limit of hours of work prescribed above in case of accident, actual or threatened.
- Government may permit exceptions to the limit of hours of work prescribed above in case of urgent work to be done to machinery or plant.
- Government may permit exceptions to the limit of hours of work prescribed above in case of "force majeure", but only so far as may be necessary to avoid serious interference with the ordinary working of the undertaking.
- Government may allow prescribed hours to be exceeded in those processes which are required by reason of the nature of the process to be carried on continuously by a succession of shifts, subject to the condition that the working hours shall not exceed fifty-six in the week on the average.
- Government's regulations granting such exceptions for the hours of work shall in no case affect any rest days which may be secured by the national law to the workers in such processes in compensation for the weekly rest day.
- Government, in exceptional cases where it is

recognized that the hours rules cannot be applied, but only in such cases, may give the force of regulations to agreements between workers' and employers' organizations concerning the daily limit of work over a longer period of time if the government, to which these agreements shall be submitted, so decides.

- Government shall require that the average number of hours worked per week, over the number of weeks covered by any such agreement, not exceed forty-eight.
- Government shall ensure that the rate of pay for overtime shall not be less than one and one-quarter times the regular rate.
- Government shall require the employer to notify by means of the posting of notices in conspicuous places in the works or other suitable place, or by such other method as may be approved by the government, the hours at which work begins and ends, and where work is carried on by shifts, the hours at which each shift begins and ends.
- Government shall require the employer to notify by means of the posting of notices in conspicuous places in the works or other suitable place, or by such other method as may be approved by the government rest intervals accorded during the period of work as are not reckoned as part of the working hours.
- Government shall require the employer to keep a record in the form prescribed by law or regulation in each country of all overtime hours permitted by this Convention.
- Government shall stipulate that it is an offense against the law to employ any person outside the hours fixed in accordance with the above rules.

- Government may suspend the provisions of this Convention in the event of war or other emergency endangering the national safety.

E. Acceptable Conditions – Occupational Safety and Health

ILO Constitution

- “[A]n improvement of those conditions [of labor] is urgently required; as, for example, by...the protection of the worker against sickness, disease and injury arising out his employment....”

Convention no. 187 – Promotional Framework for Occupational Safety and Health Convention, 2006

- Government shall promote continuous improvement in prevention of occupational injuries, diseases and death by developing a national policy (in accordance with Convention no. 155).
- Government’s national policy shall promote the basic principle of assessing risks or hazards.
- Government’s national policy shall promote the basic principle of combating risks or hazards at source.
- Government’s national policy shall promote the basic principle of developing a national preventative safety and health culture that includes information, consulting, and training.
- Government shall develop a national program (with objectives to be achieved in predetermined time frame, priorities and means of action, and means to assess the program).
- Government shall develop a national system (infrastructure for implementing the national policy

and programs).

- Government's national system shall include laws, regulations, and collective agreements.
- Government's national system shall include bodies responsible for occupational safety and health.
- Government's national system shall include systems of inspection and other mechanisms for ensuring compliance.
- Government's national system shall include mechanisms to promote cooperation between management and workers in prevention measures.
- Government's national system shall include, where appropriate, tripartite advisory bodies.
- Government's national system shall include, where appropriate, information and advisory services.
- Government's national system shall include, where appropriate, provision of safety and health training.
- Government's national system shall include, where appropriate, occupational health services.
- Government's national system shall include, where appropriate, research.
- Government's national system shall include, where appropriate, data collection and analysis on injuries and diseases.
- Government's national system shall include, where appropriate, collaboration with insurance or social security schemes covering occupational injuries or diseases.
- Government's national system shall include, where appropriate, mechanisms for micro-enterprises.

- Government's national system shall include, where appropriate, mechanisms for small and medium-sized enterprises.
- Government's national system shall include, where appropriate, mechanisms for the informal economy.
- Government's national program shall promote a national preventative safety and health culture.
- Government's national program shall protect workers by eliminating hazards and risks, so far as is reasonably practicable.
- Government's national program shall be based on analysis of the national situation.
- Government's national program shall include objectives, targets and indicators.
- Government's national program shall be supported by other complementary programs.
- Government's national program shall be widely publicized and endorsed by the highest authorities.

*Convention no. 184 – Safety and Health in Agriculture Convention,
2001*

- The government, after consulting the representative organizations of employers and workers concerned: (a) may exclude certain agricultural undertakings or limited categories of workers from the application of this Convention or certain provisions thereof, when special problems of a substantial nature arise; and (b) shall, in the case of such exclusions, make plans to cover progressively all undertakings and all categories of workers.

- Government shall, in the light of national conditions and practice and after consulting the representative organizations of employers and workers concerned, carry out a national policy with the aim of preventing accidents and injury to health in the course of work, by eliminating, minimizing or controlling hazards in the agricultural working environment.
- Government shall, in the light of national conditions and practice and after consulting the representative organizations of employers and workers concerned, periodically review its national policy on safety and health in agriculture.
- Government shall designate the government agency responsible for the implementation of the policy.
- Government shall designate the government agency responsible for the enforcement of national laws and regulations on occupational safety and health in agriculture.
- Government shall specify the rights and duties of employers and workers with respect to occupational safety and health in agriculture.
- Government shall establish mechanisms of inter-sectoral coordination among relevant authorities and bodies for the agricultural sector and define their functions and responsibilities, taking into account their complementarity and national conditions and practices.
- Government shall provide for corrective measures in accordance with national laws and regulations.
- Government shall provide for appropriate penalties in accordance with national laws and regulations.
- Government corrective measures shall include,

where appropriate, the suspension or restriction of those agricultural activities which pose an imminent risk to the safety and health of workers, until the conditions giving rise to the suspension or restriction have been corrected.

- Government shall ensure that an adequate and appropriate system of inspection for agricultural workplaces is in place.
- Government shall ensure that the system of inspection for agricultural workplaces is provided with adequate means.
- Government may entrust certain inspection functions at the regional or local level, on an auxiliary basis, to appropriate government services, public institutions, or private institutions under government control, or may associate these services or institutions with the exercise of such functions.
- Government shall, in so far as is compatible with national laws and regulations, impose on the employer a duty to ensure the safety and health of workers in every aspect related to the work.
- Government shall ensure that whenever in an agricultural workplace two or more employers undertake activities, they shall cooperate in applying the safety and health requirements.
- Government shall ensure that whenever in an agricultural workplace one or more employers and one or more self-employed persons undertake activities, they shall cooperate in applying the safety and health requirements.
- Government shall, taking into account the size of the undertaking and the nature of its activity, require the employer to carry out appropriate risk assessments in relation to the safety and health of

workers.

- Government shall, taking into account the size of the undertaking and the nature of its activity, require the employer, on the basis of these risk assessments, to adopt preventive and protective measures to ensure that under all conditions of their intended use, all agricultural activities under the control of the employer are safe and comply with prescribed safety and health standards.
- Government shall, taking into account the size of the undertaking and the nature of its activity, require the employer to ensure that adequate and appropriate training and comprehensible instructions on safety and health and any necessary guidance or supervision are provided to workers in agriculture, including information on the hazards and risks associated with their work and the action to be taken for their protection, taking into account their level of education and differences in language.
- Government shall, taking into account the size of the undertaking and the nature of its activity, require the employer to take immediate steps to stop any operation where there is an imminent and serious danger to safety and health and to evacuate workers as appropriate.
- Government shall guarantee workers in agriculture the right to be informed and consulted on safety and health matters including risks from new technologies.
- Government shall guarantee workers in agriculture the right to participate in the application and review of safety and health measures.
- Government shall guarantee workers in agriculture the right to select safety and health representatives and representatives in safety and

health committees.

- Government shall guarantee workers in agriculture the right to remove themselves from danger resulting from their work activity when they have reasonable justification to believe there is an imminent and serious risk to their safety and health and so inform their supervisor immediately.
- Government shall ensure that workers are not placed at any disadvantage as a result of exercising the above rights.
- Government shall ensure that workers in agriculture and their representatives have the duty to comply with the prescribed safety and health measures.
- Government shall ensure that workers in agriculture and their representatives have the duty to cooperate with employers in order for the latter to comply with their own duties and responsibilities.
- Government shall ensure that the procedures for the exercise of the above rights and duties are established by government, collective agreements or other appropriate means.
- Government shall ensure that, where the provisions of this Convention are implemented as provided above, there shall be prior consultation with the representative organizations of employers and workers concerned.
- Government shall prescribe that machinery, equipment, including personal protective equipment, appliances and hand tools used in agriculture comply with national or other recognized safety and health standards.
- Government shall prescribe that machinery,

equipment, including personal protective equipment, appliances and hand tools used in agriculture are appropriately installed, maintained and safeguarded.

- Government shall take measures to ensure that manufacturers, importers and suppliers comply with the above standards.
- Government shall take measures to ensure that manufacturers, importers and suppliers provide adequate and appropriate information, including hazard warning signs, in the official language or languages of the user country, to the users and, on request, to the government.
- Government shall ensure that employers shall ensure that workers receive and understand the safety and health information supplied by manufacturers, importers, and suppliers.
- Government shall prescribe that agricultural machinery and equipment shall only be used for work for which they are designed, unless a use outside of the initial design purpose has been assessed as safe in accordance with national law and practice and, in particular, shall not be used for human transportation, unless designed or adapted so as to carry persons.
- Government shall prescribe that agricultural machinery and equipment in particular shall not be used for human transportation, unless designed or adapted so as to carry persons.
- Government shall prescribe that agricultural machinery and equipment shall be operated by trained and competent persons.
- Government, after consulting the representative organizations of employers and workers concerned, shall establish safety and health

requirements for the handling and transport of materials, particularly on manual handling, based on risk assessment, technical standards and medical opinion, taking account of all the relevant conditions under which the work is performed in accordance with national law and practice.

- Government shall ensure that workers are not required or permitted to engage in the manual handling or transport of a load which by reason of its weight or nature is likely to jeopardize their safety or health.
- Government shall ensure that there is an appropriate system establishing specific criteria for the importation, classification, packaging and labeling of chemicals used in agriculture and for their banning or restriction.
- Government shall ensure that there is an appropriate system for their banning or restriction chemicals used in agriculture.
- Government shall ensure that those who produce, import, provide, sell, transfer, store or dispose of chemicals used in agriculture comply with national or other recognized safety and health standards.
- Government shall ensure that those who produce, import, provide, sell, transfer, store or dispose of chemicals used in agriculture provide adequate and appropriate information to the users in the appropriate official language or languages of the country.
- Government shall ensure that those who produce, import, provide, sell, transfer, store or dispose of chemicals used in agriculture provide adequate and appropriate information, on request, to the government.
- Government shall ensure that there is a suitable

system for the safe collection, recycling and disposal of chemical waste, obsolete chemicals and empty containers of chemicals so as to avoid their use for other purposes and to eliminate or minimize the risks to safety and health and to the environment.

- Government shall ensure that there are preventive and protective measures for the use of chemicals and handling of chemical waste at the level of the undertaking.
- Government shall ensure that preventive and protective measures for the use of chemicals and handling of chemical waste at the level of the undertaking cover the preparation, handling, application, storage and transportation of chemicals.
- Government shall ensure that preventive and protective measures for the use of chemicals and handling of chemical waste at the level of the undertaking cover agricultural activities leading to the dispersion of chemicals.
- Government shall ensure that preventive and protective measures for the use of chemicals and handling of chemical waste at the level of the undertaking cover the maintenance, repair and cleaning of equipment and containers for chemicals.
- Government shall ensure that preventive and protective measures for the use of chemicals and handling of chemical waste at the level of the undertaking cover the disposal of empty containers and the treatment and disposal of chemical waste and obsolete chemicals.
- Government shall ensure that risks such as those of infection, allergy or poisoning are prevented or kept to a minimum when biological agents are

handled.

- Government shall ensure that activities involving animals, livestock and stabling areas comply with national or other recognized health and safety standards.
- Government shall ensure that the construction, maintenance and repairing of agricultural installations shall be in conformity with government safety and health requirements.
- Government shall impose a minimum age of 18 years for assignment to work in agriculture which by its nature or the circumstances in which it is carried out is likely to harm the safety and health of young persons.
- Government shall designate the types of employment or work to which the above rule applies after consultation with the representative organizations of employers and workers concerned.
- Government may, notwithstanding the above rule and after consultation with the representative organizations of employers and workers concerned, authorize the performance of work referred to in that rule from 16 years of age on condition that appropriate prior training is given and the safety and health of the young workers are fully protected.
- Government shall ensure that temporary and seasonal workers receive the same safety and health protection as that accorded to comparable permanent workers in agriculture.
- Government shall ensure that the special needs of women agricultural workers are taken into account in relation to pregnancy, breastfeeding and reproductive health.

- Government shall prescribe, after consultation with the representative organizations of employers and workers concerned, the provision of adequate welfare facilities at no cost to the worker.
- Government shall prescribe, after consultation with the representative organizations of employers and workers concerned, the minimum accommodation standards for workers who are required by the nature of the work to live temporarily or permanently in the undertaking.
- Government shall ensure that hours of work in agriculture are in accordance with national laws and regulations or collective agreements.
- Government shall ensure that night work for workers in agriculture is in accordance with national laws and regulations or collective agreements.
- Government shall ensure that rest periods for workers in agriculture are in accordance with national laws and regulations or collective agreements.
- Government shall ensure that coverage of agricultural workers by an insurance or social security scheme against fatal and non-fatal occupational injuries and diseases is at least equivalent to that enjoyed by workers in other sectors.
- Government shall ensure that coverage of workers in agriculture by an insurance or social security scheme against invalidity is at least equivalent to that enjoyed by workers in other sectors.
- Government shall ensure that coverage of workers in agriculture by an insurance or social security scheme against other work-related health risks is at least equivalent to that enjoyed by workers in

other sectors.

*Convention no. 176 – Safety and Health in the Mines Convention,
1995*

- This Convention applies to all mines.
- Government may, after consultations with the most representative organizations of employers and workers concerned, exclude certain categories of mines from the application of the Convention if the government ensures that the overall protection afforded at these mines is not inferior to that which would result from the full application of the provisions of the Convention.
- Government may, after consultations with the most representative organizations of employers and workers concerned, exclude certain provisions of this Convention, if the government ensures that the overall protection is not inferior to that which would result from the full application of the provisions of the Convention.
- Government shall, in the case of exclusion of certain categories of mines pursuant to the previous rules, make plans for progressively covering all mines.
- Government shall, after consultations with the most representative organizations of employers and workers concerned, carry out and periodically review a coherent policy on safety and health in mines.
- Government shall, where appropriate, supplement government regulation of mines with technical standards, guidelines or codes of practice or other means of application consistent with government regulation.

- Government shall designate the government body that is to monitor and regulate the various aspects of safety and health in mines.
- Government shall ensure the supervision of safety and health in mines.
- Government shall ensure the inspection of mines by inspectors designated for the purpose by the government.
- Government shall establish procedures for reporting and investigating fatal accidents.
- Government shall establish procedures for reporting and investigating serious accidents.
- Government shall establish procedures for reporting and investigating dangerous occurrences.
- Government shall establish procedures for reporting and investigating mine disasters.
- Government shall ensure the compilation and publication of statistics on mining accidents, as defined by national laws or regulations.
- Government shall ensure the compilation and publication of statistics on occupational diseases in mining, as defined by national laws or regulations.
- Government shall ensure the compilation and publication of statistics on dangerous occurrences in mining, as defined by national laws or regulations.
- Government shall ensure the power of the government to suspend or restrict mining activities on safety and health grounds, until the condition giving rise to the suspension or restriction has

been corrected.

- Government shall ensure the establishment of effective procedures to ensure the implementation of the rights of workers and their representatives to be consulted on matters and to participate in measures relating to safety and health at the workplace.
- Government shall ensure that the manufacture, storage, transport and use of explosives and initiating devices at the mine shall be carried out by or under the direct supervision of competent and authorized persons.
- Government shall specify requirements relating to mine rescue, first aid and appropriate medical facilities.
- Government shall specify an obligation to provide and maintain adequate self-rescue respiratory devices for workers in underground coal mines and, where necessary, in other underground mines.
- Government shall specify protective measures to secure abandoned mine workings so as to eliminate or minimize risks to safety and health.
- Government shall specify requirements for the safe storage, transportation and disposal of hazardous substances used in the mining process and waste produced at the mine.
- Government shall specify where appropriate, an obligation to supply sufficient sanitary conveniences and facilities to wash, change and eat, and to maintain them in hygienic condition.
- Government shall require that the employer in charge of the mine shall ensure that appropriate plans of workings are prepared before the start of

operation.

- Government shall require that the employer in charge of the mine shall ensure that that such plans are kept available at the mine site.
- Government shall require that the employer in charge of the mine shall ensure that in the event of any significant modification, such plans are brought up to date periodically and kept available at the mine site.
- Government shall ensure that, in taking preventive and protective measures, the employer shall assess the risk and deal with it in the following order of priority: (a) eliminate the risk; (b) control the risk at source; (c) minimize the risk by means that include the design of safe work systems; and (d) in so far as the risk remains, provide for the use of personal protective equipment, having regard to what is reasonable, practicable and feasible, and to good practice and the exercise of due diligence.
- Government shall require employers to take all necessary measures to eliminate or minimize the risks to safety and health in mines under their control.
- Government shall require employers to take all necessary measures to ensure that the mine is designed, constructed and provided with electrical, mechanical and other equipment, including a communication system, to provide conditions for safe operation and a healthy working environment.
- Government shall require employers to take all necessary measures to ensure that the mine is commissioned, operated, maintained and decommissioned in such a way that workers can perform the work assigned to them without endangering their safety and health or that of other

persons.

- Government shall require employers to take all necessary measures to maintain the stability of the ground in areas to which persons have access in the context of their work.
- Government shall require employers to provide, from every underground workplace, two exits, each of which is connected to separate means of egress to the surface.
- Government shall require employers to ensure the monitoring, assessment and regular inspection of the working environment to identify the various hazards to which the workers may be exposed and to assess their level of exposure.
- Government shall require employers to ensure adequate ventilation for all underground workings to which access is permitted.
- Government shall require employers in respect of zones susceptible to particular hazards, to draw up and implement an operating plan and procedures to ensure a safe system of work and the protection of workers.
- Government shall require employers to take measures and precautions appropriate to the nature of a mine operation to prevent, detect and combat the start and spread of fires and explosions.
- Government shall require employers to ensure that when there is serious danger to the safety and health of workers, operations are stopped and workers are evacuated to a safe location.
- Government shall ensure that the employer prepares an emergency response plan, specific to each mine, for reasonably foreseeable industrial

and natural disasters.

- Government shall ensure that, where workers are exposed to physical, chemical or biological hazards the employer shall inform the workers, in a comprehensible manner, of the hazards associated with their work.
- Government shall ensure that, where workers are exposed to physical, chemical or biological hazards the employer takes appropriate measures to eliminate or minimize the risks resulting from exposure to those hazards.
- Government shall ensure that, where workers are exposed to physical, chemical or biological hazards the employer shall where adequate protection against risk of accident or injury to health including exposure to adverse conditions cannot be ensured by other means, provide and maintain at no cost to the worker suitable protective equipment and clothing and other facilities defined by government regulations.
- Government shall ensure that, where workers are exposed to physical, chemical or biological hazards the employer shall provide workers who have suffered from an injury or illness at the workplace with access to appropriate medical facilities.
- Government shall ensure that, where workers are exposed to physical, chemical or biological hazards the employer shall provide workers who have suffered from an injury or illness at the workplace with appropriate transportation from the workplace.
- Government shall ensure that, where workers are exposed to physical, chemical or biological hazards the employer shall provide workers who have suffered from an injury or illness at the

workplace with first aid.

- Government shall ensure that the employer provides adequate training and retraining programs and comprehensible instructions to workers, at no cost to them, on safety and health matters.
- Government shall ensure that the employer provides adequate training and retraining programs and comprehensible instructions to workers, at no cost to them, on the work assigned.
- Government shall ensure that the employer provides in accordance with government regulations, adequate supervision and control on each shift to secure the safe operation of the mine.
- Government shall ensure that the employer establishes a system so that the names of all persons who are underground can be accurately known at any time, as well as their probable location.
- Government shall ensure that the employer investigates all accidents and dangerous occurrences, as defined by national laws or regulations, are investigated and appropriate remedial action is taken.
- Government shall ensure that the employer takes appropriate remedial action for all accidents and dangerous occurrences, as defined by national laws or regulations.
- Government shall ensure that, on the basis of general principles of occupational health and in accordance with government regulation, the employer provides regular health surveillance of workers exposed to occupational health hazards specific to mining.

- Government shall ensure that, whenever two or more employers undertake activities at the same mine, the employer in charge of the mine shall coordinate the implementation of all measures concerning the safety and health of workers and shall be held primarily responsible for the safety of the operations.
- Government shall ensure that the previous employer obligation shall not relieve individual employers from responsibility for the implementation of all measures concerning the safety and health of their workers.
- Government shall guarantee workers the right to report accidents, dangerous occurrences and hazards to the employer and to the government.
- Government shall guarantee workers the right to request and obtain, where there is cause for concern on safety and health grounds, inspections and investigations to be conducted by the employer and the government.
- Government shall guarantee workers the right to know and be informed of workplace hazards that may affect their safety or health.
- Government shall guarantee workers the right to obtain information relevant to their safety or health, held by the employer or the government.
- Government shall guarantee workers the right to remove themselves from any location at the mine when circumstances arise which appear, with reasonable justification, to pose a serious danger to their safety or health.
- Government shall guarantee workers the right to collectively select safety and health representatives.

- Government shall ensure that the safety and health representatives have the right to represent workers on all aspects of workplace safety and health.
- Government shall ensure that the safety and health representatives have the right to participate in inspections and investigations conducted by the employer and by the government at the workplace.
- Government shall ensure that the safety and health representatives have the right to monitor and investigate safety and health matters.
- Government shall ensure that the safety and health representatives have the right to have recourse to advisers and independent experts.
- Government shall ensure that the safety and health representatives have the right to consult with the employer in a timely fashion on safety and health matters, including policies and procedures.
- Government shall ensure that the safety and health representatives have the right to consult with the government.
- Government shall ensure that the safety and health representatives have the right to receive, relevant to the area for which they have been selected, notice of accidents and dangerous occurrences.
- Government shall ensure that procedures for the exercise of the above rights are specified by government regulation or through consultations between employers and workers and their representatives.
- Government shall ensure that the above rights can be exercised without discrimination or retaliation.

- Government shall ensure that workers have the duty in accordance with their training to comply with prescribed safety and health measures.
- Government shall ensure that workers have the duty, in accordance with their training to take reasonable care for their own safety and health and that of other persons who may be affected by their acts or omissions at work, including the proper care and use of protective clothing, facilities and equipment placed at their disposal for this purpose.
- Government shall ensure that workers have the duty, in accordance with their training to report forthwith to their immediate supervisor any situation which they believe could present a risk to their safety or health or that of other persons, and which they cannot properly deal with themselves.
- Government shall ensure that workers have the duty, in accordance with their training, to cooperate with the employer to permit compliance with the duties and responsibilities placed on the employer pursuant to the Convention.
- Government shall encourage cooperation between employers and workers and their representatives to promote safety and health in mines.
- Government shall take all necessary measures, including the provision of appropriate penalties and corrective measures, to ensure the effective enforcement of the provisions of the Convention
- Government shall provide appropriate inspection services to supervise the application of the measures to be taken in pursuance of the Convention and provide these services with the resources necessary for the accomplishment of their tasks.

- Government shall provide the inspection services with the resources necessary for the accomplishment of their tasks.

*Convention no. 174 – Prevention of Major Industrial Accidents
Convention, 1993*

- For the purposes of this Convention: (a) the term **hazardous substance** means a substance or mixture of substances which by virtue of chemical, physical or toxicological properties, either singly or in combination, constitutes a hazard; (b) the term **threshold quantity** means for a given hazardous substance or category of substances that quantity, prescribed in national laws and regulations by reference to specific conditions, which if exceeded identifies a major hazard installation; (c) the term **major hazard installation** means one which produces, processes, handles, uses, disposes of or stores, either permanently or temporarily, one or more hazardous substances or categories of substances in quantities which exceed the threshold quantity; (d) the term **major accident** means a sudden occurrence - such as a major emission, fire or explosion - in the course of an activity within a major hazard installation, involving one or more hazardous substances and leading to a serious danger to workers, the public or the environment, whether immediate or delayed; (e) the term **safety report** means a written presentation of the technical, management and operational information covering the hazards and risks of a major hazard installation and their control and providing justification for the measures taken for the safety of the installation; (f) the term **near miss** means any sudden event involving one or more hazardous substances which, but for mitigating effects, actions or systems, could have escalated to a major accident.

- Government shall, in the light of national conditions, and in consultation with the most representative organizations of employers and workers and with other interested parties who may be affected, implement a coherent national policy concerning the protection of workers, the public and the environment against the risk of major accidents.
- Government shall, in the light of national conditions, and in consultation with the most representative organizations of employers and workers and with other interested parties, periodically review the national policy against the risk of major accidents.
- Government shall implement the national policy through preventive and protective measures for major hazard installations.
- Government shall, where practicable, promote the use of the best available safety technologies.
- Government, or a body authorized by the government, shall, after consulting the most representative organizations of employers and workers and other interested parties who may be affected, establish a system for the identification of major hazard installations.
- Government, or a body authorized by the government, shall base such identification system on a list of hazardous substances or of categories of hazardous substances or of both, together with their respective threshold quantities, in accordance with national laws and regulations or international standards.
- Government shall regularly review and update the above system.
- Government shall, after consulting the

representative organizations of employers and workers concerned, make special provision to protect confidential information transmitted or made available to it in accordance with the above rules whose disclosure would be liable to cause harm to an employer's business, so long as this provision does not lead to serious risk to the workers, the public or the environment.

- Government shall ensure that employers identify any major hazard installation within their control on the basis of the above system.
- Government shall ensure that employers notify the government of any major hazard installation which they have identified within a fixed time-frame for an existing installation.
- Government shall ensure that employers shall notify the government of any major hazard installation which they have identified before it is put into operation in the case of a new installation.
- Government shall ensure that employers shall notify the government before any permanent closure of a major hazard installation.
- Government shall ensure, in respect of each major hazard installation, that employers shall establish and maintain a documented system of major hazard control which includes provision for the identification and analysis of hazards.
- Government shall ensure, in respect of each major hazard installation, that employers shall establish and maintain a documented system of major hazard control which includes the assessment of risks including consideration of possible interactions between substances.
- Government shall ensure, in respect of each major hazard installation, that employers shall establish

and maintain a documented system of major hazard control which includes provision for technical measures, including design, safety systems, construction, choice of chemicals, operation, maintenance and systematic inspection of the installation.

- Government shall ensure, in respect of each major hazard installation, that employers shall establish and maintain a documented system of major hazard control which includes provision for organizational measures, including training and instruction of personnel, the provision of equipment in order to ensure their safety, staffing levels, hours of work, definition of responsibilities, and controls on outside contractors and temporary workers on the site of the installation.
- Government shall ensure, in respect of each major hazard installation, that employers shall establish and maintain a documented system of major hazard control which includes provision for emergency plans and procedures.
- Government shall ensure, in respect of each major hazard installation, that employers shall establish and maintain a documented system of major hazard control which includes provision for the preparation of effective site emergency plans and procedures, including emergency medical procedures, to be applied in case of major accidents or threat thereof, with periodic testing and evaluation of their effectiveness and revision as necessary.
- Government shall ensure, in respect of each major hazard installation, that employers shall establish and maintain a documented system of major hazard control which includes the provision of information on potential accidents and site emergency plans to authorities and bodies responsible for the preparation of emergency

plans and procedures for the protection of the public and the environment outside the site of the installation.

- Government shall ensure, in respect of each major hazard installation, that employers shall establish and maintain a documented system of major hazard control which includes provision for any necessary consultation with government bodies.
- Government shall ensure, in respect of each major hazard installation, that employers shall establish and maintain a documented system of major hazard control which includes provision for measures to limit the consequences of a major accident.
- Government shall ensure, in respect of each major hazard installation, that employers shall establish and maintain a documented system of major hazard control which includes provision for consultation with workers and their representatives.
- Government shall ensure, in respect of each major hazard installation, that employers shall establish and maintain a documented system of major hazard control which includes provision for improvement of the system, including measures for gathering information and analyzing accidents and near misses.
- Government shall ensure that the lessons learnt from the above employer obligations shall be discussed with the workers and their representatives and shall be recorded in accordance with national law and practice.
- Government shall require that employers prepare a safety report based on the above requirements.
- Government shall require that employers prepare

a safety report in the case of existing major hazard installations, within a period after notification prescribed by national laws or regulations.

- Government shall require that employers prepare a safety report in the case of any new major hazard installation, before it is put into operation.
- Government shall require employers to review, update and amend the safety report in the event of a modification which has a significant influence on the level of safety in the installation or its processes or in the quantities of hazardous substances present.
- Government shall require employers to review, update and amend the safety report when developments in technical knowledge or in the assessment of hazards make this appropriate.
- Government shall require employers to review, update and amend the safety report at intervals prescribed by government regulation.
- Government shall require employers to review, update and amend the safety report at the request of the government.
- Government shall require employers to transmit or make available to the government all the safety reports referred to above.
- Government shall require employers to inform the government and other bodies designated for this purpose as soon as a major accident occurs.
- Government shall require employers, within a fixed time-frame after a major accident, to present a detailed report to the government containing an analysis of the causes of the accident and describing its immediate on-site consequences, and any action taken to mitigate its effects.

- Government shall require that the above report include recommendations detailing actions to be taken to prevent a recurrence.
- Government shall require, taking into account the information provided by the employer, that emergency plans and procedures containing provisions for the protection of the public and the environment outside the site of each major hazard installation are established.
- Government shall require, taking into account the information provided by the employer, that emergency plans and procedures containing provisions for the protection of the public and the environment outside the site of each major hazard installation are updated at appropriate intervals.
- Government shall require, taking into account the information provided by the employer, that emergency plans and procedures containing provisions for the protection of the public and the environment outside the site of each major hazard installation are coordinated with the relevant authorities and bodies.
- Government shall ensure that information on safety measures and the correct behavior to adopt in the case of a major accident is disseminated to members of the public liable to be affected by a major accident without their having to request it and that such information is updated and again disseminated at appropriate intervals.
- Government shall ensure that warning is given as soon as possible in the case of a major accident.
- Government shall ensure that, where a major accident could have trans-boundary effects, the information required above is provided to the governments concerned, to assist in cooperation and coordination arrangements.

- Government shall establish a comprehensive siting policy arranging for the appropriate separation of proposed major hazard installations from working and residential areas and public facilities, and appropriate measures for existing installations.
- Government shall have properly qualified and trained staff with the appropriate skills to inspect, investigate, assess, and advise on the matters dealt with in this Convention and to ensure compliance with national laws and regulations.
- Government shall provide such staff with sufficient technical and professional support, to inspect, investigate, assess, and advise on the matters dealt with in this Convention and to ensure compliance with national laws and regulations.
- Government shall ensure that representatives of the employer and representatives of the workers of a major hazard installation have the opportunity to accompany inspectors supervising the application of the measures prescribed in pursuance of this Convention, unless the inspectors consider, in the light of the general instructions of the government, that this may be prejudicial to the performance of their duties.
- Government shall have the right to suspend any operation which poses an imminent threat of a major accident.
- Government shall ensure that the workers and their representatives at a major hazard installation shall be consulted through appropriate cooperative mechanisms in order to ensure a safe system of work.
- Government shall ensure that the workers and their representatives at a major hazard installation shall be adequately and suitably informed of the

hazards associated with the major hazard installation and their likely consequences.

- Government shall ensure that the workers and their representatives at a major hazard installation shall be informed of any orders, instructions or recommendations made by the government.
- Government shall ensure that the workers and their representatives at a major hazard installation shall be consulted in the preparation of, and have access to, the safety report.
- Government shall ensure that the workers and their representatives at a major hazard installation shall be consulted in the preparation of, and have access to, emergency plans and procedures.
- Government shall ensure that the workers and their representatives at a major hazard installation shall be consulted in the preparation of, and have access to, accident reports.
- Government shall ensure that the workers and their representatives at a major hazard installation shall be regularly instructed and trained in the practices and procedures for the prevention of major accidents.
- Government shall ensure that the workers and their representatives at a major hazard installation shall be regularly instructed and trained in the practices and procedures for the control of developments likely to lead to a major accident.
- Government shall ensure that the workers and their representatives at a major hazard installation shall be regularly instructed and trained in the emergency procedures to be followed in the event of a major accident.
- Government shall ensure that the workers and

their representatives at a major hazard installation shall within the scope of their job, and without being placed at any disadvantage, take corrective action and if necessary interrupt the activity where, on the basis of their training and experience, they have reasonable justification to believe that there is an imminent danger of a major accident, and notify their supervisor or raise the alarm, as appropriate, before or as soon as possible after taking such action.

- Government shall ensure that the workers and their representatives at a major hazard installation shall discuss with the employer any potential hazards they consider capable of generating a major accident and have the right to notify the government of those hazards.
- Government shall ensure that workers employed at the site of a major hazard installation shall comply with all practices and procedures relating to the prevention of major accidents and the control of developments likely to lead to a major accident within the major hazard installation.
- Government shall ensure that workers employed at the site of a major hazard installation shall comply with all emergency procedures should a major accident occur.
- Government, when it is an exporter which prohibits the use of hazardous substances, technologies or processes as a potential source of a major accident, shall make available the information on this prohibition and the reasons for it to any importing country.

Convention no. 170 – Chemicals Convention, 1990

- For the purposes of this Convention: (a) the term

chemicals means chemical elements and compounds, and mixtures thereof, whether natural or synthetic; (b) the term **hazardous chemical** includes any chemical which has been classified as hazardous in accordance with Article 6 or for which relevant information exists to indicate that the chemical is hazardous; (c) the term **use of chemicals at work** means any work activity which may expose a worker to a chemical, including: (i) the production of chemicals; (ii) the handling of chemicals; (iii) the storage of chemicals; (iv) the transport of chemicals; (v) the disposal and treatment of waste chemicals; (vi) the release of chemicals resulting from work activities; (vii) the maintenance, repair and cleaning of equipment and containers for chemicals; (d) the term **branches of economic activity** means all branches in which workers are employed, including the public service; (e) the term **article** means an object which is formed to a specific shape or design during its manufacture or which is in its natural shape, and whose use in that form is dependent in whole or in part on its shape or design; (f) the term **workers' representatives** means persons who are recognized as such by national law or practice, in accordance with the Workers' Representatives Convention, 1971.

- Government shall consult the most representative organizations of employers and workers concerned on the measures to be taken to give effect to the provisions of this Convention.
- Government shall, in the light of national conditions and in consultation with the most representative organizations of employers and workers, implement a coherent policy on safety in the use of chemicals at work.
- Government shall, in the light of national conditions and in consultation with the most representative organizations of employers and workers, periodically review its policy on safety in

the use of chemicals at work.

- Government shall have the power, if justified on safety and health grounds, to prohibit or restrict the use of certain hazardous chemicals.
- Government shall have the power, if justified on safety and health grounds to require advance notification and authorization before certain hazardous chemicals are used.
- Government shall ensure that the workers and their representatives at a major hazard installation shall be regularly instructed and trained in the practices and procedures for the prevention of major accidents and the control of developments likely to lead to a major accident and in the emergency procedures to be followed in the event of a major accident.
- Government shall ensure that the workers and their representatives at a major hazard installation shall be regularly instructed and trained in the practices and procedures for the prevention of major accidents and the control of developments likely to lead to a major accident.
- Government shall ensure that the workers and their representatives at a major hazard installation shall be regularly instructed and trained in the emergency procedures to be followed in the event of a major accident.
- Government or authorized body may permit the assessment of the hazardous properties of mixtures composed of two or more chemicals to be determined by assessments based on the intrinsic hazards of their component chemicals.
- Government's or authorized body's systems and criteria shall, in the case of transport, take into account the United Nations Recommendations on

the transport of dangerous goods.

- Government or authorized body shall progressively extend the classification systems and their application.
- Government or authorized body shall ensure that chemicals shall be marked so as to indicate their identity.
- Government or authorized body shall ensure that hazardous chemicals shall in addition be labeled, in a way easily understandable to the workers, so as to provide essential information regarding their classification, the hazards they present and the safety precautions to be observed.
- Government or authorized body shall ensure that requirements for marking or labeling chemicals are in accordance with national or international standards.
- Government or authorized body shall ensure that in the case of transport, such requirements for marking or labeling shall take into account the United Nations Recommendations on the transport of dangerous goods.
- Government or authorized body shall ensure that, for hazardous chemicals, chemical safety data sheets containing detailed essential information regarding their identity, supplier, classification, hazards, safety precautions and emergency procedures shall be provided to employers.
- Government or authorized body shall ensure that criteria for the preparation of chemical safety data sheets shall be established by the government, or by an authorized body approved in accordance with national or international standards.
- Government or authorized body shall ensure that

the chemical or common name used to identify the chemical on the chemical safety data sheet shall be the same as that used on the label.

- Government or authorized body shall ensure that suppliers of chemicals, whether manufacturers, importers or distributors, shall ensure that such chemicals have been classified in accordance with the above rules on the basis of knowledge of their properties and a search of available information or assessed in accordance with rules below.
- Government or authorized body shall ensure that such chemicals are marked by suppliers so as to indicate their identity in accordance with above rules.
- Government or authorized body shall ensure that suppliers label hazardous chemicals in accordance with above rules.
- Government or authorized body shall ensure that suppliers prepare chemical safety data sheets for such hazardous chemicals in accordance with above rules and provided to employers.
- Government or authorized body shall ensure that suppliers of hazardous chemicals shall ensure that revised labels and chemical safety data sheets are prepared and provided to employers, by a method which accords with national law and practice, whenever new relevant safety and health information becomes available.
- Government or authorized body shall ensure that suppliers of chemicals which have not yet been classified shall identify the chemicals they supply and assess the properties of these chemicals on the basis of a search of available information in order to determine whether they are hazardous chemicals.

- Government shall ensure that employers label or mark all chemicals used at work.
- Government shall ensure that chemical safety data sheets are made available to workers and their representatives.
- Government shall ensure that employers receiving chemicals that have not been labeled or marked or for which chemical safety data sheets have not been provided shall obtain the relevant information from the supplier or from other reasonably available sources, and shall not use the chemicals until such information is obtained.
- Government shall ensure that employers use only those chemicals which are classified or identified and assessed, and labeled or marked.
- Government shall ensure that employers take any necessary precautions when they use chemicals.
- Government shall ensure that employers shall maintain a record of hazardous chemicals used at the workplace, cross-referenced to the appropriate chemical safety data sheets.
- Government shall ensure that the above record shall be accessible to all workers concerned and their representatives.
- Government shall ensure that employers shall ensure that when chemicals are transferred into other containers or equipment, the contents are indicated in a manner which will make known to workers their identity, any hazards associated with their use and any safety precautions to be observed.
- Government or authorized body shall ensure that employers shall ensure that workers are not exposed to chemicals to an extent which exceeds

exposure limits or other exposure criteria for the evaluation and control of the working environment established by the government, or by a body approved or recognized by the government, in accordance with national or international standards.

- Government or authorized body shall ensure that employers shall assess the exposure of workers to hazardous chemicals.
- Government or authorized body shall ensure that employers shall monitor and record the exposure of workers to hazardous chemicals when this is necessary to safeguard their safety and health or as may be prescribed by the government.
- Government or authorized body shall ensure that employers shall ensure that the records of the monitoring of the working environment and of the exposure of workers using hazardous chemicals are kept for a period prescribed by the government and are accessible to the workers and their representatives.
- Government or authorized body shall ensure that employers shall make an assessment of the risks arising from the use of chemicals at work.
- Government or authorized body shall ensure that employers shall protect workers against such risks by appropriate means.
- Government or authorized body shall ensure that employers shall protect workers against such risks by means, when appropriate, of the choice of chemicals that eliminate or minimize the risk.
- Government or authorized body shall ensure that employers shall protect workers against such risks by means, when appropriate, of the choice of technology that eliminates or minimizes the risk.

- Government or authorized body shall ensure that employers shall protect workers against such risks by means, when appropriate, of the use of adequate engineering control measures.
- Government or authorized body shall ensure that employers shall protect workers against such risks by means, when appropriate, of the adoption of working systems and practices that eliminate or minimize the risk.
- Government or authorized body shall ensure that employers shall protect workers against such risks by means, when appropriate, of the adoption of adequate occupational hygiene measures.
- Government or authorized body shall ensure that employers shall protect workers against such risks by means, where recourse to the above measures does not suffice, of the provision and proper maintenance of personal protective equipment and clothing at no cost to the worker, and the implementation of measures to ensure their use.
- Government or authorized body shall ensure that employers shall limit exposure to hazardous chemicals so as to protect the safety and health of workers.
- Government or authorized body shall ensure that employers shall provide first aid.
- Government or authorized body shall ensure that employers shall make arrangements to deal with emergencies.
- Government or authorized body shall ensure that employers shall handle or dispose of hazardous chemicals which are no longer required and containers which have been emptied but which may contain residues of hazardous chemicals, in a manner which eliminates or minimizes the risk to

safety and health and to the environment, in accordance with national law and practice.

- Government or authorized body shall ensure that employers shall inform the workers of the hazards associated with exposure to chemicals used at the workplace.
- Government or authorized body shall ensure that employers shall instruct the workers how to obtain and use the information provided on labels and chemical safety data sheets.
- Government or authorized body shall ensure that employers shall use the chemical safety data sheets, along with information specific to the workplace, as a basis for the preparation of instructions to workers, which should be written if appropriate.
- Government or authorized body shall ensure that employers shall train the workers on a continuing basis in the practices and procedures to be followed for safety in the use of chemicals at work.
- Government or authorized body shall ensure that employers, in discharging their responsibilities, shall cooperate as closely as possible with workers or their representatives with respect to safety in the use of chemicals at work.
- Government or authorized body shall ensure that workers shall cooperate as closely as possible with their employers in the discharge by the employers of their responsibilities and comply with all procedures and practices relating to safety in the use of chemicals at work.
- Government or authorized body shall ensure that workers shall take all reasonable steps to eliminate or minimize risk to themselves and to others from the use of chemicals at work.

- Government or authorized body shall ensure that workers shall have the right to remove themselves from danger resulting from the use of chemicals when they have reasonable justification to believe there is an imminent and serious risk to their safety or health, and shall inform their supervisor immediately.
- Government or authorized body shall ensure that workers who remove themselves from danger in accordance with the provisions of the previous paragraph or who exercise any other rights under this Convention shall be protected against undue consequences.
- Government or authorized body shall ensure that workers concerned and their representatives shall have the right to information on the identity of chemicals used at work, the hazardous properties of such chemicals, precautionary measures, education and training.
- Government or authorized body shall ensure that workers concerned and their representatives shall have the right to the information contained in labels and markings.
- Government or authorized body shall ensure that workers concerned and their representatives shall have the right to chemical safety data sheets.
- Government or authorized body shall ensure that workers concerned and their representatives shall have the right to any other information required to be kept by this Convention.
- Government may permit employer, where disclosure of the specific identity of an ingredient of a chemical mixture to a competitor would be liable to cause harm to the employer's business, in providing the information required above, to protect that identity in a manner approved by the

government.

- Government shall, when it is an exporter of a chemical which is prohibited on the ground that all or some uses of hazardous chemicals are unsafe or unhealthy at work, communicate this fact and the reason to any importing country.

Convention no. 167 – Safety and Health in Construction Convention, 1988

- For the purpose of this Convention: (a) The term **construction** covers: (i) building, including excavation and the construction, structural alteration, renovation, repair, maintenance (including cleaning and painting) and demolition of all types of buildings or structures; (ii) civil engineering, including excavation and the construction, structural alteration, repair, maintenance and demolition of, for example, airports, docks, harbors, inland waterways, dams, river and avalanche and sea defense works, roads and highways, railways, bridges, tunnels, viaducts and works related to the provision of services such as communications, drainage, sewerage, water and energy supplies; (iii) the erection and dismantling of prefabricated buildings and structures, as well as the manufacturing of prefabricated elements on the construction site; (b) the term **construction site** means any site at which any of the processes or operations described in subparagraph (a) above are carried on; (c) the term **workplace** means all places where workers need to be or to go by reason of their work and which are under the control of an employer as defined in subparagraph (e) below; (d) the term **worker** means any person engaged in construction; (e) the term **employer** means: (i) any physical or legal person who employs one or more workers on a construction site; and (ii) as the

context requires, the principal contractor, the contractor or the subcontractor; (f) the term **competent person** means a person possessing adequate qualifications, such as suitable training and sufficient knowledge, experience and skill for the safe performance of the specific work. The competent authorities may define appropriate criteria for the designation of such persons and may determine the duties to be assigned to them; (g) the term **scaffold** means any temporary structure, fixed, suspended or mobile, and its supporting components which is used for supporting workers and materials or to gain access to any such structure, and which is not a "lifting appliance" as defined in subparagraph (h) below; (h) the term **lifting appliance** means any stationary or mobile appliance used for raising or lowering persons or loads; (i) the term **lifting gear** means any gear or tackle by means of which a load can be attached to a lifting appliance but which does not form an integral part of the appliance or load.

- Government shall consult the most representative organizations of employers and workers concerned on the measures to be taken to give effect to the provisions of this Convention.
- Government shall, on the basis of an assessment of the safety and health hazards involved, adopt and maintain in force laws or regulations which ensure the application of the provisions of the Convention.
- Government regulations may provide for their practical application through technical standards.
- Government regulations may provide for their practical application through codes of practice.
- Government regulations may provide for their practical application through other appropriate

methods consistent with national conditions and practice.

- Government shall have due regard to the relevant standards adopted by recognized international organizations in the field of standardization.
- Government shall ensure that there is cooperation between employers and workers, in accordance with arrangements to be defined by national laws or regulations, in order to promote safety and health at construction sites.
- Government shall require that employers and self-employed persons have a duty to comply with the prescribed safety and health measures at the workplaces.
- Government shall ensure that whenever two or more employers undertake activities simultaneously at one construction site the principal contractor, or other person or body with actual control over or primary responsibility for overall construction site activities, shall be responsible for coordinating the prescribed safety and health measures and, in so far as is compatible with national laws and regulations, for ensuring compliance with such measures.
- Government shall ensure that in so far as is compatible with national laws and regulations, where the principal contractor, or other person or body with actual control over or primary responsibility for overall construction site activities, is not present at the site, he shall nominate a competent person or body at the site with the authority and means necessary to ensure on his behalf co-ordination and compliance with the above measures.
- Government shall ensure that each employer shall remain responsible for the application of the

prescribed measures in respect of the workers placed under his authority.

- Government shall ensure that whenever employers or self-employed persons undertake activities simultaneously at one construction site they shall have the duty to cooperate in the application of the prescribed safety and health measures, as may be specified by national laws or regulations.
- Government shall ensure that those concerned with the design and planning of a construction project shall take into account the safety and health of the construction workers in accordance with national laws, regulations and practice.
- Government shall ensure that workers shall have the right and the duty at any workplace to participate in ensuring safe working conditions to the extent of their control over the equipment and methods of work and to express views on the working procedures adopted as they may affect safety and health.
- Government shall ensure that workers shall have the duty to cooperate as closely as possible with their employer in the application of the prescribed safety and health measures.
- Government shall ensure that workers shall have the duty to take reasonable care for their own safety and health and that of other persons who may be affected by their acts or omissions at work.
- Government shall ensure that workers shall have the duty to use facilities placed at their disposal and not misuse anything provided for their own protection or the protection of others.
- Government shall ensure that workers shall have the duty to report forthwith to their immediate

supervisor, and to the workers' safety representative where one exists, any situation which they believe could present a risk, and which they cannot properly deal with themselves.

- Government shall ensure that workers shall have the duty to comply with the prescribed safety and health measures.
- Government shall ensure that a worker shall have the right to remove himself from danger when he has good reason to believe that there is an imminent and serious danger to his safety or health, and the duty so to inform his supervisor immediately.
- Government shall ensure that where there is an imminent danger to the safety of workers the employer shall take immediate steps to stop the operation and evacuate workers as appropriate.
- Government shall ensure that all appropriate precautions shall be taken to ensure that all workplaces are safe and without risk of injury to the safety and health of workers.
- Government shall ensure that safe means of access to and egress from all workplaces shall be provided and maintained, and indicated where appropriate.
- Government shall ensure that all appropriate precautions shall be taken to protect persons present at or in the vicinity of a construction site from all risks which may arise from such site.
- Government shall ensure that where work cannot safely be done on or from the ground or from part of a building or other permanent structure, a safe and suitable scaffold shall be provided and maintained, or other equally safe and suitable provision shall be made.

- Government shall ensure that in the absence of alternative safe means of access to elevated working places, suitable and sound ladders shall be provided.
- Government shall ensure that all scaffolds and ladders shall be constructed and used in accordance with national laws and regulations.
- Government shall ensure that scaffolds shall be inspected by a competent person in such cases and at such times as shall be prescribed by national laws or regulations.
- Government shall ensure that every lifting appliance and item of lifting gear, including their constituent elements, attachments, anchorages and supports, shall be of good design and construction, sound material and adequate strength for the purpose for which they are used.
- Government shall ensure that every lifting appliance and item of lifting gear, including their constituent elements, attachments, anchorages and supports, shall be properly installed and used.
- Government shall ensure that every lifting appliance and item of lifting gear, including their constituent elements, attachments, anchorages and supports, shall be maintained in good working order;
- Government shall ensure that every lifting appliance and item of lifting gear, including their constituent elements, attachments, anchorages and supports, shall be examined and tested by a competent person at such times and in such cases as shall be prescribed by national laws or regulations; the results of these examinations and tests shall be recorded.
- Government shall ensure that every lifting

appliance and item of lifting gear, including their constituent elements, attachments, anchorages and supports, shall be operated by workers who have received appropriate training in accordance with national laws and regulations.

- Government shall ensure that no person shall be raised, lowered or carried by a lifting appliance unless it is constructed, installed and used for that purpose in accordance with national laws and regulations, except in an emergency situation in which serious personal injury or fatality may occur, and for which the lifting appliance can be safely used.
- Government shall ensure that all vehicles and earth-moving or materials-handling equipment shall be of good design and construction taking into account as far as possible ergonomic principles.
- Government shall ensure that all vehicles and earth-moving or materials-handling equipment shall be maintained in good working order.
- Government shall ensure that all vehicles and earth-moving or materials-handling equipment shall be properly used.
- Government shall ensure that all vehicles and earth-moving or materials-handling equipment shall be operated by workers who have received appropriate training in accordance with national laws and regulations.
- Government shall ensure that on all construction sites on which vehicles, earth-moving or materials-handling equipment are used safe and suitable access ways shall be provided for them.
- Government shall ensure that on all construction sites on which vehicles, earth-moving or materials-

handling equipment are used traffic shall be so organized and controlled as to secure their safe operation.

- Government shall ensure that all plant, machinery and equipment, including hand tools, both manual and power driven, shall be of good design and construction, taking into account as far as possible ergonomic principles.
- Government shall ensure that all plant, machinery and equipment, including hand tools, both manual and power driven, shall be maintained in good working order.
- Government shall ensure that all plant, machinery and equipment, including hand tools, both manual and power driven, shall be used only for work for which they have been designed unless a use outside the initial design purposes has been assessed by a competent person who has concluded that such use is safe.
- Government shall ensure that all plant, machinery and equipment, including hand tools, both manual and power driven, shall be operated by workers who have received appropriate training.
- Government shall ensure that adequate instructions for safe use shall be provided where appropriate by the manufacturer or the employer, in a form understood by the users.
- Government shall ensure that pressure plant and equipment shall be examined and tested by a competent person in cases and at times prescribed by national laws or regulations.
- Government shall ensure that where necessary to guard against danger, or where the height of a structure or its slope exceeds that prescribed by national laws or regulations, preventive measures

shall be taken against the fall of workers and tools or other objects or materials.

- Government shall ensure that where workers are required to work on or near roofs or other places covered with fragile material, through which they are liable to fall, preventive measures shall be taken against their inadvertently stepping on or falling through the fragile material.
- Government shall ensure that adequate precautions shall be taken in any excavation, shaft, earthworks, underground works or tunnel by suitable shoring or otherwise to guard against danger to workers from a fall or dislodgement of earth, rock or other material.
- Government shall ensure that adequate precautions shall be taken in any excavation, shaft, earthworks, underground works or tunnel to guard against dangers arising from the fall of persons, materials or objects or the inrush of water into the excavation, shaft, earthworks, underground works or tunnel.
- Government shall ensure that adequate precautions shall be taken in any excavation, shaft, earthworks, underground works or tunnel to secure adequate ventilation at every workplace so as to maintain an atmosphere fit for respiration and to limit any fumes, gases, vapors, dust or other impurities to levels which are not dangerous or injurious to health and are within limits laid down by national laws or regulations.
- Government shall ensure that adequate precautions shall be taken in any excavation, shaft, earthworks, underground works or tunnel to enable the workers to reach safety in the event of fire, or an inrush of water or material.
- Government shall ensure that adequate

precautions shall be taken in any excavation, shaft, earthworks, underground works or tunnel to avoid risk to workers arising from possible underground dangers such as the circulation of fluids or the presence of pockets of gas, by undertaking appropriate investigations to locate them.

- Government shall ensure that every cofferdam and caisson shall be of good construction and suitable and sound material and of adequate strength.
- Government shall ensure that every cofferdam and caisson shall be provided with adequate means for workers to reach safety in the event of an inrush of water or material.
- Government shall ensure that the construction, positioning, modification or dismantling of a cofferdam or caisson shall take place only under the immediate supervision of a competent person.
- Government shall ensure that every cofferdam and caisson shall be inspected by a competent person at prescribed intervals.
- Government shall ensure that work in compressed air shall be carried out only in accordance with measures prescribed by national laws or regulations.
- Government shall ensure that work in compressed air shall be carried out only when a competent person is present to supervise the conduct of the operations.
- Government shall ensure that work in compressed air shall be carried out only by workers whose physical aptitude for such work has been established by a medical examination.
- Government shall ensure that the erection of

structural frames and components, formwork, falsework and shoring shall be carried out only under the supervision of a competent person.

- Government shall ensure that adequate precautions shall be taken to guard against danger to workers arising from any temporary state of weakness or instability of a structure.
- Government shall ensure that formwork, falsework and shoring shall be so designed, constructed and maintained that it will safely support all loads that may be imposed on it.
- Government shall ensure that where work is done over or in close proximity to water there shall be adequate provision for preventing workers from falling into water.
- Government shall ensure that where work is done over or in close proximity to water there shall be adequate provision for the rescue of workers in danger of drowning.
- Government shall ensure that where work is done over or in close proximity to water there shall be adequate provision for safe and sufficient transport.
- Government shall ensure that when the demolition of any building or structure might present danger to workers or to the public appropriate precautions, methods and procedures shall be adopted, including those for the disposal of waste or residues, in accordance with national laws or regulations.
- Government shall ensure that when the demolition of any building or structure might present danger to workers or to the public the work shall be planned and undertaken only under the supervision of a competent person.

- Government shall ensure that adequate and suitable lighting, including portable lighting where appropriate, shall be provided at every workplace and any other place on the construction site where a worker may have to pass.
- Government shall ensure that when the demolition of any building or structure might present danger to workers or to the public all electrical equipment and installations shall be constructed, installed and maintained by a competent person, and so used as to guard against danger.
- Government shall ensure that before construction is commenced and during the progress thereof adequate steps shall be taken to ascertain the presence of and to guard against danger to workers from any live electrical cable or apparatus which is under, over or on the site.
- Government shall ensure that the laying and maintenance of electrical cables and apparatus on construction sites shall be governed by the technical rules and standards applied at the national level.
- Government shall ensure that explosives shall not be stored, transported, handled or used except under conditions prescribed by national laws or regulations.
- Government shall ensure that explosives shall not be stored, transported, handled or used except by a competent person, who shall take such steps as are necessary to ensure that workers and other persons are not exposed to risk of injury.
- Government shall ensure that where a worker is liable to be exposed to any chemical, physical or biological hazard to such an extent as is liable to be dangerous to health, appropriate preventive measures shall be taken against such exposure.

- Government shall authorize employers to use, as a preventive measure referred to above, the replacement of hazardous substances by harmless or less hazardous substances wherever possible.
- Government shall authorize employers alternatively to use, as a preventive measure referred to above, technical measures applied to the plant, machinery, equipment or process.
- Government shall authorize employers to use, as a preventive measure referred to above, where it is not possible to use replacement or technical means, other effective measures, including the use of personal protective equipment and protective clothing.
- Government shall ensure that where workers are required to enter any area in which a toxic or harmful substance may be present, or in which there may be an oxygen deficiency, or a flammable atmosphere, adequate measures shall be taken to guard against danger.
- Government shall ensure that waste shall not be destroyed or otherwise disposed of on a construction site in a manner which is liable to be injurious to health.
- Government shall ensure that the employer shall take all appropriate measures to avoid the risk of fire.
- Government shall ensure that the employer shall take all appropriate measures to combat quickly and efficiently any outbreak of fire.
- Government shall ensure that the employer shall take all appropriate measures to bring about a quick and safe evacuation of persons.

- Government shall ensure that efficient and suitable storage shall be provided for flammable liquids, solids and gases.
- Government shall ensure that where adequate protection against risk of accident or injury to health, including exposure to adverse conditions, cannot be ensured by other means, suitable personal protective equipment and protective clothing, having regard to the type of work and risks, shall be provided and maintained by the employer, without cost to the workers, as may be prescribed by national laws or regulations.
- Government shall ensure that the employer shall provide the workers with the appropriate means to enable them to use the individual protective equipment, and shall ensure its proper use.
- Government shall ensure that protective equipment and protective clothing shall comply with standards set by the government taking into account as far as possible ergonomic principles.
- Government shall ensure that workers shall be required to make proper use of and to take good care of the personal protective equipment and protective clothing provided for their use.
- Government shall ensure that the employer shall be responsible for ensuring that first aid, including trained personnel, is available at all times.
- Government shall ensure that the employer shall make arrangements for ensuring the removal for medical attention of workers who have suffered an accident or sudden illness.
- Government shall ensure that at or within reasonable access of every construction site an adequate supply of wholesome drinking water shall be provided.

- Government shall ensure that at or within reasonable access of every construction site, employers shall, depending on the number of workers and the duration of the work, provide and maintain sanitary and washing facilities.
- Government shall ensure that at or within reasonable access of every construction site, employers shall, depending on the number of workers and the duration of the work, provide and maintain facilities for changing and for the storage and drying of clothing.
- Government shall ensure that at or within reasonable access of every construction site, employers shall, depending on the number of workers and the duration of the work, provide and maintain accommodation for taking meals and for taking shelter during interruption of work due to adverse weather conditions.
- Government shall ensure that men and women workers should be provided with separate sanitary and washing facilities.
- Government shall ensure that workers shall be adequately and suitably informed of potential safety and health hazards to which they may be exposed at their workplace.
- Government shall ensure that workers shall be adequately and suitably instructed and trained in the measures available for the prevention and control of, and protection against, those hazards.
- Government regulations shall provide for the reporting to the government within a prescribed time of occupational accidents and diseases.
- Government shall take all necessary measures, including the provision of appropriate penalties and corrective measures, to ensure the effective

enforcement of the provisions of the Convention.

- Government shall provide appropriate inspection services to supervise the application of the measures to be taken in pursuance of the Convention.
- Government shall provide these inspection services with the resources necessary for the accomplishment of their task, or satisfy itself that appropriate inspection is carried out.

Convention no. 162 – Asbestos Convention, 1986

- For purposes of this Convention: (a) the term **asbestos** means the fibrous form of mineral silicates belonging to rock-forming minerals of the serpentine group, i.e. chrysotile (white asbestos), and of the amphibole group, i.e. actinolite, amosite (brown asbestos, cummingtonite-grunerite), anthophyllite, crocidolite (blue asbestos), tremolite, or any mixture containing one or more of these; (b) the term **asbestos dust** means airborne particles of asbestos or settled particles of asbestos which are liable to become airborne in the working environment; (c) the term **airborne asbestos dust** means, for purposes of measurement, dust particles measured by gravimetric assessment or other equivalent method; (d) the term **respirable asbestos fibers** means asbestos fibers having a diameter of less than 3 micrometer and a length-to-diameter ratio greater than 3:1. Only fibers of a length greater than 5 micrometer shall be taken into account for purposes of measurement; (e) the term **exposure to asbestos** means exposure at work to airborne respirable asbestos fibers or asbestos dust, whether originating from asbestos or from minerals, materials or products containing asbestos; (f) the term **workers** includes the members of production co-operatives; (g) the term

workers' representatives means the workers' representatives recognized as such by national law or practice, in conformity with the Workers' Representatives Convention, 1971.

- Government shall prescribe the measures to be taken for the prevention and control of, and protection of workers against, health hazards due to occupational exposure to asbestos.
- Government regulations shall be periodically reviewed in the light of technical progress and advances in scientific knowledge.
- Government may permit temporary derogations from the measures prescribed above, under conditions and within limits of time to be determined after consultation with the most representative organizations of employers and workers concerned.
- Government shall, in granting derogations, ensure that the necessary precautions are taken to protect the workers' health.
- Government shall consult the most representative organizations of employers and workers concerned on the measures to be taken to give effect to the provisions of this Convention.
- Government shall secure the enforcement of the laws and regulations adopted pursuant this Convention by an adequate and appropriate system of inspection.
- Government shall provide for the necessary measures, including appropriate penalties, to ensure effective enforcement of and compliance with the provisions of this Convention.
- Government shall ensure employers are made responsible for compliance with the prescribed

measures.

- Government shall ensure that, whenever two or more employers undertake activities simultaneously at one workplace, they shall cooperate in order to comply with the prescribed measures, without prejudice to the responsibility of each employer for the health and safety of the workers he employs.
- Government shall, when necessary, prescribe the general procedures of this cooperation.
- Government shall ensure that employers shall, in cooperation with the occupational safety and health services, and after consultation with the workers' representatives concerned, prepare procedures for dealing with emergency situations.
- Government shall require workers, within the limits of their responsibility, to comply with prescribed safety and hygiene procedures relating to the prevention and control of, and protection against, health hazards due to occupational exposure to asbestos.
- Government shall ensure that employers and workers or their representatives shall cooperate as closely as possible at all levels in the undertaking in the application of the measures prescribed pursuant to this Convention.
- Government shall provide that exposure to asbestos shall be prevented or controlled by making work in which exposure to asbestos may occur subject to regulations prescribing adequate engineering controls and work practices, including workplace hygiene.
- Government shall, alternatively or additionally, prescribe special rules and procedures, including authorization, for the use of asbestos or of certain

types of asbestos or products containing asbestos or for certain work processes.

- Government shall, alternatively or additionally, use other measures to prevent or control exposure to asbestos.
- Government shall, where necessary to protect the health of workers and technically practicable, provide for replacement of asbestos or of certain types of asbestos or products containing asbestos by other materials or products or the use of alternative technology, scientifically evaluated by the government as harmless or less harmful, whenever this is possible.
- Government shall, alternatively or additionally, provide for the total or partial prohibition of the use of asbestos or of certain types of asbestos or products containing asbestos in certain work processes.
- Government shall prohibit the use of crocidolite and products containing this fiber.
- Government may, after consultation with the most representative organizations of employers and workers concerned, permit derogations from the prohibition of crocidolite and products containing crocidolite when replacement is not reasonably practicable, provided that steps are taken to ensure that the health of workers is not placed at risk.
- Government shall prohibit all spraying of asbestos.
- Government may, after consultation with the most representative organizations of employers and workers concerned, permit derogations from the previous prohibition when alternative methods are not reasonably practicable, provided that steps are taken to ensure that the health of workers is not

placed at risk.

- Government shall require employers to notify the government, in a manner and to the extent prescribed by it, of certain types of work involving exposure to asbestos.
- Government shall ensure that producers and suppliers of asbestos and manufacturers and suppliers of products containing asbestos are made responsible for adequate labeling of the container and, where appropriate, the products, in a language and manner easily understood by the workers and the users concerned, as prescribed by the government.
- Government shall prescribe limits for the exposure of workers to asbestos or other exposure criteria for the evaluation of the working environment.
- Government shall periodically review and update the exposure limits or other exposure criteria in the light of technological progress and advances in technological and scientific knowledge.
- Government shall ensure that in all workplaces where workers are exposed to asbestos, the employer shall take all appropriate measures to prevent or control the release of asbestos dust into the air.
- Government shall ensure that in all workplaces where workers are exposed to asbestos, the employer shall take all appropriate measures to ensure that the exposure limits or other exposure criteria are complied with.
- Government shall ensure that in all workplaces where workers are exposed to asbestos, the employer shall take all appropriate measures to reduce exposure to as low a level as is reasonably practicable.

- Government shall ensure that when the measures taken do not bring exposure to asbestos within the exposure limits or do not comply with the other specified exposure criteria, the employer shall provide, maintain and replace, as necessary, at no cost to the workers, adequate respiratory protective equipment and special protective clothing as appropriate.
- Government shall ensure that respiratory protective equipment shall be used only as a supplementary, temporary, emergency or exceptional measure and not as an alternative to technical control.
- Government shall ensure that respiratory protective equipment shall comply with standards set by the government.
- Government shall ensure that each employer shall be made responsible for the establishment and implementation of practical measures for the prevention and control of the exposure of the workers he or she employs to asbestos and for their protection against the hazards due to asbestos.
- Government shall ensure that demolition of plants or structures containing friable asbestos insulation materials, and removal of asbestos from buildings or structures in which asbestos is liable to become airborne, shall be undertaken only by employers or contractors who are recognized by the government as qualified to carry out such work in accordance with the provisions of this Convention and who have been empowered to undertake such work.
- Government shall ensure that the employer or contractor shall be required before starting demolition work to draw up a work plan specifying the measures to be taken, including measures to provide all necessary protection to the workers.

- Government shall ensure that the employer or contractor shall be required before starting demolition work to draw up a work plan specifying the measures to be taken, including measures to limit the release of asbestos dust into the air.
- Government shall ensure that the employer or contractor shall be required before starting demolition work to draw up a work plan specifying the measures to be taken, including measures to provide for the disposal of waste containing asbestos in accordance with this Convention.
- Government shall ensure that the workers or their representatives are consulted on the work plan referred to above.
- Government shall require that, where workers' personal clothing may become contaminated with asbestos dust, the employer, in accordance with national laws or regulations and in consultation with the workers' representatives, shall provide appropriate work clothing, which shall not be worn outside the workplace.
- Government shall require that the handling and cleaning of used work clothing and special protective clothing shall be carried out under controlled conditions, as required by the government, to prevent the release of asbestos dust.
- Government shall prohibit the taking home of work clothing and special protective clothing and of personal protective equipment.
- Government shall ensure the employer is responsible for the cleaning, maintenance and storage of work clothing, special protective clothing and personal protective equipment.
- Government shall ensure the employer provides

facilities for workers exposed to asbestos to wash, take a bath or shower at the workplace, as appropriate.

- Government shall ensure that employers shall dispose of waste containing asbestos in a manner that does not pose a health risk to the workers concerned, including those handling asbestos waste, or to the population in the vicinity of the enterprise.
- Government shall take appropriate measures to prevent pollution of the general environment by asbestos dust released from the workplace.
- Government shall ensure that employers take appropriate measures to prevent pollution of the general environment by asbestos dust released from the workplace.
- Government shall ensure that, where it is necessary for the protection of the health of workers, the employer shall measure the concentrations of airborne asbestos dust in workplaces.
- Government shall ensure that, where it is necessary for the protection of the health of workers, the employer shall monitor the exposure of workers to asbestos at intervals and using methods specified by the government.
- Government shall ensure that the records of the monitoring of the working environment and of the exposure of workers to asbestos shall be kept for a period prescribed by the government.
- Government shall ensure that the workers concerned, their representatives, and the inspection services shall have access to these records.

- Government shall ensure that the workers or their representatives shall have the right to request the monitoring of the working environment and to appeal to the government concerning the results of the monitoring.
- Government shall ensure that workers who are or have been exposed to asbestos shall be provided with such medical examinations as are necessary to supervise their health in relation to the occupational hazard, and to diagnose occupational diseases caused by exposure to asbestos.
- Government shall ensure that the monitoring of workers' health in connection with the use of asbestos shall not result in any loss of earnings for them.
- Government shall ensure that the monitoring of workers' health in connection with the use of asbestos shall be free of charge and, as far as possible, shall take place during working hours.
- Government shall ensure that workers shall be informed in an adequate and appropriate manner of the results of their medical examinations and receive individual advice concerning their health in relation to their work.
- Government shall ensure that, when continued assignment to work involving exposure to asbestos is found to be medically inadvisable, every effort be made to provide the workers concerned with other means of maintaining their income.
- Government shall develop a system of notification of occupational diseases caused by asbestos.
- Government shall make appropriate arrangements, in consultation and collaboration with the most representative organizations of

employers and workers concerned, to promote the dissemination of information and the education of all concerned with regard to health hazards due to exposure to asbestos and to methods of prevention and control.

- Government shall ensure that employers have established written policies and procedures on measures for the education and periodic training of workers on asbestos hazards and methods of prevention and control.
- Government shall ensure that the employer ensures that all workers exposed or likely to be exposed to asbestos are informed about the health hazards related to their work, instructed in preventive measures and correct work practices and receive continuing training in these fields.

*Convention no. 161 – Occupational Health Services Convention,
1985*

- Government shall ensure the establishment of a national health service, by law, regulation, collective bargaining, or other authoritative means.
- Government shall ensure that the health service advises employers and worker organizations on preventative measures to maintain optimally safe and physically and mentally healthy workplaces.
- Government shall ensure that the health service advises employers and worker organizations on adapting work to the capacities of workers.
- Government may permit the health service to be organized by the enterprise, group of enterprises, or public authorities.
- Government shall ensure that occupational health services have adequate and appropriate functions.

- Government shall ensure that the occupational health services have the function of identification and assessment of the risks from health hazards in the workplace.
- Government shall ensure that the occupational health services have the function of surveillance of the factors in the working environment and working practices which may affect workers' health, including sanitary installations, canteens and housing where these facilities are provided by the employer.
- Government shall ensure that the occupational health services have the function of advice on planning and organization of work, including the design of workplaces, on the choice, maintenance and condition of machinery and other equipment and on substances used in work.
- Government shall ensure that the occupational health services have the function of participation in the development of programs for the improvement of working practices as well as testing and evaluation of health aspects of new equipment.
- Government shall ensure that the occupational health services have the function of advice on occupational health, safety and hygiene and on ergonomics and individual and collective protective equipment.
- Government shall ensure that the occupational health services have the function of surveillance of workers' health in relation to work.
- Government shall ensure that the occupational health services have the function of promoting the adaptation of work to the worker.
- Government shall ensure that the occupational health services have the function of contribution to measures of vocational rehabilitation.

- Government shall ensure that the occupational health services have the function of collaboration in providing information, training and education in the fields of occupational health and hygiene and ergonomics.
- Government shall ensure that the occupational health services have the function of organizing of first aid and emergency treatment.
- Government shall ensure that the occupational health services have the function of participation in analysis of occupational accidents and occupational diseases.
- Government shall ensure that the occupational health services are multidisciplinary.
- Government shall ensure that the composition of the personnel of the health services shall be determined by the nature of the duties to be performed.
- Government shall ensure adequate co-ordination between occupational health services and other bodies concerned with the provision of health services.
- Government shall ensure that the personnel providing occupational health services enjoy full professional independence from employers, workers, and their representatives.
- Government shall determine the qualifications required for the personnel providing occupational health services, according to the nature of the duties to be performed.
- Government shall ensure that the surveillance of workers' health in relation to work shall involve no loss of earnings for them, shall be free of charge and shall take place as far as possible during

working hours.

- Government shall ensure that all workers shall be informed of health hazards involved in their work.
- Government shall ensure that occupational health services shall be informed by the employer and workers of any known factors and any suspected factors in the working environment which may affect the workers' health.
- Government shall ensure that occupational health services shall be informed of occurrences of ill health amongst workers and absence from work for health reasons, in order to be able to identify whether there is any relation between the reasons for ill health or absence and any health hazards which may be present at the workplace.

Convention no. 155 – Occupational Safety and Health Convention, 1981

- For purposes of this Convention, the term **health**, in relation to work, indicates not merely the absence of disease or infirmity; it also includes the physical and mental elements affecting health which are directly related to safety and hygiene at work.
- Government shall, in the light of national conditions and practice, and in consultation with the most representative organizations of employers and workers, implement a coherent national policy on occupational safety, occupational health and the working environment.
- Government shall, in the light of national conditions and practice, and in consultation with the most representative organizations of employers and workers, periodically review the

national policy on occupational safety, occupational health and the working environment.

- Government's national policy shall aim to prevent accidents and injury to health arising out of, linked with or occurring in the course of work, by minimizing, so far as is reasonably practicable, the causes of hazards inherent in the working environment.
- Government shall ensure that the national policy take account of the following spheres of action in so far as they affect occupational safety and health and the working environment: design, testing, choice, substitution, installation, arrangement, use and maintenance of the material elements of work (workplaces, working environment, tools, machinery and equipment, chemical, physical and biological substances and agents, work processes).
- Government shall ensure that the national policy take account of the following spheres of action in so far as they affect occupational safety and health and the working environment: relationships between the material elements of work and the persons who carry out or supervise the work, and adaptation of machinery, equipment, working time, organization of work and work processes to the physical and mental capacities of the workers.
- Government shall ensure that the national policy take account of the following spheres of action in so far as they affect occupational safety and health and the working environment: training, including necessary further training, qualifications and motivations of persons involved, in one capacity or another, in the achievement of adequate levels of safety and health.
- Government shall ensure that the national policy take account of the following spheres of action in

so far as they affect occupational safety and health and the working environment: communication and cooperation at the levels of the working group and the undertaking and at all other appropriate levels up to and including the national level.

- Government shall ensure that the national policy take account of the following spheres of action in so far as they affect occupational safety and health and the working environment: the protection of workers and their representatives from disciplinary measures as a result of actions properly taken by them in conformity with the national policy.
- Government shall ensure that the formulation of the national policy shall indicate the respective functions and responsibilities in respect of occupational safety and health and the working environment of public authorities, employers, workers and others, taking account both of the complementary character of such responsibilities and of national conditions and practice.
- Government shall ensure that the situation regarding occupational safety and health and the working environment shall be reviewed at appropriate intervals, either overall or in respect of particular areas, with a view to identifying major problems, evolving effective methods for dealing with them and priorities of action, and evaluating results.
- Government shall, by laws or regulations or any other method consistent with national conditions and practice and in consultation with the representative organizations of employers and workers concerned, take such steps as may be necessary to give effect to the national policy.
- Government shall ensure that the enforcement of laws and regulations concerning occupational safety and health and the working environment

shall be secured by an adequate and appropriate system of inspection.

- Government shall ensure that the enforcement system shall provide for adequate penalties for violations of the laws and regulations.
- Government shall take measures to provide guidance to employers and workers so as to help them to comply with legal obligations.
- Government shall ensure the progressive carrying out of the determination, where the nature and degree of hazards so require, of conditions governing the design, construction and layout of undertakings, the commencement of their operations, major alterations affecting them and changes in their purposes, the safety of technical equipment used at work, as well as the application of procedures defined by government.
- Government shall ensure the progressive carrying out of the determination of work processes and of substances and agents the exposure to which is to be prohibited, limited or made subject to authorization or control by the government; health hazards due to the simultaneous exposure to several substances or agents shall be taken into consideration.
- Government shall ensure the progressive carrying out of the establishment and application of procedures for the notification of occupational accidents and diseases, by employers and, when appropriate, insurance institutions and others directly concerned, and the production of annual statistics on occupational accidents and diseases.
- Government shall ensure the progressive carrying out of the holding of inquiries, where cases of occupational accidents, occupational diseases or any other injuries to health which arise in the

course of or in connection with work appear to reflect situations which are serious.

- Government shall ensure the progressive carrying out of the publication, annually, of information on measures taken in pursuance of the national policy and on occupational accidents, occupational diseases and other injuries to health which arise in the course of or in connection with work.
- Government shall ensure the progressive carrying out of the introduction or extension of systems, taking into account national conditions and possibilities, to examine chemical, physical and biological agents in respect of the risk to the health of workers.
- Government shall take measures to ensure that those who design, manufacture, import, provide or transfer machinery, equipment or substances for occupational use satisfy themselves that, so far as is reasonably practicable, the machinery, equipment or substance does not entail dangers for the safety and health of those using it correctly.
- Government shall take measures to ensure that those who design, manufacture, import, provide or transfer machinery, equipment or substances for occupational use make available information concerning the correct installation and use of machinery and equipment and the correct use of substances, and information on hazards of machinery and equipment and dangerous properties of chemical substances and physical and biological agents or products, as well as instructions on how known hazards are to be avoided.
- Government shall take measures to ensure that those who design, manufacture, import, provide or transfer machinery, equipment or substances for occupational use undertake studies and research

or otherwise keep abreast of the scientific and technical knowledge necessary to comply this Convention.

- Government shall ensure that a worker who has removed himself from a work situation which he or she has reasonable justification to believe presents an imminent and serious danger to his or her life or health shall be protected from undue consequences.
- Government shall take measures to promote the inclusion of questions of occupational safety and health and the working environment at all levels of education and training, including higher technical, medical and professional education, in a manner meeting the training needs of all workers.
- Government shall, after consultation at the earliest possible stage with the most representative organizations of employers and workers, and with other bodies as appropriate, ensure the necessary co-ordination between various authorities and bodies called upon to give effect this Convention.
- Government shall establish a central body to ensure the necessary co-ordination between various authorities and bodies, whenever circumstances so require and national conditions and practice permit.
- Government shall require employers to ensure that, so far as is reasonably practicable, the workplaces, machinery, equipment and processes under their control are safe and without risk to health.
- Government shall require employers to ensure that, so far as is reasonably practicable, the chemical, physical and biological substances and agents under their control are without risk to health when the appropriate measures of protection are

taken.

- Government shall require employers to provide, where necessary, adequate protective clothing and protective equipment to prevent, so far as is reasonably practicable, risk of accidents or of adverse effects on health.
- Government shall ensure that whenever two or more undertakings engage in activities simultaneously at one workplace, they shall collaborate in applying the requirements of this Convention.
- Government shall require employers to provide, where necessary, for measures to deal with emergencies and accidents, including adequate first-aid arrangements.
- Government shall ensure there are arrangements at the level of the undertaking under which workers, in the course of performing their work, cooperate in the fulfillment by their employer of the obligations placed upon him.
- Government shall ensure there are arrangements at the level of the undertaking under which representatives of workers in the undertaking cooperate with the employer in the field of occupational safety and health.
- Government shall ensure there are arrangements at the level of the undertaking under which representatives of workers in an undertaking are given adequate information on measures taken by the employer to secure occupational safety and health and may consult their representative organizations about such information provided they do not disclose commercial secrets.
- Government shall ensure there are arrangements at the level of the undertaking under which

workers and their representatives in the undertaking are given appropriate training in occupational safety and health.

- Government shall ensure there are arrangements at the level of the undertaking under which workers or their representatives and, as the case may be, their representative organizations in an undertaking, in accordance with national law and practice, are enabled to enquire into, and are consulted by the employer on, all aspects of occupational safety and health associated with their work; for this purpose technical advisers may, by mutual agreement, be brought in from outside the undertaking.
- Government shall ensure there are arrangements at the level of the undertaking under which a worker reports forthwith to his or her immediate supervisor any situation which he has reasonable justification to believe presents an imminent and serious danger to his or her life or health.
- Government shall ensure that until the employer has, if necessary, taken remedial action, the employer cannot require workers to return to a work situation where there is continuing imminent and serious danger to life or health.
- Government shall ensure that cooperation between management and workers within the undertaking shall be an essential element of organizational and other measures taken in pursuance of this Convention.

Protocol no. 155 of 2002 – to the Occupational Safety and Health Convention, 1981

- For the purpose of this Protocol: (a) the term **occupational accident** covers an occurrence arising out of, or in the course of, work which

results in fatal or non-fatal injury; (b) the term **occupational disease** covers any disease contracted as a result of an exposure to risk factors arising from work activity; (c) the term **dangerous occurrence** covers a readily identifiable event as defined under national laws and regulations, with potential to cause an injury or disease to persons at work or to the public; (d) the term **commuting accident** covers an accident resulting in death or personal injury occurring on the direct way between the place of work and: (i) the worker's principal or secondary residence; or (ii) the place where the worker usually takes a meal; or (iii) the place where the worker usually receives his or her remuneration.

- Government shall, in consultation with the most representative organizations of employers and workers, establish and periodically review requirements and procedures for the recording of occupational accidents.
- Government shall, in consultation with the most representative organizations of employers and workers, establish and periodically review requirements and procedures for the recording of occupational diseases.
- Government shall, in consultation with the most representative organizations of employers and workers, establish and periodically review requirements and procedures for, as appropriate, the recording of dangerous occurrences.
- Government shall, in consultation with the most representative organizations of employers and workers, establish and periodically review requirements and procedures for, as appropriate, recording commuting accidents.
- Government shall, in consultation with the most representative organizations of employers and

workers, establish and periodically review requirements and procedures for, as appropriate, recording suspected cases of occupational diseases.

- Government shall, in consultation with the most representative organizations of employers and workers, establish and periodically review requirements and procedures for the notification of occupational accidents.
- Government shall, in consultation with the most representative organizations of employers and workers, establish and periodically review requirements and procedures for the notification of occupational diseases.
- Government shall, in consultation with the most representative organizations of employers and workers, establish and periodically review requirements and procedures for the notification, as appropriate, of dangerous occurrences.
- Government shall, in consultation with the most representative organizations of employers and workers, establish and periodically review requirements and procedures for the notification, as appropriate, of commuting accidents.
- Government shall, in consultation with the most representative organizations of employers and workers, establish and periodically review requirements and procedures for the notification, as appropriate, of suspected cases of occupational diseases.
- Government shall ensure that the requirements and procedures for recording shall determine the responsibility of employers to record occupational accidents, occupational diseases and, as appropriate, dangerous occurrences, commuting accidents and suspected cases of occupational

diseases.

- Government shall ensure that the requirements and procedures for recording shall determine the responsibility of employers to provide appropriate information to workers and their representatives concerning the recording system.
- Government shall ensure that the requirements and procedures for recording shall determine the responsibility of employers to ensure appropriate maintenance of these records and their use for the establishment of preventive measures.
- Government shall ensure that the requirements and procedures for recording shall determine the responsibility of employers to refrain from instituting retaliatory or disciplinary measures against a worker for reporting an occupational accident, occupational disease, dangerous occurrence, commuting accident or suspected case of occupational disease.
- Government shall ensure that the requirements and procedures for recording shall determine the information to be recorded.
- Government shall ensure that the requirements and procedures for recording shall determine the duration for maintaining these records.
- Government shall ensure that the requirements and procedures for recording shall determine measures to ensure the confidentiality of personal and medical data in the employer's possession, in accordance with national laws and regulations, conditions and practice.
- Government shall ensure that the requirements and procedures for notification shall determine the responsibility of employers to notify the competent authorities or other designated bodies of

occupational accidents, occupational diseases and, as appropriate, dangerous occurrences, commuting accidents and suspected cases of occupational diseases.

- Government shall ensure that the requirements and procedures for notification shall determine the responsibility of employers to provide appropriate information to workers and their representatives concerning the notified cases.
- Government shall ensure that the requirements and procedures for notification shall determine where appropriate, arrangements for notification of occupational accidents and occupational diseases by insurance institutions, occupational health services, medical practitioners and other bodies directly concerned.
- Government shall ensure that the requirements and procedures for notification shall determine the criteria according to which occupational accidents, occupational diseases and, as appropriate, dangerous occurrences, commuting accidents and suspected cases of occupational diseases are to be notified.
- Government shall ensure that the requirements and procedures for notification shall determine the time limits for notification.
- Government shall ensure that notification shall include data on the enterprise, establishment and employer.
- Government shall ensure that notification shall include data on, if applicable, the injured persons and the nature of the injuries or disease.
- Government shall ensure that notification shall include data on the workplace, the circumstances of the accident or the dangerous occurrence and,

in the case of an occupational disease, the circumstances of the exposure to health hazards.

- Government shall publish annually statistics that are compiled in such a way as to be representative of the country as a whole concerning occupational accidents, as well as the analyses thereof.
- Government shall publish annually statistics that are compiled in such a way as to be representative of the country as a whole concerning occupational diseases, as well as the analyses thereof.
- Government shall publish annually statistics that are compiled in such a way as to be representative of the country as a whole, concerning, as appropriate, dangerous occurrences, as well as the analyses thereof.
- Government shall publish annually statistics that are compiled in such a way as to be representative of the country as a whole, concerning, as appropriate, commuting accidents, as well as the analyses thereof.
- Government shall ensure that the statistics shall follow classification schemes that are compatible with the latest relevant international schemes established under the auspices of the International Labor Organization or other competent international organizations.

Convention no. 148 – Working Environment (Air Pollution, Noise and Vibration) Convention, 1977

- For the purpose of this Convention--(a) the term **air pollution** covers all air contaminated by substances, whatever their physical state, which are harmful to health or otherwise dangerous; (b)

the term **noise** covers all sound which can result in hearing impairment or be harmful to health or otherwise dangerous; (c) the term **vibration** covers any vibration which is transmitted to the human body through solid structures and is harmful to health or otherwise dangerous.

- Government shall take measures for the prevention and control of, and protection against, occupational hazards in the working environment due to air pollution, noise and vibration.
- Government may implement such measures through technical standards, codes of practice and other appropriate methods.
- Government shall, in enforcing this Convention, act in consultation with the most representative organizations of employers and workers concerned.
- Government shall provide for as close a collaboration as possible at all levels between employers and workers in the application of the measures prescribed in pursuance of this Convention.
- Government shall ensure that representatives of the employer and representatives of the workers of the undertaking shall have the opportunity to accompany inspectors supervising the application of the measures prescribed in pursuance of this Convention, unless the inspectors consider, in the light of the general instructions of the government, that this may be prejudicial to the performance of their duties.
- Government shall make employers responsible for compliance with the prescribed measures.
- Government shall ensure that, whenever two or more employers undertake activities

simultaneously at one workplace, they shall have the duty to collaborate in order to comply with the prescribed measures, without prejudice to the responsibility of each employer for the health and safety of his employees.

- Government shall, in appropriate circumstances, prescribe general procedures for the collaboration among employers.
- Government shall ensure that workers are required to comply with safety procedures relating to the prevention and control of, and protection against, occupational hazards due to air pollution, noise and vibration in the working environment.
- Government shall ensure that workers or their representatives have the right to present proposals, to obtain information and training and to appeal to appropriate bodies so as to ensure protection against occupational hazards due to air pollution, noise and vibration in the working environment
- Government shall establish criteria for determining the hazards of exposure to air pollution, noise and vibration in the working environment and, where appropriate, shall specify exposure limits on the basis of these criteria.
- Government shall, in the elaboration of the criteria and the determination of the exposure limits, take into account the opinion of technically competent persons designated by the most representative organizations of employers and workers concerned.
- Government shall ensure that the criteria and exposure limits are established, supplemented and revised regularly in the light of current national and international knowledge and data, taking into account as far as possible any increase in

occupational hazards resulting from simultaneous exposure to several harmful factors at the workplace.

- Government shall ensure that, as far as possible, the working environment shall be kept free from any hazard due to air pollution, noise or vibration by technical measures applied to new plant or processes in design or installation, or added to existing plant or processes.
- Government shall ensure that, where such technical measures are not possible, the working environment shall be kept free from any hazard due to air pollution, noise or vibration by supplementary organizational measures.
- Government shall ensure that where the measures do not bring air pollution, noise and vibration in the working environment within the specified limits, the employer shall provide and maintain suitable personal protective equipment.
- Government shall ensure that the employer shall not require a worker to work without the personal protective equipment specified above.
- Government shall ensure that there shall be supervision at suitable intervals, on conditions and in circumstances determined by the government, of the health of workers exposed or liable to be exposed to occupational hazards due to air pollution, noise or vibration in the working environment.
- Government shall ensure that such supervision includes a pre-assignment medical examination and periodical examinations, as determined by the government.
- Government shall ensure that such supervision shall be free of cost to the worker concerned.

- Government shall ensure that where continued assignment to work involving exposure to air pollution, noise or vibration is found to be medically inadvisable, every effort shall be made to provide the worker concerned with suitable alternative employment or to maintain his income through social security measures or otherwise.
- Government shall ensure that in implementing this Convention, the rights of workers under social security or social insurance legislation shall not be adversely affected.
- Government shall ensure that the use of processes, substances, machinery and equipment, to be specified by the government, which involve exposure of workers to occupational hazards in the working environment due to air pollution, noise or vibration, shall be notified to the government.
- Government may authorize the use on prescribed conditions or may prohibit the use of processes, substances, machinery and equipment of which it is notified above.
- Government shall ensure that all persons concerned shall be adequately and suitably informed of potential occupational hazards in the working environment due to air pollution, noise and vibration.
- Government shall ensure that all persons concerned shall be instructed in the measures available for the prevention and control of, and protection against, those hazards.
- Government shall ensure that measures taking account of national conditions and resources shall be taken to promote research in the field of prevention and control of hazards in the working environment due to air pollution, noise and

vibration.

- Government shall require, on conditions and in circumstances determined by the government, the employer to appoint a competent person, or use a competent outside service or service common to several undertakings, to deal with matters pertaining to the prevention and control of air pollution, noise and vibration in the working environment.
- Government shall take such steps, including the provision of appropriate penalties, as may be necessary to give effect to the provisions of this Convention.
- Government shall provide appropriate inspection services for the purpose of supervising the application of the provisions of this Convention.

Convention no. 139 – Occupational Cancer Convention, 1974

- Government shall periodically determine the carcinogenic substances and agents to which occupational exposure shall be prohibited or made subject to authorization or control.
- Government shall, in making such determinations, give consideration to the latest information contained in the codes of practice or guides which may be established by the International Labor Office, as well as to information from other competent bodies.
- Government may grant exemptions from prohibition only by issuing a certificate specifying in each case the conditions to be met.
- Government shall make every effort to have carcinogenic substances and agents to which

workers may be exposed in the course of their work replaced by non-carcinogenic substances or agents or by less harmful substances or agents.

- Government shall, in the choice of substitute substances or agents, take account of their carcinogenic, toxic and other properties.
- Government shall reduce the number of workers exposed to carcinogenic substances or agents and the duration and degree of such exposure to the minimum compatible with safety.
- Government shall prescribe the measures to be taken to protect workers against the risks of exposure to carcinogenic substances or agents.
- Government shall ensure the establishment of an appropriate system of records.
- Government shall take steps so that workers who have been, are, or are likely to be exposed to carcinogenic substances or agents are provided with all the available information on the dangers involved and on the measures to be taken.
- Government shall ensure that workers are provided with such medical examinations or biological or other tests or investigations during the period of employment and thereafter as are necessary to evaluate their exposure and supervise their state of health in relation to the occupational hazards.
- Government shall, by laws or regulations or any other method consistent with national practice and conditions and in consultation with the most representative organizations of employers and workers concerned, take such steps as may be necessary to give effect to the provisions of this Convention.

- Government shall, in accordance with national practice, specify the persons or bodies on whom the obligation of compliance with the provisions of this Convention rests.
- Government shall provide appropriate inspection services for the purpose of supervising the application of this Convention, or to satisfy itself that appropriate inspection is carried out.

Convention no. 136 – Benzene Convention, 1971

- This Convention applies to all activities involving exposure of workers to (a) the aromatic hydrocarbon benzene C₆H₆, hereinafter referred to as **benzene**; (b) products the benzene content of which exceeds 1 per cent by volume, hereinafter referred to as **products containing benzene**.
- Government shall ensure that, whenever harmless or less harmful substitute products are available, they shall be used instead of benzene or products containing benzene.
- Government need not apply the above prohibition to the production of benzene.
- Government need not apply the above prohibition to the use of benzene for chemical synthesis.
- Government need not apply the above prohibition to the use of benzene in motor fuel.
- Government need not apply the above prohibition to analytical or research work carried out in laboratories.
- Government may permit temporary derogations from the above rules under conditions and within

limits of time to be determined after consultation with the most representative organizations of employers and workers concerned, where such exist.

- Government shall prohibit the use of benzene and of products containing benzene in certain work processes to be specified by national laws or regulation.
- Government shall prohibit at least the use of benzene and of products containing benzene as a solvent or dilutant, except where the process is carried out in an enclosed system or where there are other equally safe methods of work.
- Government shall ensure that occupational hygiene and technical measures are taken to ensure effective protection of workers exposed to benzene or to products containing benzene.
- Government shall ensure that, in premises where benzene or products containing benzene are manufactured, handled or used, all necessary measures shall be taken to prevent the escape of benzene vapor into the air of places of employment.
- Government shall ensure that, where workers are exposed to benzene or to products containing benzene, the employer shall ensure that the concentration of benzene in the air of the places of employment does not exceed a maximum which shall be fixed by the government at a level not exceeding a ceiling value of 25 parts per million (80 mg/m³).
- Government shall issue directions on carrying out the measurement of the concentration of benzene in the air of places of employment.
- Government shall ensure that work processes

involving the use of benzene or of products containing benzene shall as far as practicable be carried out in an enclosed system.

- Government shall ensure that, where it is not practicable for the work processes to be carried out in an enclosed system, places of work in which benzene or products containing benzene are used shall be equipped with effective means to ensure the removal of benzene vapor to the extent necessary for the protection of the health of the workers.
- Government shall ensure that workers who may have skin contact with liquid benzene or liquid products containing benzene shall be provided with adequate means of personal protection against the risk of absorbing benzene through the skin.
- Government shall ensure that workers who for special reasons may be exposed to concentrations of benzene in the air of places of employment which exceed the maximum shall be provided with adequate means of personal protection against the risk of inhaling benzene vapor.
- Government shall ensure that, as to workers who for special reasons may be exposed to concentrations of benzene in the air of places of employment which exceed the maximum, the duration of exposure shall be limited as far as possible.
- Government shall ensure that workers who are to be employed in work processes involving exposure to benzene or to products containing benzene shall undergo a thorough pre-employment medical examination for fitness for employment which shall include a blood-test.
- Government shall ensure that workers who are to

be employed in work processes involving exposure to benzene or to products containing benzene shall undergo periodic re-examinations, which shall include biological tests including a blood-test, at intervals fixed by national laws or regulations.

- Government may, after consultation with the most representative organizations of employers and workers concerned, where such exist, permit exceptions from the obligations above in respect of specified categories of workers.
- Government shall ensure that the medical examinations provided for above shall be carried out under the responsibility of a qualified physician, approved by the government, and with the assistance, as appropriate, of a competent laboratory.
- Government shall ensure that the medical examinations provided for above shall be certified in an appropriate manner.
- Government shall ensure that these medical examinations shall not involve the workers in any expense.
- Government shall ensure that women medically certified as pregnant, and nursing mothers, shall not be employed in work processes involving exposure to benzene or products containing benzene.
- Government shall ensure that young persons under 18 years of age shall not be employed in work processes involving exposure to benzene or products containing benzene.
- Government need not apply the foregoing prohibition to young persons undergoing education or training who are under adequate technical and

medical supervision.

- Government shall ensure that the word "benzene" and the necessary danger symbols shall be clearly visible on any container holding benzene or products containing benzene.
- Government shall take appropriate steps to provide that any worker exposed to benzene or products containing benzene receives appropriate instructions on measures to safeguard health and prevent accidents, as well as on the appropriate action if there is any evidence of poisoning.
- Government shall take the appropriate action if there is any evidence of poisoning.
- Government shall, by laws or regulations or any other method consistent with national practice and conditions, take such steps as may be necessary to give effect to the provisions of this Convention.
- Government shall, in accordance with national practice, specify the person or persons on whom the obligation of compliance with the provisions of this Convention rests.
- Government shall provide appropriate inspection services for the purpose of supervising the application of the provisions of this Convention, or to satisfy itself that appropriate inspection is carried out.

*Convention no. 124 – Medical Examination of Young Persons
(Underground Work) Convention, 1965*

- For the purpose of this Convention, the term **mine** means any undertaking, whether public or private, for the extraction of any substance from under the surface of the earth by means involving the

employment of persons underground. The provisions of this Convention concerning employment or work underground in mines include employment or work underground in quarries.

- Government shall require a thorough medical examination, and periodic re-examinations at intervals of not more than one year, for fitness for employment for the employment or work underground in mines of persons under 21 years of age.
- Government shall permit alternative arrangements for medical supervision of young persons aged between 18 and 21 years where the government is satisfied on medical advice that such arrangements are equivalent to or more effective than those required above and has consulted and reached agreement with the most representative organizations of employers and workers concerned.
- Government shall ensure that the medical examinations shall be carried out under the responsibility and supervision of a qualified physician approved by the government.
- Government shall ensure that the medical examinations shall be certified in an appropriate manner.
- Government shall require an X-ray film of the lungs on the occasion of the initial medical examination and, when regarded as medically necessary, on the occasion of subsequent re-examinations.
- Government shall ensure that the medical examinations required by this Convention shall not involve the young person, or his parents or guardians, in any expense.

- Government shall ensure that necessary measures, including the provision of appropriate penalties, are taken by the government to ensure the effective enforcement of the provisions of this Convention.
- Government shall either maintain an appropriate inspection service for the purpose of supervising the application of the provisions of the Convention or satisfy itself that appropriate inspection is carried out.
- Government shall ensure that the employer shall keep, and make available to inspectors, records containing, in respect of persons under 21 years of age who are employed or work underground, the date of birth, duly certified wherever possible.
- Government shall ensure that the employer shall keep, and make available to inspectors, records containing, in respect of persons under 21 years of age who are employed or work underground, an indication of the nature of their occupation.
- Government shall ensure that the employer shall keep, and make available to inspectors, records containing, in respect of persons under 21 years of age who are employed or work underground, a certificate which attests fitness for employment but does not contain medical data.
- Government shall ensure that the employer makes available to the workers' representatives, at their request, the records set out above.
- Government shall consult the most representative organizations of employers and workers concerned before determining general policies of implementation and before adopting regulations in pursuance of the terms of this Convention.

*Convention no. 120 – Hygiene (Commerce and Offices)
Convention, 1963*

- This Convention applies to--(a) trading establishments; (b) establishments, institutions and administrative services in which the workers are mainly engaged in office work; (c) in so far as they are not subject to national laws or regulations or other arrangements concerning hygiene in industry, mines, transport or agriculture, any departments of other establishments, institutions, or administrative services in which departments the workers are mainly engaged in commerce or office work.
- Government may, after consultation with the organizations of employers and workers directly concerned, where such exist, exclude from the application of all or any of the provisions of this Convention specified classes of the establishments, institutions or administrative services, or departments thereof, where the circumstances and conditions of employment are such that the application to them of all or any of the said provisions would be inappropriate.
- Government shall, in any case in which it is doubtful whether an establishment, institution or administrative service is one to which this Convention applies, settle the question after consultation with the representative organizations of employers and workers concerned, where such exist, or in any other manner which is consistent with national law and practice.
- Government shall maintain in force laws or regulations which ensure the application of the General Principles set forth in this Convention.
- Government shall ensure that such effect as may

be possible and desirable under national conditions is given to the provisions of the Hygiene (Commerce and Offices) Recommendation, 1964.

- Governmental laws and regulations giving such effect as may be possible and desirable under national conditions to the provisions of the Hygiene (Commerce and Offices) Recommendation, 1964, shall be framed after consultation with the representative organizations of employers and workers concerned, where such exist.
- Government shall by adequate inspection or other means ensure the proper application of the laws or regulations giving effect to this Convention and the Hygiene (Commerce and Offices) Recommendation, 1964.
- Government shall ensure, where it is appropriate to the manner in which effect is given to this Convention, that such laws and regulations be enforced by the imposition of penalties.
- Government shall ensure that all premises used by workers, and the equipment of such premises, shall be properly maintained and kept clean.
- Government shall ensure that all premises used by workers shall have sufficient and suitable ventilation, natural or artificial or both, supplying fresh or purified air.
- Government shall ensure that all premises used by workers shall have sufficient and suitable lighting.
- Government shall ensure that workplaces, as far as possible, have natural lighting.
- Government shall ensure that as comfortable and steady a temperature as circumstances permit shall be maintained in all premises used by

workers.

- Government shall ensure that all workplaces shall be so laid out and work stations so arranged that there is no harmful effect on the health of the worker.
- Government shall ensure that a sufficient supply of wholesome drinking water or of some other wholesome drink shall be made available to workers.
- Government shall ensure that sufficient and suitable washing facilities and sanitary conveniences shall be provided and properly maintained.
- Government shall ensure that sufficient and suitable seats shall be supplied for workers and workers shall be given reasonable opportunities of using them.
- Government shall ensure that suitable facilities for changing, leaving and drying clothing which is not worn at work shall be provided and properly maintained.
- Government shall ensure that underground or windowless premises in which work is normally performed shall comply with appropriate standards of hygiene.
- Government shall ensure that workers shall be protected by appropriate and practicable measures against substances, processes and techniques which are obnoxious, unhealthy or toxic or for any reason harmful.
- Government shall ensure that where the nature of the work so requires, personal protective equipment will be required.

- Government shall ensure that noise and vibrations likely to have harmful effects on workers shall be reduced as far as possible by appropriate and practicable measures.
- Government shall ensure that every establishment, institution or administrative service, or department thereof, to which this Convention applies shall, having regard to its size and the possible risk maintain its own dispensary or first-aid post.
- Government shall ensure that every establishment, institution or administrative service, or department thereof, to which this Convention applies shall, having regard to its size and the possible risk, maintain a dispensary or first-aid post jointly with other establishments, institutions or administrative services, or departments thereof.
- Government shall ensure that every establishment, institution or administrative service, or department thereof, to which this Convention applies shall, having regard to its size and the possible risk, have one or more first-aid cupboards, boxes or kits.

Convention no. 119 – Guarding of Machinery Convention, 1963

- For purposes of this Convention: All power-driven machinery, new or second-hand, shall be considered as machinery. The provisions of this Convention--(a) apply to road and rail vehicles during locomotion only in relation to the safety of the operator or operators; (b) apply to mobile agricultural machinery only in relation to the safety of workers employed in connection with such machinery. The term **employer** includes, where appropriate under national laws or regulations, a prescribed agent of the employer.

- Government shall, after consultation with the most representative organizations of employers and workers concerned, determine whether and how far machinery, new or second-hand, operated by manual power presents a risk of injury to the worker and shall be considered as machinery for the purpose of the application of this Convention.
- Government shall prohibit the sale and hire of machinery of which the dangerous parts specified in this Convention are without appropriate guards.
- Government shall ensure that all set-screws, bolts and keys, and, to the extent prescribed by the government, other projecting parts of any moving part of machinery liable to present danger to any person coming into contact with them when they are in motion, shall be so designed, sunk or protected as to prevent such danger.
- Government shall ensure that all flywheels, gearing, cone and cylinder friction drives, cams, pulleys, belts, chains, pinions, worm gears, crank arms and slide blocks, and, to the extent prescribed by the government, shafting (including the journal ends) and other transmission machinery liable to present danger to any person coming into contact with them when they are in motion, shall be so designed or protected as to prevent such danger.
- Government shall ensure that machine controls shall be so designed or protected as to prevent danger.
- Government may choose not to apply the above rules to machinery or dangerous parts which are, by virtue of their construction, as safe as if they were guarded by appropriate safety devices.
- Government may choose not to apply the above rules to machinery or dangerous parts which are

intended to be so installed or placed that, by virtue of their installation or position, they are as safe as if they were guarded by appropriate safety devices.

- Government need not prohibit the sale or transfer of non-conforming machinery for storage, scrapping or reconditioning, but such machinery shall not be sold, hired, transferred in any other manner or exhibited after storage or reconditioning unless protected in conformity with the said provisions.
- Government need not prohibit unguarded machinery where the machinery or parts thereof, by virtue of their construction, installation or position, are as safe as if they were guarded by appropriate safety devices.
- Government shall ensure that the employer shall take steps to bring national laws or regulations relating to the guarding of machinery to the notice of workers and shall instruct them, as and where appropriate, regarding the dangers arising and the precautions to be observed in the use of machinery.
- Government shall ensure that no worker uses any machinery without the guards provided being in position.
- Governments shall ensure no worker is required to use any machinery without the guards provided being in position.
- Government shall take all necessary measures, including the provision of appropriate penalties, to ensure the effective enforcement of the provisions of this Convention.
- Government shall provide appropriate inspection services for the purpose of supervising the

application of the provisions of the Convention, or to satisfy itself that appropriate inspection is carried out.

- Government shall consult with the most representative organizations of employers and workers concerned and, as appropriate, manufacturers' organizations, before enacting laws and regulations giving effect to this Convention.

Convention no. 115 – Radiation Protection Convention, 1960

- This Convention applies to all activities involving exposure of workers to ionizing radiations in the course of their work. This Convention does not apply to radioactive substances, whether sealed or unsealed, nor to apparatus generating ionizing radiations which substances or apparatus, owing to the limited doses of ionizing radiations which can be received from them, are exempted from its provisions by one of the methods of giving effect to the Convention mentioned below.
- Government shall ensure that in the light of knowledge available at the time, all appropriate steps shall be taken to ensure effective protection of workers, as regards their health and safety, against ionizing radiations.
- Government shall enact all rules and measures necessary to ensure such protection.
- Government shall make available all data essential for effective protection.
- Government shall ensure that every effort is made to restrict the exposure of workers to ionizing radiation to the lowest practicable level.
- Government shall, consistent with the above

principles, set maximum permissible doses of ionizing radiation which may be received from sources external to or internal to the body for various categories of workers.

- Government shall, consistent with the above principles, set maximum permissible amounts of radioactive substances which can be taken into the body for various categories of workers.
- Government shall keep maximum permissible doses and amounts under constant review in the light of current knowledge.
- Government shall fix appropriate levels for workers who are directly engaged in radiation work and are aged 18 and over.
- Government shall fix appropriate levels for workers who are directly engaged in radiation work and are under the age of 18.
- Government shall ensure that no worker under the age of 16 shall be engaged in work involving ionizing radiation.
- Government shall fix appropriate levels for workers who are not directly engaged in radiation work, but who remain or pass where they may be exposed to ionizing radiation or radioactive substances.
- Government shall enforce appropriate warnings to indicate the presence of hazards from ionizing radiation.
- Government shall ensure that information about the presence and danger of ionizing radiation shall be supplied to the workers.
- Government shall ensure that all workers directly engaged in radiation work shall be adequately instructed, before and during such employment, in the precautions to be taken for their protection, as

regards their health and safety, and the reasons therefor.

- Government regulation shall require the notification in a manner prescribed thereby of work involving exposure of workers to ionizing radiation in the course of their work.
- Government shall ensure that appropriate monitoring of workers and places of work shall be carried out in order to measure the exposure of workers to ionizing radiation and radioactive substances, with a view to ascertaining that the applicable levels are respected.
- Government shall ensure that all workers directly engaged in radiation work shall undergo an appropriate medical examination prior to or shortly after taking up such work and subsequently undergo further medical examinations at appropriate intervals.
- Government shall ensure that all workers directly engaged in radiation work shall undergo medical examinations at appropriate intervals in the course of their work.
- Government shall specify circumstances in which, because of the nature or degree of the exposure or a combination of both, the worker shall undergo an appropriate medical examination.
- Government shall specify circumstances in which, because of the nature or degree of the exposure or a combination of both, the employer shall notify the government in accordance with its requirements.
- Government shall specify circumstances in which, because of the nature or degree of the exposure or a combination of both, persons competent in radiation protection shall examine the conditions in which the worker's duties are performed.

- Government shall specify circumstances in which, because of the nature or degree of the exposure or a combination of both, the employer shall take any necessary remedial action on the basis of the technical findings and the medical advice.
- No worker shall be employed or shall continue to be employed in work by reason of which the worker could be subject to exposure to ionizing radiation contrary to qualified medical advice.
- Government shall provide appropriate inspection services for the purpose of supervising the application of its provisions, or to satisfy itself that appropriate inspection is carried out.

Convention no. 78 – Medical Examination of Young Persons (Non-industrial Occupations) Convention, 1948

- This Convention applies to children and young persons employed for wages, or working directly or indirectly for gain, in non-industrial occupations. For the purpose of this Convention, the term **non-industrial occupations** includes all occupations other than those recognized by the government as industrial, agricultural and maritime occupations. The government shall define the line of division which separates non-industrial occupations from industrial, agricultural and maritime occupations.
- Government may exempt from the application of this Convention employment, on work which is recognized as not being dangerous to the health of children or young persons, in family undertakings in which only parents and their children or wards are employed.
- Government shall ensure that children and young persons under eighteen years of age shall not be admitted to employment or work in non-industrial

occupations unless they have been found fit for the work in question by a thorough medical examination.

- Government shall ensure that the medical examination for fitness for employment shall be carried out by a qualified physician approved by the government and shall be certified either by a medical certificate or by an endorsement on the work permit or in the workbook.
- Government shall ensure that the medical examination for fitness for employment shall be certified either by a medical certificate or by an endorsement on the work permit or in the workbook
- Government may authorize the document certifying fitness for employment be issued subject to specified conditions of employment.
- Government may authorize the document certifying fitness for a specified job or for a group of jobs or occupations involving similar health risks which have been classified as a group by the authority responsible for the enforcement of the laws and regulations concerning medical examinations for fitness for employment.
- Government shall specify the competent body to issue the document certifying fitness for employment.
- Government shall define the conditions to be observed in drawing up and issuing the document.
- Government shall ensure the fitness of a child or young person for the employment in which he is engaged shall be subject to medical supervision until he has attained the age of eighteen years.
- Government shall ensure the continued

employment of a child or young person under eighteen years of age shall be subject to the repetition of medical examinations at intervals of not more than one year.

- Government regulation make provision for the special circumstances in which a medical re-examination shall be required in addition to the annual examination or at more frequent intervals in order to ensure effective supervision in respect of the risks involved in the occupation and of the state of health of the child or young person as shown by previous examinations.
- Government regulation shall empower the government to require medical reexaminations in exceptional cases.
- Government shall ensure that in occupations which involve high health risks medical examination and re-examinations for fitness for employment shall be required until at least the age of twenty-one years.
- Government regulation shall either specify, or empower an appropriate authority to specify, the occupations or categories of occupations in which medical examination and re-examinations for fitness for employment shall be required until at least the age of twenty-one years.
- Government shall ensure the medical examinations required by the preceding articles shall not involve the child or young person, or his parents, in any expense.
- Government shall take appropriate measures for vocational guidance and physical and vocational rehabilitation of children and young persons found by medical examination to be unsuited to certain types of work or to have physical handicaps or limitations.

- Government shall, in measures for vocational guidance and rehabilitation, ensure cooperation between the labor, health, educational and social services concerned.
- Government regulation may provide for the issue to children and young persons whose fitness for employment is not clearly determined of temporary work permits or medical certificates valid for a limited period at the expiration of which the young worker will be required to undergo re-examination.
- Government regulation may provide for the issue to children and young persons whose fitness for employment is not clearly determined of permits or certificates requiring special conditions of employment.
- Government shall require the employer to file and keep available to labor inspectors either the medical certificate for fitness for employment or the work permit or workbook showing that there are no medical objections to the employment as may be prescribed by national laws or regulations.
- Government regulation shall determine the measures of identification to be adopted for ensuring the application of the system of medical examination for fitness for employment to children and young persons engaged on their own account.
- Government regulation shall determine the measures of identification to be adopted for ensuring the application of the system of medical examination for fitness for employment to children and young persons engaged on account of their parents in itinerant trading or in any other occupation carried on in the streets or in places to which the public have access.
- Government regulation shall determine the measures of identification to be adopted for

ensuring the application of the system of medical examination for fitness for employment to children and young persons engaged on account of their parents in any other occupation carried on in the streets or in places to which the public have access.

- Government shall determine the other methods of supervision to be adopted for ensuring the strict enforcement of the Convention.
- Government, the territory of which includes large areas where, by reason of the sparseness of the population or the stage of development of the area, may determine it impracticable to enforce the provisions of this Convention and the government may exempt such areas from the application of the Convention generally.
- Government, the territory of which includes large areas where, by reason of the sparseness of the population or the stage of development of the area, may determine it impracticable to enforce the provisions of this Convention and the government may exempt such areas in respect of particular undertakings or occupations as it thinks fit.

*Convention no. 77 – Medical Examination of Young Persons
(Industry) Convention, 1946*

- This Convention applies to children and young persons employed or working in, or in connection with, industrial undertakings, whether public or private. For the purpose of this Convention, the term **industrial undertaking** includes particularly: (a) mines, quarries, and other works for the extraction of minerals from the earth; (b) undertakings in which articles are manufactured, altered, cleaned, repaired, ornamented, finished, adapted for sale, broken up or demolished, or in

which materials are transformed, including undertakings engaged in shipbuilding or in the generation, transformation or transmission of electricity or motive power of any kind; (c) undertakings engaged in building and civil engineering work, including constructional, repair, maintenance, alteration and demolition work; (d) undertakings engaged in the transport of passengers or goods by road, rail, inland waterway or air, including the handling of goods at docks, quays, wharves, warehouses or airports.

- Government shall define the line of division which separates industry from agriculture, commerce and other non-industrial occupations.
- Government shall ensure that children and young persons under eighteen years of age are not admitted to employment by an industrial undertaking unless they have been found fit for the work on which they are to be employed by a thorough medical examination.
- Government shall ensure that the medical examination for fitness for employment is carried out by a qualified physician approved by the government.
- Government shall ensure that the medical examination for fitness for employment is certified either by a medical certificate or by an endorsement on the work permit or in the workbook.
- Government shall ensure that the document certifying fitness for employment may be issued subject to specified conditions of employment.
- Government shall ensure that the document certifying fitness for employment may be issued for a specified job or for a group of jobs or occupations involving similar health risks which

have been classified as a group by the authority responsible for the enforcement of the laws and regulations concerning medical examinations for fitness for employment.

- Government regulation shall specify the authority competent to issue the document certifying fitness for employment.
- Government regulation shall define the conditions to be observed in drawing up and issuing the document.
- Government shall ensure that the fitness of a child or young person for the employment in which he is engaged shall be subject to medical supervision until he has attained the age of eighteen years.
- Government shall ensure that the continued employment of a child or young person under eighteen years of age shall be subject to the repetition of medical examinations at intervals of not more than one year.
- Government shall define the special circumstances in which a medical re-examination shall be required in addition to the annual examination or at more frequent intervals in order to ensure effective supervision in respect of the risks involved in the occupation and of the state of health of the child or young person as shown by previous examinations.
- Government regulation shall authorize the government to require medical re-examinations in exceptional cases.
- Government shall ensure that in occupations which involve high health risks medical examination and re-examinations for fitness for employment shall be required until at least the age of twenty-one years.

- Government regulation shall either specify, or empower an appropriate authority to specify, the occupations or categories of occupations in which medical examination and re-examinations for fitness for employment shall be required until at least the age of twenty-one years.
- Government shall ensure that the medical examination shall not involve the child or young person, or his parents, in any expense.
- Government shall ensure that vocational guidance is provided to children and young persons found by medical examination to be unsuited to certain types of work or to have physical handicaps or limitations.
- Government shall ensure physical and vocational rehabilitation of children and young persons found by medical examination to be unsuited to certain types of work or to have physical handicaps or limitations.
- Government shall establish cooperation between the labor, health, educational and social services concerned, in order to carry out the measures for vocational guidance and physical and vocational rehabilitation of children and young persons.
- Government regulations may provide for the issue to children and young persons whose fitness for employment is not clearly determined of temporary work permits or medical certificates valid for a limited period at the expiration of which the young worker will be required to undergo re-examination.
- Government regulations may provide for the issue to children and young persons whose fitness for employment is not clearly determined of permits or certificates requiring special conditions of employment.

- Government shall ensure that the employer shall be required to file and keep available to labor inspectors either the medical certificate for fitness for employment or the work permit or workbook showing that there are no medical objections to the employment as may be prescribed by national laws or regulations.
- Government regulations shall determine the other methods of supervision to be adopted for ensuring the strict enforcement of this Convention.
- Government may, if the country includes large areas where, by reason of the sparseness of the population or the stage of development of the area, the government considers it impracticable to enforce the provisions of this Convention, exempt such areas from the application of the Convention either generally or with such exceptions in respect of particular undertakings or occupations as it thinks fit.
- Government shall ensure that nothing in this Convention shall affect any law, award, custom or agreement between employers and workers which ensures more favorable conditions than those provided by this Convention.

Convention no. 62 – Safety Provisions (Building) Convention, 1937

- Government shall ensure the application of the rules set forth in this Convention.
- Government shall give effect, as may be possible and desirable under national conditions to the provisions of, or provisions equivalent to the provisions of, the model code annexed to the Safety Provisions (Building) Recommendation, 1937, or any revised model code subsequently recommended by the International Labor

Conference.

- Government regulations for ensuring the application of the rules set forth in this Convention shall apply to all work done on the site in connection with the construction, repair, alteration, maintenance and demolition of all types of buildings.
- Government regulations may, after consultation with the organizations of employers and workers concerned where such exist, exempt from all or any of their provisions work of such a character that reasonably safe conditions normally obtain.
- Government regulation giving effect to the model code annexed to the Safety Provisions (Building) Recommendation, 1937, shall require employers to bring them to the notice of all persons concerned in a manner approved by the government.
- Government regulation giving effect to the model code annexed to the Safety Provisions (Building) Recommendation, 1937, shall define the persons responsible for compliance therewith.
- Government regulation giving effect to the model code annexed to the Safety Provisions (Building) Recommendation, 1937, shall prescribe adequate penalties for any violation thereof.
- Government shall maintain, or satisfy itself that there is maintained, a system of inspection adequate to ensure the effective enforcement of its laws and regulations relating to safety precautions in the building industry.
- Government may, if its territory includes large areas where, by reason of the sparseness of the population or the stage of economic development of the area, the government considers it

impracticable to enforce the provisions of this Convention, exempt such areas from the application of the Convention either generally or with such exceptions in respect of particular localities or particular kinds of building operations as it thinks fit.

- Government shall ensure that suitable scaffolds shall be provided for workmen for all work that cannot be safely done from a ladder or by other means.
- Government shall ensure that a scaffold shall not be constructed, taken down, or substantially altered, except under the supervision of a competent and responsible person.
- Government shall ensure that a scaffold shall not be constructed, taken down, or substantially altered, except as far as possible by competent workers possessing adequate experience in this kind of work.
- Government shall ensure that all scaffolds and appliances connected therewith and all ladders shall be of sound material.
- Government shall ensure that all scaffolds and appliances connected therewith and all ladders shall be of adequate strength having regard to the loads and strains to which they will be subjected.
- Government shall ensure that all scaffolds and appliances connected therewith and all ladders shall be maintained in proper condition.
- Government shall ensure that scaffolds and appliances connected therewith and all ladders shall be so constructed that no part thereof can be displaced in consequence of normal use.
- Government shall ensure that all scaffolds and

appliances connected therewith and all ladders shall not be overloaded and so far as practicable the load shall be evenly distributed.

- Government shall ensure that before installing lifting gear on scaffolds special precautions shall be taken to ensure the strength and stability of the scaffolds.
- Government shall ensure that all scaffolds and appliances connected therewith and all ladders shall be periodically inspected by a competent person.
- Government shall ensure that before allowing a scaffold to be used by his or her workers every employer shall, whether the scaffold has been erected by his workers or not, take steps to ensure that it complies fully with the above requirements.
- Government shall ensure that working platforms, gangways and stairways shall be so constructed that no part thereof can sag unduly or unequally.
- Government shall ensure that working platforms, gangways and stairways shall be so constructed and maintained, having regard to the prevailing conditions, as to reduce as far as practicable risks of persons tripping or slipping.
- Government shall ensure that working platforms, gangways and stairways shall be kept free from any unnecessary obstruction.
- Government shall ensure, in the case of working platforms, gangways, working places and stairways at a height exceeding that to be prescribed by national laws or regulations, every working platform and every gangway shall be closely boarded unless other adequate measures are taken to ensure safety.

- Government shall ensure, in the case of working platforms, gangways, working places and stairways at a height exceeding that to be prescribed by national laws or regulations, every working platform and gangway shall have adequate width.
- Government shall ensure, in the case of working platforms, gangways, working places and stairways at a height exceeding that to be prescribed by national laws or regulations, every working platform, gangway, working place and stairway shall be suitably fence.
- Government shall ensure that every opening in the floor of a building or in a working platform shall, except for the time and to the extent required to allow the access of persons or the transport or shifting of material, be provided with suitable means to prevent the fall of persons or material.
- Government shall ensure that when persons are employed on a roof where there is a danger of falling from a height exceeding that to be prescribed by national laws or regulations, suitable precautions shall be taken to prevent the fall of persons or material.
- Government shall ensure that suitable precautions are taken to prevent persons being struck by articles which might fall from scaffolds or other working places.
- Government shall ensure that safe means of access are provided to all working platforms and other working places.
- Government shall ensure that every ladder shall be securely fixed and of such length as to provide secure handhold and foothold at every position at which it is used.

- Government shall ensure that every place where work is carried on and the means of approach thereto shall be adequately lighted.
- Government shall ensure that adequate precautions shall be taken to prevent danger from electrical equipment.
- Government shall ensure that no materials on the site shall be so stacked or placed as to cause danger to any person.
- Government shall ensure that hoisting machines and tackle, including their attachments, anchorages and supports, shall be of good mechanical construction, sound material and adequate strength and free from patent defect.
- Government shall ensure that hoisting machines and tackle, including their attachments, anchorages and supports, shall be kept in good repair and in good working order.
- Government shall ensure that every rope used in hoisting or lowering materials or as a means of suspension shall be of suitable quality and adequate strength and free from patent defect.
- Government shall ensure that hoisting machines and tackle shall be examined and adequately tested after erection on the site and before use and be re-examined in position at intervals to be prescribed by national laws or regulations.
- Government shall ensure that every chain, ring, hook, shackle, swivel and pulley block used in hoisting or lowering materials or as means of suspension shall be periodically examined.
- Government shall ensure that every crane driver or hoisting appliance operator shall be properly qualified.

- Government shall ensure that no person under the age to be prescribed by national laws or regulations shall be in control of any hoisting machine, including any scaffold winch, or give signals to the operator.
- Government shall ensure that in the case of every hoisting machine and of every chain, ring, hook, shackle, swivel and pulley block used in hoisting or lowering or as a means of suspension the safe working load shall be ascertained by adequate means.
- Government shall ensure that every hoisting machine and all gear referred to above shall be plainly marked with the safe working load.
- Government shall ensure that in the case of a hoisting machine having a variable safe working load each safe working load and the conditions under which it is applicable shall be clearly indicated.
- Government shall ensure that no part of any hoisting machine or of any gear referred to above shall be loaded beyond the safe working load except for the purpose of testing.
- Government shall ensure that motors, gearing, transmissions, electric wiring and other dangerous parts of hoisting appliances shall be provided with efficient safeguards.
- Government shall ensure that hoisting appliances shall be provided with such means as will reduce to a minimum the risk of the accidental descent of the load.
- Government shall ensure that adequate precautions shall be taken to reduce to a minimum the risk of any part of a suspended load becoming accidentally displaced.

- Government shall ensure that all necessary personal safety equipment shall be kept available for the use of the persons employed on the site and be maintained in a condition suitable for immediate use.
- Government shall ensure that the workers shall be required to use the equipment thus provided and the employer shall take adequate steps to ensure proper use of the equipment by those concerned.
- Government shall ensure that when work is carried on in proximity to any place where there is a risk of drowning, all necessary equipment shall be provided and kept ready for use and all necessary steps shall be taken for the prompt rescue of any person in danger.
- Government shall ensure that adequate provision shall be made for prompt first-aid treatment of all injuries likely to be sustained during the course of the work.

Convention no. 13 – White Lead (Painting) Convention, 1921

- Government shall prohibit, with the exceptions provided for below, the use of white lead and sulphate of lead and of all products containing these pigments, in the internal painting of buildings, except where the use of white lead or sulphate of lead or products containing these pigments is considered necessary for railway stations or industrial establishments by the government after consultation with the employers' and workers' organizations concerned.
- Government may nevertheless permit the use white pigments containing a maximum of 2 per cent of lead expressed in terms of metallic lead.

- Government may permit the above substances in artistic painting or fine lining.
- Government shall define the limits of such forms of painting.
- Government shall regulate the use of white lead, sulphate of lead, and all products containing these pigments, for the purposes of artistic painting or fine lining.
- Government shall prohibit the employment of males under eighteen years of age in any painting work of an industrial character involving the use of white lead or sulphate of lead or other products containing these pigments.
- Government shall prohibit the employment of all females in any painting work of an industrial character involving the use of white lead or sulphate of lead or other products containing these pigments.
- Government may after consulting the employers' and workers' organizations concerned, permit the employment of painters' apprentices in any painting work of an industrial character involving the use of white lead or sulphate of lead or other products containing these pigments, with a view to their education in their trade.
- Government shall ensure that white lead, sulphate of lead, or products containing these pigments shall not be used in painting operations except in the form of paste or of paint ready for use.
- Government shall prevent danger arising from the application of paint in the form of spray.
- Government measures shall, wherever practicable, prevent danger arising from dust caused by dry rubbing down and scraping.

- Government shall ensure that adequate facilities are provided to enable working painters to wash during and on cessation of work.
- Government shall ensure that overalls shall be worn by working painters during the whole of the working period.
- Government shall ensure that suitable arrangements shall be made to prevent clothing taken off during working hours being soiled by painting material.
- Government shall ensure that cases of lead poisoning and of suspected lead poisoning shall be notified, and shall be subsequently verified by a medical doctor appointed by the government.
- Government may require, when necessary, a medical examination of workers.
- Government shall ensure that instructions with regard to the special hygienic precautions to be taken in the painting trade are distributed to working painters.
- Government shall take such steps as it considers necessary to ensure the observance of the regulations prescribed above, after consultation with the employers' and workers' organizations concerned.
- Government shall obtain statistics with regard to lead poisoning among working painters as to morbidity, by notification and certification of all cases of lead poisoning.
- Government shall obtain statistics with regard to lead poisoning among working painters as to mortality by a method approved by the official statistical authority in each country.

F. Labor Administration and Labor Inspection

Convention no. 150 – Labor Administration Convention, 1978

- For purposes of this Convention: (a) the term ***system of labor administration*** refers to all public bodies in the field of national labor policy; (b) the term ***system of labor administration*** covers all public administration bodies responsible for and/or engaged in labor administration -- whether they are ministerial departments or public agencies, including parastatal and regional or local agencies or any other form of decentralized administration -- and any institutional framework for the co-ordination of the activities of such bodies and for consultation with and participation by employers and workers and their organizations.
- Government may delegate certain activities of labor administration to non-governmental organizations, particularly employers' and workers' organizations, or where appropriate to employers' and workers' representatives.
- Government may authorize particular activities in the field of its national labor policy to be regulated by direct negotiations between employers' and workers' organizations.
- Government shall ensure the effective operation of a system of labor administration.
- Government shall ensure that functions of the system of labor administration are properly coordinated.
- Government shall make arrangements appropriate to national conditions, within the system of labor administration, for consultation between the

government and the most representative organizations of employers and workers, or where appropriate employers' and workers' representatives.

- Government shall make arrangements appropriate to national conditions, within the system of labor administration, for cooperation between the government and the most representative organizations of employers and workers, or where appropriate employers' and workers' representatives.
- Government shall make arrangements appropriate to national conditions, within the system of labor administration, for negotiation between the government and the most representative organizations of employers and workers, or where appropriate employers' and workers' representatives.
- Government shall make such arrangements at the national, regional and local levels as well as at the level of the different sectors of economic activity.
- Government shall ensure that the competent bodies within the system of labor administration shall implement laws and regulations giving effect to labor law and regulations.
- Government shall ensure that the competent bodies within the system of labor administration, taking into account international labor standards, shall participate in the preparation, administration, co-ordination, checking and review of national employment policy, in accordance with national laws and regulations, and national practice.
- Government shall ensure that the competent bodies within the system of labor administration, taking into account international labor standards, shall study and keep under review the situation of employed, unemployed and underemployed

persons, taking into account national laws and regulations and national practice concerning conditions of work and working life and terms of employment, draw attention to defects and abuses in such conditions and terms, and submit proposals on means to overcome them.

- Government shall ensure that the competent bodies within the system of labor administration, taking into account international labor standards, shall make their services available to employers and workers, and their respective organizations, as may be appropriate under national laws or regulations, or national practice, with a view to the promotion, at national, regional and local levels as well as at the level of the different sectors of economic activity, of effective consultation and cooperation between public authorities and bodies and employers' and workers' organizations, as well as between such organizations.
- Government shall ensure that the competent bodies within the system of labor administration, taking into account international labor standards, shall make technical advice available to employers and workers and their respective organizations on their request.
- Government may delegate certain activities of labor administration to employers' or workers' organizations.
- Government shall ensure the effective operation of a system of labor administration.
- Government shall extend, when national conditions require and by gradual stages if necessary, labor administration as to the working conditions and working life of non-employee tenants who do not employ others.
- Government shall extend, when national conditions require and by gradual stages if

necessary, labor administration as to the working conditions and working life of non-employee sharecroppers.

- Government shall extend, when national conditions require and by gradual stages if necessary, labor administration as to the working conditions and working life of the self-employed in the informal sector.
- Government shall extend, when national conditions require and by gradual stages if necessary, labor administration as to the working conditions and working life of non-employee members of cooperatives.
- Government shall extend, when national conditions require and by gradual stages if necessary, labor administration as to the working conditions and working life of non-employee workers in customary communal systems.
- Government, through a ministry of labor or comparable body, shall have the means to ascertain whether parastatal and local bodies are operating in accordance with national law.
- Government shall ensure that, to the extent compatible with national laws and regulations and national practice, the competent bodies within the system of labor administration shall contribute to the preparation of national policy concerning international labor affairs.
- Government shall ensure that, to the extent compatible with national laws and regulations and national practice, the competent bodies within the system of labor administration shall participate in the representation of the government with respect to international labor affairs.
- Government shall ensure that, to the extent compatible with national laws and regulations and

national practice, the competent bodies within the system of labor administration shall contribute to the preparation of measures to be taken at the national level with respect to international labor affairs.

- Government shall ensure that the staff of the labor administration shall be suitably qualified for the effective performance of their duties.
- Government shall ensure that the staff of the labor administration has access to training for the effective performance of their duties.
- Government shall ensure that the staff of the labor administration is independent of external influences.
- Government shall ensure that the staff of the labor administration has the material means and financial resources necessary for the effective performance of their duties.
- Government shall ensure that the staff of the labor administration has the status necessary for the effective performance of their duties.

Convention no. 81 – Labor Inspection Convention, 1947

- Government shall maintain a system of labor inspection in all industrial workplaces where conditions of work are enforceable by labor inspectors.
- Government may exempt mining and transport undertakings or parts of such undertakings from the requirements of this Convention.
- Government shall ensure that the system of labor inspection secures the enforcement of the legal provisions relating to conditions of work and the

protection of workers while engaged in their work, such as provisions relating to hours, wages, safety, health and welfare, the employment of children and young persons, and other connected matters, in so far as such provisions are enforceable by labor inspectors.

- Government shall ensure that the system of labor inspection supplies technical information and advice to employers and workers concerning the most effective means of complying with the legal provisions.
- Government shall ensure that the system of labor inspection brings to the notice of the government defects or abuses not specifically covered by existing legal provisions.
- Government shall, so far as is compatible with its administrative practice, place labor inspection under the supervision and control of a central authority.
- Government shall make appropriate arrangements to promote effective cooperation between the inspection services and other government services and public or private institutions engaged in similar activities.
- Government shall make appropriate arrangements to promote collaboration between officials of the labor inspectorate and employers and workers or their organizations.
- Government shall ensure that the inspection staff is composed of public officials whose status and conditions of service are such that they are assured of stability of employment
- Government shall ensure that the inspection staff is composed of public officials whose status and conditions of service are such that they are independent of changes of government.

- Government shall ensure that the inspection staff is composed of public officials whose status and conditions of service are such that they are independent of improper external influences.
- Government shall ensure, subject to any conditions for recruitment to the public service which may be prescribed by national laws or regulations, that labor inspectors are recruited with sole regard to their qualifications for the performance of their duties, as determined by the government.
- Government shall ensure that labor inspectors are adequately trained for the performance of their duties.
- Government shall ensure that duly qualified technical experts and specialists, including specialists in medicine, engineering, electricity and chemistry, are associated in the work of inspection, in such manner as may be deemed most appropriate under national conditions, for the purpose of securing the enforcement of the legal provisions relating to the protection of the health and safety of workers while engaged in their work.
- Government shall ensure that duly qualified technical experts and specialists, including specialists in medicine, engineering, electricity and chemistry, are associated in the work of inspection, in such manner as may be deemed most appropriate under national conditions, for the purpose of investigating the effects of processes, materials and methods of work on the health and safety of workers.
- Government shall ensure that the number of labor inspectors shall be sufficient to secure the effective discharge of the duties of the inspectorate and shall be determined with due regard for the importance of the duties which inspectors have to perform, in particular the number, nature, size and situation of the workplaces liable to inspection.

- Government shall ensure that the number of labor inspectors shall be sufficient to secure the effective discharge of the duties of the inspectorate and shall be determined with due regard for the importance of the duties which inspectors have to perform, in particular the number and classes of workers employed in such workplaces.
- Government shall ensure that the number of labor inspectors shall be sufficient to secure the effective discharge of the duties of the inspectorate and shall be determined with due regard for the number and complexity of the legal provisions to be enforced.
- Government shall ensure that the number of labor inspectors shall be sufficient to secure the effective discharge of the duties of the inspectorate and shall be determined with due regard for the material means placed at the disposal of the inspectors.
- Government shall ensure that the number of labor inspectors shall be sufficient to secure the effective discharge of the duties of the inspectorate and shall be determined with due regard for the practical conditions under which visits of inspection must be carried out in order to be effective.
- Government shall furnish labor inspectors with local offices that are suitably equipped in accordance with the requirements of the service.
- Government shall ensure that the local offices of labor inspectors are accessible to all persons concerned.
- Government shall furnish labor inspectors with the transport facilities necessary for the performance of their duties in cases where suitable public facilities do not exist.
- Government shall reimburse labor inspectors for any travelling and incidental expenses necessary for the performance of their duties.

- Government shall empower labor inspectors with proper credentials to enter freely and without previous notice at any hour of the day or night any workplace liable to inspection.
- Government shall empower labor inspectors with proper credentials to enter by day any premises which they may have reasonable cause to believe to be liable to inspection.
- Government shall empower labor inspectors with proper credentials to carry out any examination, test or enquiry which they may consider necessary in order to satisfy themselves that the legal provisions are being strictly observed.
- Government shall empower labor inspectors with proper credentials to interrogate, alone or in the presence of witnesses, the employer or the staff of the undertaking on any matters concerning the application of the legal provisions.
- Government shall empower labor inspectors with proper credentials to require the production of any books, registers or other documents the keeping of which is prescribed by national laws or regulations relating to conditions of work.
- Government shall empower labor inspectors with proper credentials to require the copying of such documents.
- Government shall empower labor inspectors with proper credentials to enforce the posting of notices required by the legal provisions.
- Government shall empower labor inspectors with proper credentials to take or remove for purposes of analysis samples of materials and substances used or handled, subject to the employer or his representative being notified of any samples or substances taken or removed for such purpose.
- Government shall ensure that, on the occasion of

an inspection visit, inspectors shall notify the employer or his representative of their presence, unless they consider that such a notification may be prejudicial to the performance of their duties.

- Government shall empower labor inspectors to take steps to remedy defects observed in plant, layout or working methods which they may have reasonable cause to believe constitute a threat to the health or safety of the workers.
- Government shall empower inspectors, subject to any right of appeal to a judicial or administrative authority which may be provided by law, to make orders requiring such alterations to the installation or plant, to be carried out within a specified time limit, as may be necessary to secure compliance with the legal provisions relating to the health or safety of the workers.
- Government shall, empower inspectors, subject to any right of appeal to a judicial or administrative authority which may be provided by law, to take measures with immediate executory force in the event of imminent danger to the health or safety of the workers.
- Government shall, where the procedure prescribed above is not compatible with the country's administrative or judicial practice, empower inspectors to apply to the government for the issue of orders or for the initiation of measures with immediate executory force.
- Government shall require employers to notify the labor inspectorate of industrial accidents and cases of occupational disease in such cases and in such manner as the government prescribes.
- Government shall ensure that labor inspectors are prohibited from having any direct or indirect interest in the undertakings under their supervision.
- Government shall ensure that labor inspectors are

bound on pain of appropriate penalties or disciplinary measures not to reveal, even after leaving the service, any manufacturing or commercial secrets or working processes which may come to their knowledge in the course of their duties.

- Government shall ensure that labor inspectors treat as absolutely confidential the source of any complaint bringing to their notice a defect or breach of legal provisions and shall give no intimation to the employer or his representative that a visit of inspection was made in consequence of the receipt of such a complaint.
- Government shall ensure that labor inspectors give no intimation to the employer or his representative that a visit of inspection was made in consequence of the receipt of an identified source's complaint.
- Government shall ensure that workplaces are inspected as often as is necessary to ensure the effective application of the relevant legal provisions.
- Government shall ensure that workplaces are inspected as thoroughly as is necessary to ensure the effective application of the relevant legal provisions.
- Government shall ensure that persons who violate or neglect to observe legal provisions enforceable by labor inspectors shall be liable to prompt legal proceedings without previous warning.
- Government may make exceptions to the previous rule in respect of cases in which, under national law, previous notice to carry out remedial or preventive measures is to be given.
- Government shall grant discretion to labor inspectors to give warning and advice instead of instituting or recommending proceedings.
- Government shall effectively enforce adequate

penalties for violations of the legal provisions enforceable by labor inspectors

- Government shall effectively enforce adequate penalties for obstructing labor inspectors in the performance of their duties.
- Government shall require labor inspectors or local inspection offices, as the case may be, to submit to the central inspection authority periodic reports on the results of their inspection activities.
- Government shall require that these reports be drawn up in such manner and deal with such subjects as may from time to time be prescribed by the central authority.
- Government shall require that these reports be submitted at least as frequently as may be prescribed by that authority and in any case not less frequently than once a year.
- Government shall ensure that the central inspection authority publishes an annual general report on the work of the inspection services under its control.
- Government shall ensure that such annual reports are published within a reasonable time after the end of the year to which they relate and in any case within twelve months.
- Government shall ensure that the annual report published by the central inspection authority shall deal with the laws and regulations relevant to the work of the inspection service.
- Government shall ensure that the annual report published by the central inspection authority shall deal with the laws and regulations relevant to the staff of the labor inspection service.
- Government shall ensure that the annual report published by the central inspection authority shall deal with the laws and regulations relevant to the

statistics of workplaces liable to inspection and the number of workers employed therein.

- Government shall ensure that the annual report published by the central inspection authority shall deal with the laws and regulations relevant to the statistics of inspection visits.
- Government shall ensure that the annual report published by the central inspection authority shall deal with the laws and regulations relevant to the statistics of violations and penalties imposed.
- Government shall ensure that the annual report published by the central inspection authority shall deal with the laws and regulations relevant to the statistics of industrial accidents.
- Government shall ensure that the annual report published by the central inspection authority shall deal with the laws and regulations relevant to the statistics of occupational diseases.
- Government shall maintain a system of labor inspection in all commercial workplaces where there are working conditions subject to inspection, if the government chooses to include commercial workplaces within the scope of this Convention.
- Government shall ensure that the labor inspectorate for commercial enterprises complies with the same standards as those set out above for industrial enterprises.
- Government may, in case its territory includes large areas where, by reason of the sparseness of the population or the stage of development of the area, the government considers it impracticable to enforce the provisions of this Convention, exempt such areas from the application of this Convention either generally or with such exceptions in respect of particular undertakings or occupations as it thinks fit.

- Government shall publicly announce any areas in respect of which it proposes to have recourse to the above provision.
- Government shall publicly state reasons for which it proposes to have recourse to the above provision.

*Convention no. 129 – Labor Inspection (Agriculture) Convention,
1969*

- Government shall maintain a system of labor inspection in agriculture, covering agricultural employees.
- Government may choose to apply the system of labor inspection in agriculture to members of the family of the farm operator.
- Government may choose to apply the system of labor inspection in agriculture to tenants.
- Government may choose to apply the system of labor inspection in agriculture to members of cooperatives.
- Government shall authorize the system of labor inspection in agriculture to secure the enforcement of the legal provisions relating to conditions of work and the protection of workers while engaged in their work, such as provisions relating to hours, wages, weekly rest and holidays, safety, health and welfare, the employment of women, children and young persons, and other connected matters, in so far as such provisions are enforceable by labor inspectors.
- Government shall authorize the system of labor inspection in agriculture to supply technical information and advice to employers and workers concerning the most effective means of complying with the legal provisions.

- Government shall authorize the system of labor inspection in agriculture to bring to the notice of the government defects or abuses not specifically covered by existing legal provisions.
- Government shall authorize the system of labor inspection in agriculture to submit to it proposals on the improvement of laws and regulations.
- Government laws or regulations may give labor inspectors in agriculture advisory functions regarding legal provisions relating to conditions of life of workers and their families.
- Government laws or regulations may give labor inspectors in agriculture enforcement functions regarding legal provisions relating to conditions of life of workers and their families.
- Government may require that labor inspection in agriculture be carried out by a single labor inspection department responsible for all sectors of economic activity.
- Government may require that labor inspection in agriculture be carried out by a single labor inspection department, which would arrange for internal functional specialization through the appropriate training of inspectors called upon to exercise their functions in agriculture
- Government may require that labor inspection in agriculture be carried out by a single labor inspection department, which would arrange for internal institutional specialization by creating a technically qualified service, the officers of which would perform their functions in agriculture.
- Government may require that labor inspection in agriculture might be carried out by a specialized agricultural inspection service, the activity of which would be supervised by a central body vested with

the same prerogatives in respect of labor inspection in other fields, such as industry, transport and commerce.

- Government shall ensure that the labor inspection staff in agriculture is composed of public officials whose status and conditions of service are such that they are assured of stability.
- Government shall ensure that the labor inspection staff in agriculture is composed of public officials whose status and conditions of service are such that they are independent of changes of government.
- Government shall ensure that the labor inspection staff in agriculture is composed of public officials whose status and conditions of service are such that they are independent of improper external influences.
- Government shall recruit labor inspectors in agriculture with sole regard to their qualifications for the performance of their duties, as determined by the government.
- Government shall ensure that labor inspectors in agriculture are adequately trained for the performance of their duties.
- Government shall ensure that labor inspectors receive appropriate further training in the course of their employment.
- Government shall take the necessary measures to ensure that duly qualified technical experts and specialists, who might help to solve problems demanding technical knowledge, are associated in the work of labor inspection in agriculture in such manner as may be deemed most appropriate under national conditions.
- Government may, where necessary, entrust

certain inspection functions on an auxiliary basis to appropriate government services or public institutions, on condition that this does not prejudice the application of the principles of this Convention.

- Government may, where necessary, associate appropriate government services or public institutions with the exercise of the functions in question, on condition that this does not prejudice the application of the principles of this Convention.
- Government shall ensure that the number of labor inspectors in agriculture is sufficient to secure the effective discharge of the duties of the inspectorate.
- Government shall ensure that the number of labor inspectors in agriculture is determined with due regard for the importance of the duties which inspectors have to perform.
- Government shall ensure that the number of labor inspectors in agriculture is determined with due regard for the number, nature, size and situation of the agricultural undertakings liable to inspection.
- Government shall ensure that the number of labor inspectors in agriculture is determined with due regard for the number and classes of persons working in such undertakings.
- Government shall ensure that the number of labor inspectors in agriculture is determined with due regard for the number and complexity of the legal provisions to be enforced.
- Government shall ensure that the number of labor inspectors in agriculture is determined with due regard for the material means placed at the disposal of the inspectors.
- Government shall ensure that the number of labor

inspectors in agriculture is determined with due regard for the practical conditions under which visits of inspection must be carried out in order to be effective.

- Government shall furnish labor inspectors in agriculture with local offices so located as to take account of the geographical situation of the agricultural undertakings and of the means of communication.
- Government shall furnish labor inspectors in agriculture with local offices suitably equipped in accordance with the requirements of the service.
- Government shall furnish labor inspectors in agriculture with local offices accessible to the persons concerned.
- Government shall furnish labor inspectors in agriculture with the transport facilities necessary for the performance of their duties in cases where suitable public facilities do not exist.
- The government shall reimburse labor inspectors in agriculture for any travelling and incidental expenses which may be necessary for the performance of their duties.
- Government shall empower labor inspectors in agriculture with proper credentials to enter freely and without previous notice at any hour of the day or night any workplace liable to inspection.
- Government shall empower labor inspectors in agriculture with proper credentials to enter by day any premises which they may have reasonable cause to believe to be liable to inspection.
- Government shall empower labor inspectors in agriculture with proper credentials to carry out any examination, test or inquiry which they may consider necessary in order to satisfy themselves

that the legal provisions are being strictly observed.

- Government shall empower labor inspectors in agriculture with proper credentials to interview, alone or in the presence of witnesses, the employer, the staff of the undertaking or any other person in the undertaking on any matters concerning the application of the legal provisions.
- Government shall empower labor inspectors in agriculture with proper credentials to require, in such manner as national laws or regulations may prescribe, the production of any books, registers or other documents the keeping of which is prescribed by national laws or regulations relating to conditions of life and work, in order to see that they are in conformity with the legal provisions.
- Government shall empower labor inspectors in agriculture with proper credentials to copy such documents.
- Government shall empower labor inspectors in agriculture with proper credentials to take or remove for purposes of analysis samples of products, materials and substances used or handled, subject to the employer or his representative being notified of any products, materials or substances taken or removed for such purposes.
- Government shall ensure that, on the occasion of an inspection visit, inspectors shall notify the employer or his representative, and the workers or their representatives, of their presence, unless they consider that such a notification may be prejudicial to the performance of their duties.
- Government may associate the labor inspection services in agriculture in the preventive control of new plant, new materials or substances which appear likely to constitute a threat to health or

safety.

- Government may associate the labor inspection services in agriculture in the preventive control of new methods of handling or processing products which appear likely to constitute a threat to health or safety.
- Government shall empower labor inspectors in agriculture to take steps with a view to remedying defects observed in plant, layout or working methods in agricultural undertakings, which they may have reasonable cause to believe constitute a threat to health or safety.
- Government shall empower labor inspectors in agriculture to take steps with a view to remedying the use of dangerous materials or substances, which they may have reasonable cause to believe constitute a threat to health or safety.
- Government shall empower labor inspectors in agriculture, subject to any right of appeal to a legal or administrative authority which may be provided by law, to make orders requiring such alterations to the installation, plant, premises, tools, equipment or machines, to be carried out within a specified time limit, as may be necessary to secure compliance with the legal provisions relating to health or safety.
- Government shall empower labor inspectors in agriculture, subject to any right of appeal to a legal or administrative authority which may be provided by law, to take measures with immediate executory force, which can go as far as halting the work, in the event of imminent danger to health or safety.
- Government shall empower inspectors, in the event that the above procedures are not compatible with the administrative or judicial practice of the government, to apply to the

government for the issue of orders or for the initiation of measures with immediate executory force.

- Government shall ensure that the defects noted by the inspector when visiting an undertaking shall be immediately made known to the employer and the representatives of the workers.
- Government shall ensure that the orders the inspector is making or having made with respect to an undertaking shall be immediately made known to the employer and the representatives of the workers.
- Government shall ensure that the order which the labor inspector is seeking from the government with respect to an undertaking shall be immediately made known to the employer and the representatives of the workers.
- Government shall ensure that the labor inspectorate in agriculture shall be notified of cases of occupational disease occurring in the agricultural sector in such cases and in such manner as may be prescribed by national laws or regulations.
- Government shall ensure that the labor inspectorate in agriculture shall be notified of occupational accidents in such cases and in such manner as may be prescribed by national laws or regulations.
- Government shall ensure that, as far as possible, inspectors shall be associated with any inquiry on the spot into the causes of the most serious occupational accidents, particularly of those which affect a number of workers or have fatal consequences.
- Government shall ensure that, as far as possible, inspectors shall be associated with any inquiry on

the spot into the causes of the most serious occupational diseases, particularly of those which affect a number of workers or have fatal consequences.

- Government shall, subject to such exceptions as may be made by national laws or regulations, prohibit labor inspectors in agriculture from having any direct or indirect interest in the undertakings under their supervision.
- Government shall, subject to such exceptions as may be made by national laws or regulations, prohibit labor inspectors in agriculture from having any direct or indirect interest in the undertakings under their supervision.
- Government shall ensure, subject to such exceptions as may be made by national laws or regulations, that labor inspectors are bound on pain of appropriate penalties or disciplinary measures not to reveal, even after leaving the service, any manufacturing or commercial secrets or working processes which may come to their knowledge in the course of their duties.
- Government shall ensure, subject to such exceptions as may be made by national laws or regulations, that labor inspectors shall treat as absolutely confidential the source of any complaint bringing to their notice a defect, a danger in working processes or a breach of legal provisions.
- Government shall ensure, subject to such exceptions as may be made by national laws or regulations, that labor inspectors shall give no intimation to the employer or his representative that a visit of inspection was made in consequence of the receipt of a complaint from an identified source.
- Government shall ensure that agricultural undertakings are inspected as often as is

necessary to ensure the effective application of the relevant legal provisions.

- Government shall ensure that agricultural undertakings are inspected as thoroughly as is necessary to ensure the effective application of the relevant legal provisions.
- Government shall ensure that persons who violate or neglect to observe legal provisions enforceable by labor inspectors in agriculture shall be liable to prompt legal or administrative proceedings without previous warning.
- Government may make exceptions to the previous rule in respect of cases in which previous notice to carry out remedial or preventive measures is to be given.
- Government shall empower labor inspectors to exercise discretion to give warning and advice instead of instituting or recommending proceedings.
- Government shall, if labor inspectors in agriculture are not themselves authorized to institute proceedings, empower them to refer reports of infringements of the legal provisions directly to an authority competent to institute such proceedings.
- Government shall effectively enforce adequate penalties for violations of the legal provisions enforceable by labor inspectors in agriculture.
- Government shall effectively enforce adequate penalties for obstructing labor inspectors in the performance of their duties.
- Government shall require labor inspectors or local inspection offices, as the case may be, to submit to the central inspection authority periodic reports on the results of their activities in agriculture.
- Government shall ensure that these reports shall

deal with such subjects as may from time to time be prescribed by the central inspection authority.

- Government shall ensure that these reports shall be submitted at least as frequently as may be prescribed by that authority and in any case not less frequently than once a year.
- Government shall ensure that the central inspection authority publishes an annual report on the work of the inspection services in agriculture.
- Government shall ensure that such annual reports are published within a reasonable time after the end of the year to which they relate and in any case within twelve months.
- Government shall ensure that the annual report published by the central inspection authority deals with laws and regulations relevant to the work of labor inspection in agriculture.
- Government shall ensure that the annual report published by the central inspection authority deals with the staff of the labor inspection service in agriculture.
- Government shall ensure that the annual report published by the central inspection authority deals with statistics of agricultural undertakings liable to inspection and the number of persons working therein.
- Government shall ensure that the annual report published by the central inspection authority deals with statistics of inspection visits.
- Government shall ensure that the annual report published by the central inspection authority deals with statistics of violations.
- Government shall ensure that the annual report published by the central inspection authority deals with statistics of penalties imposed.

- Government shall ensure that the annual report published by the central inspection authority deals with statistics of occupational accidents, including their causes.
- Government shall ensure that the annual report published by the central inspection authority deals with statistics of occupational diseases, including their causes.

G. Obligations to Compile Statistics

Convention no. 160 – Labor Statistics Convention, 1985

- Government shall regularly collect, compile and publish basic labor statistics, which shall be progressively expanded in accordance with its resources to cover economically active population.
- Government shall regularly collect, compile and publish basic labor statistics, which shall be progressively expanded in accordance with its resources to cover employment.
- Government shall regularly collect, compile and publish basic labor statistics, which shall be progressively expanded in accordance with its resources to cover where relevant unemployment.
- Government shall regularly collect, compile and publish basic labor statistics, which shall be progressively expanded in accordance with its resources to cover where possible visible underemployment.
- Government shall regularly collect, compile and publish basic labor statistics, which shall be progressively expanded in accordance with its resources to cover structure and distribution of the

economically active population, for detailed analysis and to serve as benchmark data.

- Government shall regularly collect, compile and publish basic labor statistics, which shall be progressively expanded in accordance with its resources to cover average earnings.
- Government shall regularly collect, compile and publish basic labor statistics, which shall be progressively expanded in accordance with its resources to cover average hours of work (hours actually worked or hours paid for).
- Government shall regularly collect, compile and publish basic labor statistics, which shall be progressively expanded in accordance with its resources to cover where appropriate, time rates of wages.
- Government shall regularly collect, compile and publish basic labor statistics, which shall be progressively expanded in accordance with its resources to cover where appropriate, normal hours of work.
- Government shall regularly collect, compile and publish basic labor statistics, which shall be progressively expanded in accordance with its resources to cover wage structure and distribution.
- Government shall regularly collect, compile and publish basic labor statistics, which shall be progressively expanded in accordance with its resources to cover labor cost.
- Government shall regularly collect, compile and publish basic labor statistics, which shall be progressively expanded in accordance with its resources to cover consumer price indices.
- Government shall regularly collect, compile and

publish basic labor statistics, which shall be progressively expanded in accordance with its resources to cover household expenditure.

- Government shall regularly collect, compile and publish basic labor statistics, which shall be progressively expanded in accordance with its resources to cover where appropriate family expenditure.
- Government shall regularly collect, compile and publish basic labor statistics, which shall be progressively expanded in accordance with its resources to cover where possible, household income.
- Government shall regularly collect, compile and publish basic labor statistics, which shall be progressively expanded in accordance with its resources to cover where appropriate, family income.
- Government shall regularly collect, compile and publish basic labor statistics, which shall be progressively expanded in accordance with its resources to cover occupational injuries.
- Government shall regularly collect, compile and publish basic labor statistics, which shall be progressively expanded in accordance with its resources to cover, as far as possible, occupational diseases.
- Government shall regularly collect, compile and publish basic labor statistics, which shall be progressively expanded in accordance with its resources to cover industrial disputes.
- Government shall, in designing or revising the concepts, definitions and methodology used in the collection, compilation and publication of the statistics required under this Convention, take into

consideration the latest standards and guidelines established under the auspices of the International Labor Organization.

- Government, in designing or revising the concepts, definitions and methodology used in the collection, compilation and publication of the statistics required under this Convention, shall consult the representative organizations of employers and workers, where they exist.
- Government has no obligation under this Convention to publish or reveal data which could result in the disclosure in any way of information relating to an individual statistical unit, such as a person, a household, an establishment or an enterprise.
- Government shall publish the most recent dates or periods for which the different types of statistics are available, and the dates of their publication or release.
- Government shall produce detailed descriptions of the sources, concepts, definitions and methodology used in collecting and compiling statistics in pursuance of this Convention.
- Government shall update detailed descriptions of the sources, concepts, definitions and methodology used in collecting and compiling statistics in pursuance of this Convention.
- Government shall compile statistics of the structure and distribution of the economically active population in such a way as to be representative of the country as a whole, for detailed analysis and to serve as benchmark data.
- Government shall compile current statistics of average earnings covering all important categories of employees in such a way as to be

representative of the country as a whole.

- Government shall compile current statistics of average earnings covering all important branches of economic activity in such a way as to be representative of the country as a whole.
- Government shall compile current statistics of hours of work (hours actually worked or hours paid for) covering all important categories of employees in such a way as to be representative of the country as a whole.
- Government shall compile current statistics of hours of work (hours actually worked or hours paid for) covering all important branches of economic activity in such a way as to be representative of the country as a whole.
- Government shall compile, where appropriate, statistics of time rates of wages covering important occupations or groups of occupations in important branches of economic activity in such a way as to be representative of the country as a whole.
- Government shall compile, where appropriate, statistics of normal hours of work covering important occupations or groups of occupations in important branches of economic activity in such a way as to be representative of the country as a whole.
- Government shall, where appropriate, compile statistics of wage structure and distribution covering employees in important branches of economic activity.
- Government shall compile statistics of labor cost covering important branches of economic activity.
- Government shall, where possible, ensure that statistics on labor costs are consistent with data

on employment and hours of work (hours actually worked or hours paid for) of the same scope.

- Government shall compute consumer price indices to measure variations over time in the prices of items representative of the consumption patterns of significant population groups or of the total population.
- Government shall compile statistics of household expenditure covering all types and sizes of private households, and in such a way as to be representative of the country as a whole.
- Government shall compile statistics where appropriate, of family expenditure covering all types and sizes of families, and in such a way as to be representative of the country as a whole.
- Government shall compile statistics where possible, of household income covering all types and sizes of private households, and in such a way as to be representative of the country as a whole.
- Government shall compile statistics where appropriate, of family income covering all types and sizes of families, and in such a way as to be representative of the country as a whole.
- Government shall compile statistics of occupational injuries in such a way as to be representative of the country as a whole, covering, where possible, all branches of economic activity.
- Government shall compile, as far as possible, statistics of occupational diseases covering all branches of economic activity, and in such a way as to be representative of the country as a whole.
- Government shall compile statistics of industrial disputes in such a way as to be representative of

the country as a whole, covering, where possible, all branches of economic activity.

- Government may initially limit the scope of the statistics which it is obligated to compile to specified categories of workers.
- Government may initially limit the scope of the statistics which it is obligated to compile to specified sectors of the economy.
- Government may initially limit the scope of the statistics which it obligated is to compile to specified branches of economic activity.
- Government may initially limit the scope of the statistics which it obligated is to compile to specified geographical areas.
- Government, if it initially limits the scope of the statistics it compiles, shall publicly indicate the nature of and reasons for such limitation.
- Government, if it initially limits the scope of the statistics it compiles shall publicly state annually the extent to which it has been possible or it is proposed to extend the scope to other categories of workers, sectors of the economy, branches of economic activity or geographical areas.

II. SELECTED ILO RECOMMENDATIONS

The key substantive elements of relevant provisions of selected ILO Recommendations, arranged by topic, are as follows:

A. Freedom of Association and Collective Bargaining

*Recommendation no. 163 – Collective Bargaining
Recommendation, 1981*

- Government may apply the provisions of this Recommendation by national laws or regulations, collective agreements, arbitration awards or in any other manner consistent with national practice.
- Government shall, in so far as necessary, take measures adapted to national conditions to facilitate the establishment, on a voluntary basis, of independent workers' organizations.
- Government shall, in so far as necessary, take measures adapted to national conditions to facilitate the establishment, on a voluntary basis, of representative workers' organizations.
- Government shall, in so far as necessary, take measures adapted to national conditions to facilitate the growth, on a voluntary basis, of independent workers' organizations.
- Government shall, in so far as necessary, take measures adapted to national conditions to facilitate the growth, on a voluntary basis, of representative workers' organizations.
- Government shall, in so far as necessary, take measures adapted to national conditions to facilitate the establishment, on a voluntary basis, of independent employers' organizations.
- Government shall, in so far as necessary, take measures adapted to national conditions to facilitate the establishment, on a voluntary basis, of representative employers' organizations.
- Government shall, in so far as necessary, take measures adapted to national conditions to facilitate the growth, on a voluntary basis, of independent employers' organizations.
- Government shall, in so far as necessary, take

measures adapted to national conditions to facilitate the growth, on a voluntary basis, of representative employers' organizations.

- Government shall, as appropriate and necessary, takes measures adapted to national conditions so that representative employers' and workers' organizations are recognized for the purposes of collective bargaining.
- Government shall, as appropriate and necessary, takes measures adapted to national conditions so that in countries in which the government applies procedures to determine the organizations to be granted the right to bargain collectively, such determination is based on pre-established and objective criteria with regard to the organizations' representative character, established in consultation with representative employers' and workers' organizations.
- Government shall, if necessary, take measures adapted to national conditions, so that collective bargaining is possible at any level whatsoever, including that of the establishment, the undertaking, the branch of activity, the industry, or the regional or national levels.
- Government may provide assistance to workers' and employers' organizations, at their request, for training about collective bargaining.
- Government shall ensure that any such programs of training are determined by the appropriate workers' or employers' organization concerned.
- Government shall ensure that such training is without prejudice to the right of workers' organizations to choose their own representatives for the purpose of collective bargaining.
- Government shall ensure that such training is

without prejudice to the right of employers' organizations to choose their own representatives for the purpose of collective bargaining.

- Government shall ensure that employers, at the request of workers' organizations, make available such information on the economic and social situation of the negotiating unit and the undertaking as a whole, as is necessary for meaningful negotiations.
- Government shall provide, where the disclosure of such information could be prejudicial to the undertaking, its communication may be made conditional upon a commitment that it would be regarded as confidential to the extent required.
- Government shall make available such information as is necessary on the over-all economic and social situation of the country and the branch of activity concerned, to the extent the disclosure of this information is not prejudicial to the national interest.
- Government shall, if necessary, take measures adapted to national conditions, so that the procedures for the settlement of labor disputes assist the parties to find a solution to the dispute themselves.

*Recommendation no. 143 – Workers' Representatives
Recommendation, 1971*

- For the purpose of this Recommendation the term **workers' representatives** means persons who are recognized as such under national law or practice, whether they are--(a) trade union representatives, namely representatives designated or elected by trade unions or by the members of such unions; or (b) elected

representatives, namely representatives who are freely elected by the workers of the undertaking in accordance with provisions of national laws or regulations or of collective agreements and whose functions do not include activities which are recognized as the exclusive prerogative of trade unions in the country concerned. National laws or regulations, collective agreements, arbitration awards or court decisions may determine the type or types of workers' representatives which should be entitled to the protection and facilities provided for in this Recommendation.

- Government shall ensure that, where there exist in the same undertaking both trade union representatives and elected representatives, the existence of elected representatives is not used to undermine the position of the trade unions concerned or their representatives.
- Government shall, where there exist in the same undertaking both trade union representatives and elected representatives, take measures to encourage cooperation on all relevant matters between the elected representatives and the trade unions concerned.
- Government shall ensure that workers' representatives in the undertaking enjoy effective protection against any act prejudicial to them based on their status as a workers' representative.
- Government shall ensure that workers' representatives in the undertaking enjoy effective protection against any act prejudicial to them, based on their activities as a workers' representative.
- Government shall ensure that workers' representatives in the undertaking enjoy effective protection against any act prejudicial to them, based on their union membership.

- Government shall ensure that workers' representatives in the undertaking enjoy effective protection against any act prejudicial to them, based on their participation in union activities.
- Government shall require detailed and precise definition of the reasons justifying termination of employment of workers' representatives.
- Government shall require consultation with, an advisory opinion from, or agreement of an independent body, public or private, or a joint body, before the dismissal of a workers' representative becomes final.
- Government shall provide a special recourse procedure to workers' representatives who consider that their employment has been unjustifiably terminated.
- Government shall provide a special recourse procedure to workers' representatives who consider that they have been subjected to an unfavorable change in their conditions of employment.
- Government shall ensure that workers' representatives who are unjustifiably terminated shall be awarded a remedy of reinstatement and back wages.
- Government shall require that the employer bear the burden of proving that any alleged discriminatory dismissal or unfavorable change in the conditions of employment of a workers' representative was justified
- Government shall require that priority be given to workers' representatives with regard to their retention in employment in case of reduction of the workforce.

- Government shall apply the above protections to workers who are candidates, or have been nominated as candidates through such appropriate procedures as may exist, for election or appointment as workers' representatives.
- Government shall apply the above protections to workers who have been nominated as candidates for election as workers' representatives.
- Government shall apply the above protections to workers who have been nominated as candidates for appointment as workers' representatives.
- Government shall apply the above protection to workers who have ceased to be workers' representatives.
- Government shall require that persons who, upon termination of their mandate as workers' representatives in the undertaking in which they have been employed, resume work in that undertaking should retain, or have restored, all their job-related rights and benefits.
- Government shall ensure that workers' representatives are afforded such facilities in the undertaking as may be appropriate to enable them to carry out their functions promptly and efficiently.
- Government shall, in ensuring such facilities, take account of the characteristics of the industrial relations system of the country.
- Government shall, in ensuring such facilities, take account of the needs of the undertaking concerned.
- Government shall, in ensuring such facilities, take account of the size of the undertaking concerned.
- Government shall, in ensuring such facilities, take

account of the capabilities of the undertaking concerned.

- Government shall ensure that workers' representatives in the undertaking are afforded the necessary time off from work, for carrying out their representation functions in the undertaking.
- Government shall ensure that workers' representatives in the undertaking do not lose pay or social and fringe benefits for time off from work for carrying out their representation functions in the undertaking.
- Government may provide that a workers' representative be required to obtain permission from an appropriate representative of management designated for this purpose before he or she takes time off from work.
- Government shall provide that the employer will not unreasonably withhold permission to the workers' representative for time off from work for carrying out their representation functions.
- Government may stipulate reasonable limits on the amount of time off which is granted to workers' representatives for carrying out their representation functions.
- Government should ensure that workers' representatives are afforded the necessary time off, without loss of wages or benefits, for attending trade union meetings, training courses, seminars, congresses and conferences.
- Government shall ensure workers' representatives in the undertaking be granted access to all workplaces in the undertaking, where such access is necessary to enable them to carry out their representation functions.

- Government shall ensure that workers' representatives are granted without undue delay access to the management of the undertaking, as necessary for the proper exercise of their functions.
- Government shall ensure that, in the absence of other arrangements for the collection of trade union dues, workers' representatives should be permitted to collect such dues regularly on the premises of the undertaking.
- Government shall ensure that workers' representatives are authorized to post notices related to their representative functions on the premises of the undertaking in a place agreed on with the management and to which the workers have easy access.
- Government shall ensure that management permits workers' representatives to distribute publications related to their representative function among the workers of the undertaking.
- Government shall ensure that the posting and distribution of publications do not prejudice the orderly operation of the undertaking.
- Government shall ensure that management provides workers' representatives with information necessary for their functions.
- Government shall ensure that trade union representatives who are not employed in the undertaking but whose trade union has members employed therein be granted access to the undertaking.

*Recommendation No. 91 – Collective Agreements
Recommendation, 1951*

- For the purpose of this Recommendation, the term **collective agreements** means all agreements in writing regarding working conditions and terms of employment concluded between an employer, a group of employers or one or more employers' organizations, on the one hand, and one or more representative workers' organizations, or, in the absence of such organizations, the representatives of the workers duly elected and authorized by them in accordance with national laws and regulations, on the other. Nothing in the present definition should be interpreted as implying the recognition of any association of workers established, dominated or financed by employers or their representatives.
- Government shall ensure that machinery is established to negotiate collective agreements.
- Government shall ensure that machinery is established to conclude collective agreements.
- Government shall ensure that machinery is established to revise collective agreements.
- Government shall ensure that machinery is established to renew collective agreements.
- Government shall ensure that machinery is available to assist the parties in the negotiation of collective agreements.
- Government shall ensure that machinery is available to assist the parties in the conclusion of collective agreements.
- Government shall ensure that machinery is available to assist the parties in the revision of collective agreements.
- Government shall ensure that machinery is available to assist the parties in the renewal of

collective agreements

- Government shall determine the functions of such machinery.
- Government may authorize the determination of the functions of the machinery by means of collective agreement.
- Government shall ensure that collective agreements are binding on the parties and on those on whose behalf the agreement is concluded.
- Government shall ensure that employers and workers bound by a collective agreement may not include in contracts of employment stipulations contrary to those contained in the collective agreement.
- Government shall ensure that stipulations in contracts of employment which are contrary to a collective agreement are null and void.
- Government shall ensure that stipulations in contracts of employment which are more favorable to the workers than those prescribed by a collective agreement should not be regarded as contrary to the collective agreement.
- Government need not enact legislation to secure the above rights, if effective observance of the provisions of collective agreements is secured by the parties thereto.
- Government shall ensure that the stipulations of a collective agreement apply to all workers of the classes concerned employed in the undertakings covered by the agreement unless the agreement specifically provides to the contrary.
- Government, having regard to established

collective bargaining practice, may extend the application of all or certain stipulations of a collective agreement to all the employers and workers included within the industrial and territorial scope of the agreement.

- Government may make the extension of a collective agreement subject to the condition that the collective agreement already covers a number of the employers and workers concerned which is sufficiently representative.
- Government may make the extension of a collective agreement subject to the condition that the request for extension of the agreement shall be made by one or more organizations of workers or employers who are parties to the agreement.
- Government may make the extension of a collective agreement subject to the condition that, prior to the extension of the agreement, the employers and workers to whom the agreement would be made applicable by its extension should be given an opportunity to submit their observations.
- Government shall ensure that disputes over the interpretation of a collective agreement should be submitted to a settlement procedure established either by agreement between the parties or by government laws and regulations.
- Government may require employers to bring to the notice of the workers concerned the texts of the applicable collective agreements.
- Government may require the deposit of collective agreements.
- Government may impose a minimum period during which, in the absence of any provision to the contrary in the agreement, collective agreements

shall be deemed to be binding unless revised or rescinded at an earlier date by the parties.

B. Non-Discrimination and Equality

Recommendation no. 111 – Discrimination (Employment and Occupation) Recommendation, 1958

- For the purpose of this Recommendation the term ***discrimination*** includes--(a) any distinction, exclusion or preference made on the basis of race, color, sex, religion, political opinion, national extraction or social origin, which has the effect of nullifying or impairing equality of opportunity or treatment in employment or occupation; (b) such other distinction, exclusion or preference which has the effect of nullifying or impairing equality of opportunity or treatment in employment or occupation as may be determined by the Member concerned after consultation with representative employers' and workers' organizations, where such exist, and with other appropriate bodies. Any distinction, exclusion or preference in respect of a particular job based on the inherent requirements thereof is not deemed to be discrimination. For the purpose of this Recommendation the terms ***employment*** and ***occupation*** include access to vocational training, access to employment and to particular occupations, and terms and conditions of employment.
- Government shall formulate a national policy for the prevention of discrimination in employment and occupation.
- Government shall ensure that the national policy is applied by means of legislative measures, collective agreements between representative employers' and workers' organizations or in any

other manner consistent with national conditions and practice

- Government's national policy should be based on the principle that the promotion of equality of opportunity and treatment in employment and occupation is a matter of public concern.
- Government's national policy should be based on the principle that all persons should, without discrimination, enjoy equality of opportunity and treatment in respect of access to vocational guidance and placement services.
- Government's national policy should be based on the principle that all persons should, without discrimination, enjoy equality of opportunity and treatment in respect of access to training on the basis of individual suitability for such training.
- Government's national policy should be based on the principle that all persons should, without discrimination, enjoy equality of opportunity and treatment in respect of access to employment of their own choice on the basis of individual suitability for such employment.
- Government's national policy should be based on the principle that all persons should, without discrimination, enjoy equality of opportunity and treatment in respect of advancement in accordance with their individual character, experience, ability and diligence.
- Government's national policy should be based on the principle that all persons should, without discrimination, enjoy equality of opportunity and treatment in respect of security of tenure of employment.
- Government's national policy should be based on the principle that all persons should, without

discrimination, enjoy equality of opportunity and treatment in respect of remuneration for work of equal value.

- Government's national policy should be based on the principle that all persons should, without discrimination, enjoy equality of opportunity and treatment in respect of conditions of work.
- Government's national policy should be based on the principle that all persons should, without discrimination, enjoy equality of opportunity and treatment in respect of hours of work.
- Government's national policy should be based on the principle that all persons should, without discrimination, enjoy equality of opportunity and treatment in respect of rest periods.
- Government's national policy should be based on the principle that all persons should, without discrimination, enjoy equality of opportunity and treatment in respect of annual holidays with pay.
- Government's national policy should be based on the principle that all persons should, without discrimination, enjoy equality of opportunity and treatment in respect of conditions of occupational safety and occupational health measures.
- Government's national policy should be based on the principle that all persons should, without discrimination, enjoy equality of opportunity and treatment in respect of social security measures.
- Government's national policy should be based on the principle that all persons should, without discrimination, enjoy equality of opportunity and treatment in respect of welfare facilities.
- Government's national policy should be based on the principle that all persons should, without

discrimination, enjoy equality of opportunity and treatment in respect of benefits provided in connection with employment.

- Government's national policy should be based on the principle that government agencies should apply non-discriminatory employment policies in all their activities.
- Government's national policy should be based on the principle that employers should not practice or countenance discrimination in any term or condition of employment
- Government's national policy should be based on the principle that no person or organization should interfere with employers in pursuing the above principle.
- Government's national policy should be based on the principle that in collective negotiations the parties should respect the principle of equality of opportunity and treatment in employment and occupation.
- Government's national policy should be based on the principle that the parties should ensure that collective agreements contain no provisions of a discriminatory character.
- Government's national policy should be based on the principle that employers' organizations should not practice discrimination in any of their activities.
- Government's national policy should be based on the principle that workers' organizations should not practice discrimination in any of their activities.
- Government must ensure application of the principles of non-discrimination in respect of employment by government authorities.

- Government must ensure application of the principles of non-discrimination in governmental vocational guidance.
- Government must ensure application of the principles of non-discrimination in governmental vocational training.
- Government must ensure application of the principles of non-discrimination in governmental placement services.
- Government should promote observance of the principles, where practicable and necessary, in respect of such services provided by other bodies.
- Government should make eligibility for contracts involving the expenditure of public funds dependent on observance of the principles.
- Government should make eligibility for grants dependent on observance of the principles.
- Government should make eligibility for a license dependent on observance of the principles.
- Government should establish agencies for the purpose of promoting application of the policy in all fields of public and private employment.
- Government should establish agencies to take all practicable measures to foster public understanding and acceptance of the principles of non-discrimination.
- Government should establish agencies to receive complaints that the policy is not being observed.
- Government should establish agencies to investigate complaints that the policy is not being observed.

- Government should establish agencies that secure, if necessary by conciliation, the correction of any practices regarded as in conflict with the policy.
- Government should establish agencies to consider further any complaints which cannot be effectively settled by conciliation.
- Government should establish agencies which, when complaints cannot be effectively settled by conciliation, shall render decisions concerning the manner in which discriminatory practices revealed should be corrected.

Recommendation no. 90 – Equal Remuneration Recommendation, 1951

- Government should, after consultation with the workers' organizations concerned or, where such organizations do not exist, with the workers concerned, ensure the application of the principle of equal remuneration for men and women workers for work of equal value to all government employees.
- Government should, after consultation with the workers' organizations concerned or, where such organizations do not exist, with the workers concerned, ensure the application of the principle of equal remuneration for men and women workers for work of equal value to the establishment of minimum or other wage rates in industries and services where such rates are determined under public authority.
- Government should, after consultation with the workers' organizations concerned or, where such organizations do not exist, with the workers concerned, ensure the application of the principle

of equal remuneration for men and women workers for work of equal value to industries and undertakings operated under public ownership or control.

- Government should, after consultation with the workers' organizations concerned or, where such organizations do not exist, with the workers concerned, ensure the application of the principle of equal remuneration for men and women workers for work of equal value to, where appropriate, work executed under the terms of public contracts.
- Government shall take all necessary and appropriate measures to ensure that employers and workers are fully informed as to the legal requirement of equal remuneration for work of equal value.
- Government shall, when, after consultation with the organizations of workers and employers concerned, where such exist, it is not deemed feasible to implement immediately the principle of equal remuneration for men and women workers for work of equal value in respect of employment just enumerated, take measures as soon as possible for its progressive application, by decreasing the differentials between rates of remuneration for men and rates of remuneration for women for work of equal value.
- Government shall, when, after consultation with the organizations of workers and employers concerned, where such exist, it is not deemed feasible to implement immediately the principle of equal remuneration for men and women workers for work of equal value, in respect of employment just enumerated, take measures as soon as possible for its progressive application, by providing equal increments for men and women workers performing work of equal value, where a

system of increments is in force.

- Government shall, in agreement with the employers' and workers' organizations concerned, establish methods for objective appraisal of the work to be performed, whether by job analysis or by other procedures, with a view to providing a classification of jobs without regard to sex.
- Government shall ensure that workers of both sexes have equivalent facilities for vocational guidance.
- Government shall ensure that workers of both sexes have equivalent facilities for placement.
- Government shall provide welfare social services which meet the needs of women workers, particularly those with family responsibilities.

C. Acceptable Conditions - Wages

Recommendation no. 135 – Minimum Wage Fixing Recommendation, 1970

- Government shall, in determining the level of minimum wages, take account of the needs of workers and their families.
- Government shall, in determining the level of minimum wages, take account of the general level of wages in the country.
- Government shall, in determining the level of minimum wages, take account of the cost of living and changes therein.
- Government shall, in determining the level of minimum wages, take account of social security

benefits.

- Government shall, in determining the level of minimum wages, take account of the relative living standards of other social groups.
- Government shall, in determining the level of minimum wages, take account of the requirements of economic development.
- Government shall, in determining the level of minimum wages, take account of levels of productivity.
- Government shall, in determining the level of minimum wages, take account of the desirability of attaining and maintaining a high level of employment.
- Government may fix a minimum wage to covered wage earners either by fixing a single minimum wage of general application or by fixing a series of minimum wages applying to particular groups of workers.
- Government may, in implementing a single minimum wage rate, adjust the rate in different regions or zones with a view to allowing for differences in costs of living.
- Government shall not, by fixing a minimum wage, constrain past or future decisions that set a higher wage than the general minimum for particular groups of workers.
- Government may choose to implement minimum wage fixing machinery that takes the form of legislation, decisions of wages boards or council, industrial or labor courts or tribunals, or giving the force of law to provisions of collective agreements.
- Government should devote, to the extent possible

in national circumstances, sufficient resources to the collection of statistics and other data needed for analytical studies of the relevant economic criteria enumerated above.

- Government should adjust minimum wage rates at regular intervals to take account of changes in the cost of living and other economic conditions.
- Government should, to the extent that resources permit, undertake periodic surveys of national economic conditions.
- Government should, to the extent that resources permit, undertake periodic surveys of trends in income per head.
- Government should, to the extent that resources permit, undertake periodic surveys of trends in productivity.
- Government should, to the extent that resources permit, undertake periodic surveys of trends in employment.
- Government should, to the extent that resources permit, undertake periodic surveys of unemployment.
- Government should, to the extent that resources permit, undertake periodic surveys of underemployment.
- Government should give publicity to minimum wage provisions in languages or dialects understood by workers who need protection.
- Government should adapt its publicity to minimum wage provisions where necessary to the needs of illiterate persons.
- Government should assure the employment of a

number of adequately trained inspectors sufficient to carry out their duties.

- Government should assure that inspectors are equipped with the powers necessary to carry out their duties.
- Government should assure that inspectors are equipped with the facilities necessary to carry out their duties.
- Government should ensure adequate penalties for infringement of the provisions relating to minimum wages.
- Government should simplify legal provisions and procedures to enable workers to effectively exercise their rights under minimum wage provisions.
- Government should enable workers to effectively exercise their right to recover amounts by which they may have been underpaid.
- Government should ensure the participation of employers' and workers' organizations in efforts to protect workers against abuses.
- Government should ensure adequate protection of workers against victimization.

D. Acceptable Conditions - Hours

Recommendation no. 116 – Reduction of Hours of Work Recommendation, 1962

- For purposes of this Recommendation, ***normal hours of work*** shall mean the number of hours fixed in each country by or in pursuance of laws or regulations, collective agreements or arbitration awards, or, where not so fixed, the number of

hours in excess of which any time worked is remunerated at overtime rates or forms an exception to the recognized rules or custom of the establishment or of the process concerned. The calculation of normal hours of work as an average over a period longer than one week should be permitted when special conditions in certain branches of activity or technical needs justify it. The competent authority or body in each country should fix the maximum length of the period over which the hours of work may be averaged.

- Government shall pursue a national policy to ensure by methods appropriate to national conditions and to conditions in each industry the progressive reduction of normal hours of work.
- Government may implement the progressive reduction of normal hours of work through laws or regulations, collective agreements, or arbitration awards, by a combination of these various means, or in any other manner consistent with national practice.
- Government shall ensure the progressive reduction of the normal hours of work, without any reduction in the hourly wages of the workers.
- Government shall, where the duration of the normal working week exceeds forty-eight hours, take immediate steps to bring it down to this level without any reduction in the wages of the workers.
- Government shall, where normal weekly hours of work are either forty-eight or less, progressively reduce hours of work in a manner suited to the particular national circumstances and the conditions in each sector of economic activity.
- Government should, in reducing hours, take account of the level of economic development attained.

- Government should, in reducing hours, take account of the extent to which the country is in a position to bring about a reduction in hours of work without reducing total production or productivity.
- Government should, in reducing hours, take account of the extent to which the country is in a position to bring about a reduction in hours of work without endangering its economic growth.
- Government should, in reducing hours, take account of the extent to which the country is in a position to bring about a reduction in hours of work without endangering the development of new industries.
- Government should, in reducing hours, take account of the extent to which the country is in a position to bring about a reduction in hours of work without endangering its competitive position in international trade.
- Government should, in reducing hours, take account of the extent to which the country is in a position to bring about a reduction in hours of work without creating inflationary pressures which would ultimately reduce the real income of the workers.
- Government should, in reducing hours, take account of the progress achieved and which it is possible to achieve in raising productivity by the application of modern technology, automation and management techniques.
- Government should, in reducing hours, take account of the need in the case of countries still in the process of development for improving the standards of living of their peoples.
- Government should, in reducing hours, take account of the preferences of employers' and workers' organizations in the different branches of

activity concerned as to the manner in which the reduction in working hours might be brought about.

- Government may implement reduction in hours of work in stages either spaced in time or encompassing additional sectors or both, or some other method appropriate to national circumstances.
- Government should, in progressively reducing hours of work, give priority to industries and occupations which involve a particularly heavy physical or mental strain or health risks.
- Government may make special provisions with regard to processes which, by reason of their nature, have to be carried on continuously by a succession of shifts. Such special provisions should be so formulated that normal hours of work as an average in continuous processes do not exceed in any case the normal hours of work fixed for the economic activity concerned.
- Government may determine the circumstances in which exceptions to the normal hours of work are permitted permanently in work which is essentially intermittent.
- Government may determine the circumstances in which exceptions to the normal hours of work are permitted permanently in certain exceptional cases required in the public interest.
- Government may determine the circumstances in which exceptions to the normal hours of work are permitted permanently in operations which for technical reasons must necessarily be carried on outside the limits laid down for the general working of the undertaking, part of the undertaking, or shift.
- Government may determine the circumstances in which exceptions to the normal hours of work are

permitted temporarily in case of accident, actual or threatened.

- Government may determine the circumstances in which exceptions to the normal hours of work are permitted temporarily in case of urgent work to be done to machinery or plant.
- Government may determine the circumstances in which exceptions to the normal hours of work are permitted temporarily in case of force majeure.
- Government may determine the circumstances in which exceptions to the normal hours of work are permitted temporarily in case of abnormal pressure of work.
- Government may determine the circumstances in which exceptions to the normal hours of work are permitted temporarily to make up time lost through collective stoppages of work due to accidents to materials, interruptions to the power supply, inclement weather, shortages of materials or transport facilities, and calamities.
- Government may determine the circumstances in which exceptions to the normal hours of work are permitted temporarily in case of national emergency.
- Government may determine the circumstances in which exceptions to the normal hours of work are permitted periodically for annual stocktaking and the preparation of annual balance sheets.
- Government may determine the circumstances in which exceptions to the normal hours of work are permitted periodically for specified seasonal activities.
- Government shall ensure that all hours worked in excess of the normal hours should be deemed to

be overtime, unless they are taken into account in fixing remuneration in accordance with custom.

- Government should ensure that overtime work is remunerated at a higher rate or rates than normal hours of work.
- Government should ensure that overtime work is in no cases remunerated at less than the rate specified in Article 6, paragraph 2, of the Hours of Work (Industry) Convention, 1919.
- Government should, for the effective enforcement of the progressive reduction in hours of work, ensure the proper administration of the provisions concerning hours of work by means of adequate inspection.
- Government should, for the effective enforcement of the progressive reduction in hours of work, require the employer to notify the workers concerned, by the posting of notices in the establishment or by such other method as the government determines, of the times at which work begins and ends.
- Government should, for the effective enforcement of the progressive reduction in hours of work, require the employer to notify the workers concerned, by the posting of notices in the establishment or by such other method as the government determines, where work is carried on by shifts, of the time at which each shift begins and ends.
- Government should, for the effective enforcement of the progressive reduction in hours of work, require the employer to notify the workers concerned, by the posting of notices in the establishment or by such other method as the government determines, of rest periods which are not included in the normal hours of work.

- Government should, for the effective enforcement of the progressive reduction in hours of work, require the employer to notify the workers concerned, by the posting of notices in the establishment or by such other method as the government determines, of the days worked during the week.
- Government should, for the effective enforcement of the progressive reduction in hours of work, require the employer to keep a record of work, wages and overtime for each worker.
- Government should, for the effective enforcement of the progressive reduction in hours of work, require the employer on request to produce for inspection such records.

E. Acceptable Conditions - Occupational Safety and Health

Recommendation no. 197 – Promotional Framework for Occupational Safety and Health Recommendation, 2006

- Government may, in implementing the national system for occupational safety and health defined in Convention no. 187 on Promotional Framework for Occupational Safety and Health, extend the consultations to interested parties in addition to representative organizations of workers and employers.
- Government shall ensure that the national system protects, in particular, workers in high-risk sectors.
- Government shall ensure that the national system protects, in particular, workers in the informal economy.
- Government shall ensure that the national system protects, in particular, migrant workers.

- Government shall ensure that the national system protects, in particular, young workers.
- Government shall ensure that the national system protects the safety and health of workers of both genders.
- Government shall ensure that the national system protects workers' reproductive health.
- Government shall promote a national preventative safety and health culture, by raising workplace awareness on occupational safety and health through national campaigns.
- Government shall promote a national preventative safety and health culture, by ensuring delivery of occupational safety and health education for management.
- Government shall promote a national preventative safety and health culture, by ensuring delivery of occupational safety and health education for supervisors.
- Government shall promote a national preventative safety and health culture, by ensuring delivery of occupational safety and health education for workers.
- Government shall promote a national preventative safety and health culture, by ensuring delivery of occupational safety and health education for worker representatives.
- Government shall promote a national preventative safety and health culture, by ensuring delivery of occupational safety and health education for government officials responsible for safety and health.
- Government shall promote a national preventative safety and health culture, by introducing occupational safety and health competencies in

vocational training programs.

- Government shall promote a national preventative safety and health culture, by facilitating the exchange of occupational safety and health statistics among relevant authorities, employers, workers and their representatives.
- Government shall promote a national preventative safety and health culture, by facilitating cooperation among employers and workers in eliminating or minimizing, so far as is reasonably practicable, work-related hazards and risks.
- Government shall promote a national preventative safety and health culture, by promoting, at the level of the workplace, the establishment of safety and health policies.
- Government shall promote a national preventative safety and health culture, by promoting, at the level of the workplace, joint safety and health committees.
- Government shall promote a national preventative safety and health culture, by promoting, at the level of the workplace, the designation of workers' occupational safety and health representatives.
- Government shall promote a national preventative safety and health culture, by addressing the constraints of micro-enterprises in the implementation of occupational safety and health policies and regulations.
- Government shall promote a national preventative safety and health culture, by addressing the constraints of small and medium-sized enterprises in the implementation of occupational safety and health policies and regulations.
- Government shall promote a management systems approach to occupational safety and health, such as the approach set out in the

Guidelines on occupational safety and health management systems (ILO-OSH 2001).

- Government's national program should identify priorities for action.
- Government's national program priorities should be periodically reviewed and updated.
- Government's national program should ensure the participation of employer representatives in its workplace prevention activities.
- Government's national program should ensure the participation of worker representatives in its workplace prevention activities.
- Government should ensure that its national program is coordinated with its programs relating to public health and economic development.
- Government should ensure that its national program is coordinated with its programs relating to economic development.
- Government should prepare a national profile which summarizes the existing situation on occupational safety and health.
- Government should prepare and regularly update a national profile which summarizes the progress made towards achieving a safe and healthy working environment.
- Government should regularly update the national profile summarizing the existing situation on occupational safety and health and the progress made towards achieving a safe and healthy working environment.
- Government should regularly update the national profile summarizing the progress made towards achieving a safe and healthy working environment.

- Government should ensure that the national profile on occupational safety and health includes information on all instruments on occupational safety and health, including laws, regulations, and collective agreements.
- Government should ensure that the national profile on occupational safety and health includes information on the bodies responsible for occupational safety and health.
- Government should ensure that the national profile on occupational safety and health includes information on the mechanisms for ensuring compliance with national laws and regulations, including the systems of inspection.
- Government should ensure that the national profile on occupational safety and health includes information on the mechanisms for ensuring compliance the systems of inspection.
- Government should ensure that the national profile on occupational safety and health includes information on the arrangements to promote, at the level of the undertaking, cooperation between management and workers.
- Government should ensure that the national profile on occupational safety and health includes information on the national tripartite advisory bodies addressing occupational safety and health issues.
- Government should ensure that the national profile on occupational safety and health includes information on the advisory services on occupational safety and health.
- Government should ensure that the national profile on occupational safety and health includes information on the provision of occupational safety and health training.

- Government should ensure that the national profile on occupational safety and health includes information on the occupational health services in accordance with national law and practice.
- Government should ensure that the national profile on occupational safety and health includes information on research on occupational safety and health.
- Government should ensure that the national profile on occupational safety and health includes information on the mechanism for the collection and analysis of data on occupational injuries and diseases and their causes, taking into account relevant ILO instruments.
- Government should ensure that the national profile on occupational safety and health includes information on the provisions for collaboration with relevant insurance or social security schemes covering occupational injuries and diseases.
- Government should ensure that the national profile on occupational safety and health includes information on the support mechanisms for a progressive improvement of occupational safety and health conditions in micro-enterprises.
- Government should ensure that the national profile on occupational safety and health includes information on the support mechanisms for a progressive improvement of occupational safety and health conditions in small and medium-sized enterprises.
- Government should ensure that the national profile on occupational safety and health includes information on the support mechanisms for a progressive improvement of occupational safety and health conditions in the informal economy.
- Government should ensure that the national profile on occupational safety and health includes

information on coordination and collaboration mechanisms at national and enterprise levels, including national program review mechanisms.

- Government should ensure that the national profile on occupational safety and health includes information on technical standards on occupational safety and health.
- Government should ensure that the national profile on occupational safety and health includes information on codes of practice on occupational safety and health.
- Government should ensure that the national profile on occupational safety and health includes information on guidelines on occupational safety and health.
- Government should ensure that the national profile on occupational safety and health includes information on educational initiatives.
- Government should ensure that the national profile on occupational safety and health includes information on specialized scientific institutions concerned with occupational safety and health.
- Government should ensure that the national profile on occupational safety and health includes information on inspectors engaged in the area of occupational safety and health.
- Government should ensure that the national profile on occupational safety and health includes information on safety and health officers engaged in the area of occupational safety and health.
- Government should ensure that the national profile on occupational safety and health includes information on occupational injury and disease statistics.
- Government should ensure that the national profile

on occupational safety and health includes information on occupational safety and health programs of organizations of employers.

- Government should ensure that the national profile on occupational safety and health includes information on occupational safety and health programs of organizations of workers.
- Government should ensure that the national profile on occupational safety and health includes information on international collaboration related to occupational safety and health.
- Government should ensure that the national profile on occupational safety and health includes information on budgetary resources devoted to occupational safety and health.
- Government should ensure that the national profile on occupational safety and health includes information on data addressing demography.
- Government should ensure that the national profile on occupational safety and health includes information on data addressing literacy.
- Government should ensure that the national profile on occupational safety and health includes information on data addressing employment.

F. Labor Administration and Labor Inspection

Recommendation no. 158 – Labor Administration Recommendation, 1978

- For the purpose of this Recommendation (a) the term ***labor administration*** means public administration activities in the field of national labor policy; (b) the term ***system of labor administration*** covers all public administration bodies responsible for and/or engaged in labor administration--whether they are ministerial

departments or public agencies, including parastatal and regional or local agencies or any other form of decentralized administration – and any institutional framework for the co-ordination of the activities of such bodies and for consultation with and participation by employers and workers and their organizations.

- Government may delegate certain activities of labor administration to employers' organizations.
- Government may delegate certain activities of labor administration to workers' organizations.
- Government may implement national labor policy through direct negotiations between employers' and workers' organizations.
- Government must ensure the effective operation of its system of labor administration.
- Government must ensure that relevant bodies in the labor administration, in consultation with organizations of employers and workers, take an active part in the development of labor standards.
- Government must ensure that relevant bodies in the labor administration, in consultation with organizations of employers and workers, take an active part in the application of labor standards.
- Government must ensure that relevant bodies in the labor administration, in consultation with organizations of employers and workers, take an active part in the review of labor standards.
- Government must ensure that relevant bodies in the labor administration promote the regulation of terms and conditions of employment by means of collective bargaining.

- Government must ensure that the system of labor administration includes a system of labor inspection.
- Government must ensure that the relevant bodies in the labor administration ensure the free exercise of employers' and workers' right of association.
- Government must ensure there are labor administration programs that encourage progressively better conditions of work and working life.
- Government must ensure that the system of labor administration promotes the development of machinery for voluntary negotiation.
- Government must ensure that the system of labor administration promotes the use of machinery for voluntary negotiation.
- Government must ensure that the system of labor administration provides conciliation and mediation facilities in case of collective disputes
- Government must ensure that the system of labor administration participates in the preparation of national employment policy.
- Government must ensure that the system of labor administration participates in the administration of national employment policy.
- Government must ensure that the system of labor administration participates in the review of national employment policy.
- Government must ensure that a central body of the system of labor administration is responsible for coordinating the activities of the various bodies concerned with employment policy.
- Government must ensure that the relevant bodies

in the system of labor administration coordinate employment services.

- Government must ensure that the relevant bodies in the system of labor administration coordinate employment creation programs.
- Government must ensure that the relevant bodies in the system of labor administration coordinate vocational guidance programs.
- Government must ensure that the relevant bodies in the system of labor administration coordinate vocational training programs.
- Government must ensure that the relevant bodies in the system of labor administration coordinate unemployment benefit schemes.
- Government must ensure that the system of labor administration establishes procedures for ensuring consultation of employers' and workers' organizations on employment policies.
- Government must ensure that the system of labor administration is responsible for manpower planning.
- Government must ensure that the system of labor administration promotes joint action of employers and workers regarding employment policies.
- Government must ensure that the system of labor administration includes a free public employment service.
- Government must ensure that the system of labor administration operates a public employment service effectively.
- Government must ensure that the system of labor administration manages public funds made

available for countering underemployment.

- Government must ensure that the system of labor administration manages public funds made available for countering unemployment.
- Government must ensure that the system of labor administration manages public funds made available for regulating the regional distribution of employment.
- Government must ensure that the system of labor administration manages public funds made available for assisting the employment of particular categories of workers.
- Government must ensure that the system of labor administration carries out research.
- Government must ensure that the ministry of labor or comparable body participates in social and economic policy-making.
- Government must ensure that each body responsible for the principal labor administration functions enumerated above provides periodic reports on its activities to the ministry of labor or comparable body.
- Government must ensure that each body responsible for the principal labor administration functions enumerated above provides periodic reports on its activities to employers' organizations.
- Government must ensure that each body responsible for the principal labor administration functions enumerated above provides periodic reports on its activities to workers' organizations.
- Government must ensure that such reports include appropriate statistics to permit an evaluation of

present trends and foreseeable future developments in areas of major concern to the system of labor administration.

- Government must ensure that such reports indicate the problems encountered in such a manner as to permit an evaluation of present trends and foreseeable future developments in areas of major concern to the system of labor administration.
- Government must ensure that such reports include the results achieved in such a manner as to permit an evaluation of present trends and foreseeable future developments in areas of major concern to the system of labor administration.
- Government must ensure that the system of labor administration disseminates information derived from its operations of general interest on labor matters.
- Government, in consultation with the International Labor Office, should seek to improve the international comparability of published information.
- Government must, in consultation with workers' and employers' organizations, continuously review the performance of the system of labor administration.
- Government must provide the system of labor administration with the necessary financial resources to effectively carry out its functions.
- Government must provide the system of labor administration with an adequate number of suitably qualified staff to promote its effectiveness.
- Government must ensure that that necessary material means are placed at the disposal of the

staff.

- Government must ensure that the staff of the labor administration system receives initial training at levels suitable for their work.
- Government must ensure that the staff of the labor administration system receives further training at levels suitable for their work.
- Government must ensure that there are permanent arrangements to ensure that training is available to staff throughout their careers.
- Government must ensure that staff in particular services have the special qualifications required for such services.
- Government must supplement such training programs by international cooperation to exchange experience in such training.
- Government must supplement such training programs by regional cooperation to exchange experience in such training.
- Government must ensure that, in its internal operations, the system of labor administration comprises specialized units to deal with each of the major programs of labor administration enumerated above.
- Government must ensure that the system of labor administration has effective field services.
- Government must ensure that the field services correspond to the needs of the various local areas.
- Government must ensure that the system of labor administration provides field services with adequate staff for the effective performance of their duties.

- Government must ensure that the system of labor administration provides field services with adequate equipment for the effective performance of their duties.
- Government must ensure that the system of labor administration provides field services with adequate transport facilities for the effective performance of their duties.
- Government must ensure that the system of labor administration provides field services with uniform interpretations of laws and regulations.
- Government must ensure that the system of labor administration provides field services with clear interpretations of laws and regulations.

*Recommendation no. 81 – Labor Inspection Recommendation,
1947*

- Government shall ensure that any person proposing to begin an undertaking covered by legal provisions enforceable by labor inspectors must give notice in advance to the labor inspectorate.
- Government shall ensure that such persons submit business plans to the appropriate labor inspection service for an opinion as to whether the plans would render difficult or impossible compliance with the laws and regulations concerning industrial health and safety.
- Government shall ensure that the execution of such business plans deemed under national laws or regulations to be dangerous or unhealthy should be conditional upon the carrying out of any alterations ordered by the inspectorate for the purpose of securing the health and safety of the

workers

- Government shall encourage collaboration between employers and workers for the purpose of improving conditions affecting the health and safety of the workers.
- Government shall encourage the establishment of safety committees within each undertaking including representatives of the employers and the workers.
- Government shall authorize representatives of workers and managers to collaborate directly with officials of the labor inspectorate when the latter investigates workplace safety and health.
- Government shall authorize the undertaking's safety committee to collaborate directly with officials of the labor inspectorate when the latter investigates workplace safety and health.
- Government shall ensure that employers and workers are given instruction in labor legislation and questions of industrial hygiene and safety by public educational campaigns through the mass media.
- Government shall ensure that employers and workers are given instruction in industrial hygiene and safety in technical schools.
- Government shall ensure that the functions of labor inspectors should not include that of acting as conciliator or arbitrator in proceedings concerning labor disputes.
- Government shall ensure that published annual reports on the work of inspection services include a list of the laws and regulations bearing on the work of the inspection system not mentioned in previous reports.

- Government shall ensure that published annual reports on the work of inspection services include particulars on the staff of the labor inspection system.
- Government shall ensure that published annual reports on the work of inspection services include the aggregate number of inspectors.
- Government shall ensure that published annual reports on the work of inspection services include the numbers of inspectors of different categories.
- Government shall ensure that published annual reports on the work of inspection services include the number of women inspectors.
- Government shall ensure that published annual reports on the work of inspection services include particulars of the geographical distribution of inspection services.
- Government shall ensure that published annual reports on the work of inspection services include statistics of the number of workplaces liable to inspection.
- Government shall ensure that published annual reports on the work of inspection services include statistics of the average number of persons employed in such workplaces during the year.
- Government shall ensure that published annual reports on the work of inspection services include statistics of particulars of the classification of persons employed under the following headings: men, women, young persons, and children.
- Government shall ensure that published annual reports on the work of inspection services include statistics of the number of workplaces visited for inspection.

- Government shall ensure that published annual reports on the work of inspection services include statistics of the number of inspection visits made, classified according to whether they were made by day or by night.
- Government shall ensure that published annual reports on the work of inspection services include statistics of the number of persons employed in the workplaces visited.
- Government shall ensure that published annual reports on the work of inspection services include statistics of the number of workplaces visited more than once during the year.
- Government shall ensure that published annual reports on the work of inspection services include statistics of violations.
- Government shall ensure that published annual reports on the work of inspection services include statistics of penalties.
- Government shall ensure that published annual reports on the work of inspection services include statistics of the number of infringements reported to the competent authorities.
- Government shall ensure that published annual reports on the work of inspection services include statistics of infringements classified according to the legal provisions to which they relate.
- Government shall ensure that published annual reports on the work of inspection services include statistics of the number of convictions.
- Government shall ensure that published annual reports on the work of inspection services include statistics on the number of cases in which fines were imposed.

- Government shall ensure that published annual reports on the work of inspection services include statistics on the level of fines imposed in various categories of cases.
- Government shall ensure that published annual reports on the work of inspection services include statistics on the number of cases in which the penalty of imprisonment was imposed.
- Government shall ensure that published annual reports on the work of inspection services include statistics on the length of imprisonment imposed in various categories of cases.
- Government shall ensure that published annual reports on the work of inspection services include statistics of industrial accidents.
- Government shall ensure that published annual reports on the work of inspection services include the number of industrial accidents notified.
- Government shall ensure that published annual reports on the work of inspection services include particulars of the classification of such accidents by industry and occupation.
- Government shall ensure that published annual reports on the work of inspection services include particulars of the classification of such accidents according to cause.
- Government shall ensure that published annual reports on the work of inspection services include particulars of the classification of such accidents according to whether fatal or non-fatal.
- Government shall ensure that published annual reports on the work of inspection services include statistics of occupational diseases.

- Government shall ensure that published annual reports on the work of inspection services include the number of cases of occupational disease notified.
- Government shall ensure that published annual reports on the work of inspection services include the classification of cases of occupational disease according to industry and occupation.
- Government shall ensure that published annual reports on the work of inspection services include the classification of cases according to their cause.
- Government shall ensure that published annual reports on the work of inspection services include the classification of cases according to the disease.
- Government shall ensure that published annual reports on the work of inspection services include the classification of cases according to the poisonous substance or unhealthy process to which the disease is due.

G. Obligations to Compile Statistics

Recommendation no. 170 – Labor Statistics Recommendation, 1985

- Government shall ensure that current statistics of the economically active population are compiled at least once a year.
- Government shall ensure that current statistics of employment are compiled at least once a year.
- Government shall ensure that current statistics of unemployment are compiled at least once a year.

- Government shall ensure that where possible current statistics of visible underemployment are compiled at least once a year.
- Government shall ensure that these statistics are classified according to age group.
- Government shall ensure that these statistics are classified according to branch of economic activity.
- Government shall, at least once every ten years, compile statistics of the distribution of the economically active population.
- Government shall ensure that these census statistics are classified according to sex.
- Government shall ensure that these census statistics are classified according to age group.
- Government shall ensure that these census statistics are classified according to occupational group.
- Government shall ensure that these census statistics are classified according to level of qualifications.
- Government shall ensure that these census statistics are classified according to branch of economic activity.
- Government shall ensure that these census statistics are classified according to geographical area.
- Government shall ensure that these census statistics are classified according to status in employment (such as employer, own-account worker, employee, unpaid family worker, member of producers' co-operative).

- Government shall ensure that current statistics of average earnings are compiled at least once a year.
- Government shall ensure that current statistics of hours actually worked are compiled at least once a year.
- Government shall ensure that current statistics of hours paid for are compiled at least once a year.
- Government shall ensure that annual statistics of wages and hours are classified according to branch of economic activity.
- Government shall ensure that annual statistics of wages and hours are classified according to sex.
- Government shall ensure that annual statistics of wages and hours are classified according to size of establishment.
- Government shall ensure that annual statistics of wages and hours are classified according to geographical area.
- Government shall ensure that annual statistics of wages and hours are classified according to age group.
- Government shall ensure that annual statistics of wages and hours are classified according to occupational group.
- Government shall ensure that annual statistics of wages and hours are classified according to level of qualifications.
- Government shall ensure that current statistics of time rates of wages are compiled at least once a year.

- Government shall ensure that current statistics of normal hours of work are compiled at least once a year.
- Government shall ensure that current statistics of time rates and normal hours are classified according to branch of economic activity.
- Government shall ensure that current statistics of time rates and normal hours are classified according to sex.
- Government shall ensure that current statistics of time rates and normal hours are classified according to age group.
- Government shall ensure that current statistics of time rates and normal hours are classified according to occupation.
- Government shall ensure that current statistics of time rates and normal hours are classified according to level of qualifications.
- Government shall ensure that current statistics of time rates and normal hours are classified according to size of establishment.
- Government shall ensure that current statistics of time rates and normal hours are classified according to geographical area.
- Government shall ensure that statistics are compiled, at least once every five years, of wage distribution.
- Government shall ensure that statistics of wage distribution include data on earnings.
- Government shall ensure that statistics of wage distribution include data on hours actually worked.

- Government shall ensure that statistics of wage distribution include data on hours paid for.
- Government shall ensure that statistics of wage distribution are classified according to sex.
- Government shall ensure that statistics of wage distribution are classified according to age group.
- Government shall ensure that statistics of wage distribution are classified according to occupation.
- Government shall ensure that statistics of wage distribution are classified according to level of qualifications.
- Government shall ensure that statistics of wage distribution are classified according to branch of economic activity.
- Government shall ensure that statistics of wage distribution are classified according to size of establishment.
- Government shall ensure that statistics of wage distribution are classified according to geographical area.
- Government shall ensure that statistics are compiled, at least once every five years, of detailed data on the composition of earnings.
- Government shall ensure that statistics are compiled, at least once every five years, of basic pay.
- Government shall ensure that statistics are compiled, at least once every five years, of premium pay for overtime.
- Government shall ensure that statistics are compiled, at least once every five years, of

remuneration for time not worked.

- Government shall ensure that statistics are compiled, at least once every five years, of bonuses.
- Government shall ensure that statistics are compiled, at least once every five years, of gratuities.
- Government shall ensure that statistics are compiled, at least once every five years, of hours actually worked.
- Government shall ensure that statistics are compiled, at least once every five years, of hours paid for.
- Government shall ensure that statistics are compiled, at least once every five years, of data on the distribution of employees according to levels of earnings.
- Government shall ensure that statistics are compiled, at least once every five years, of data on the distribution of employees according to hours actually worked.
- Government shall ensure that statistics are compiled, at least once every five years, of data on the distribution of employees according to hours paid for.
- Government shall ensure that data on distribution of employees are classified according to sex.
- Government shall ensure that data on distribution of employees are classified according to age group.
- Government shall ensure that, at least once every five years, statistics of the level of labor cost are

compiled.

- Government shall ensure that, at least once every five years, statistics of composition of labor cost are compiled.
- Government shall ensure that, at least once every five years, statistics of labor cost classified according to branch of economic activity are compiled.
- Government shall publish consumer price indices at least once every three months.
- Government shall publish a general consumer price index for significant population groups.
- Government shall publish a general consumer price index for the total population.
- Government shall publish a general consumer price index covering all groups of consumption items.
- Government shall publish consumer price indices separately for important groups of consumption items.
- Government shall publish consumer price indices separately for food.
- Government shall publish consumer price indices separately for clothing.
- Government shall publish consumer price indices separately for housing.
- Government shall publish consumer price indices separately for fuel.
- Government shall ensure that the weights used to compute the consumer price indices are reviewed

at least once every ten years.

- Government shall ensure that the weights used to compute the consumer price indices are adjusted when significant changes in the consumption patterns are revealed.
- Government shall ensure that the prices used to compute the consumer price indices are representative of the respective purchasing habits of the population groups concerned.
- Government shall ensure that statistics of household expenditure are compiled at least once every ten years.
- Government shall ensure that statistics of family expenditure are compiled at least once every ten years.
- Government shall ensure that statistics of household income are compiled at least once every ten years.
- Government shall ensure that statistics of family income are compiled at least once every ten years.
- Government shall ensure that statistics on household and family income are disaggregated according to level of income.
- Government shall ensure that statistics on household and family income are disaggregated according to source of income.
- Government shall ensure that statistics on household and family income are disaggregated according to sex.
- Government shall ensure that statistics on household and family income are disaggregated

according to age group.

- Government shall ensure that statistics on household and family expenditure are classified according to their size.
- Government shall ensure that statistics on household and family expenditure are classified according to their income class.
- Government shall ensure that statistics of occupational injuries are compiled at least once a year.
- Government shall ensure that statistics of occupational injuries are classified according to branch of economic activity.
- Government shall ensure that statistics of occupational injuries are classified according to sex.
- Government shall ensure that statistics of occupational injuries are classified according to age group.
- Government shall ensure that statistics of occupational injuries are classified according to occupation.
- Government shall ensure that statistics of occupational injuries are classified according to level of qualifications.
- Government shall ensure that statistics of occupational injuries are classified according to establishments.
- Government shall ensure that statistics of occupational diseases are compiled at least once a year.

- Government shall ensure that statistics of occupational diseases are classified according to branch of economic activity.
- Government shall ensure that statistics of occupational diseases are classified according to sex.
- Government shall ensure that statistics of occupational diseases are classified according to age group.
- Government shall ensure that statistics of occupational diseases are classified according to occupation.
- Government shall ensure that statistics of occupational diseases are classified according to level of qualifications.
- Government shall ensure that statistics of occupational diseases are classified according to enterprise.
- Government shall ensure that statistics of industrial disputes are compiled at least once a year.
- Government shall ensure that statistics of industrial disputes are classified according to branch of economic activity.
- Government shall progressively develop statistics of productivity covering important branches of economic activity.
- Government shall, for the purposes of collecting and compiling labor statistics, progressively develop the appropriate national statistical infrastructure.
- Government shall ensure that the national

statistical infrastructure includes a comprehensive register of enterprises for the purposes of surveys.

- Government shall ensure that the register of establishments is up to date.
- Government shall ensure that the register should be sufficiently detailed to permit the selection of samples of enterprises.
- Government shall ensure that the national statistical infrastructure includes a coordinated system for the survey of enterprises.
- Government shall ensure that the national statistical infrastructure includes a capability for the implementation of a continuous series of national surveys of households.
- Government shall ensure that the national statistical infrastructure includes a capability for the implementation of a continuous series of national surveys of individuals.
- Government shall ensure that the national statistical infrastructure includes access for statistical purposes to administrative records of employment services.
- Government shall ensure that the national statistical infrastructure includes access for statistical purposes to administrative records of social security bodies.
- Government shall ensure that the national statistical infrastructure includes access for statistical purposes to administrative records of labor inspection services.
- Government shall ensure that, in gaining access to administrative records, the national statistical infrastructure shall not compromise the

confidentiality of sources of data contained in those records.

- Government shall establish national standard classifications.
- Government shall ensure the observance of the national standard classifications by all government bodies.
- Government shall, in defining concepts and methodology for compiling statistics, take into consideration the international recommendations of competent international organizations, including the ILO.
- Government shall revise the concepts and methodology used in compiling labor statistics when the relevant international standards and guidelines are revised.