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EQUAL REMUNERATION
FOR MEN AND WOMEN WORKERS
FOR WORK OF EQUAL VALUE

Seventh Item on the Agenda

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INTRODUCTION

In accordance with the Standing Orders of the International Labour Conference, the International Labour Office has prepared and communicated to the Governments of the States Members of the I.L.O. a proposed Convention supplemented by a proposed Recommendation, and a proposed Recommendation alone, relating to equal remuneration for men and women workers for work of equal value. The texts are based on the conclusions adopted by the Conference at its 33rd Session (Geneva, June-July 1950).

The Governments were asked to inform the Office in Geneva, by 15 December 1950, whether they had any amendments to suggest or comments to make. By 15 February 1951, replies had been received from the Governments of the following thirty-four countries: Argentina, Australia, Austria, Belgium, Bolivia, Burma, Canada, Ceylon, Chile, Ecuador, Egypt, Finland, France, Iceland, India, Iran, Iraq, Ireland, Israel, Luxembourg, Mexico, New Zealand, Pakistan, the Philippines, Poland, Sweden, Switzerland, Syria, Thailand, Turkey, the Union of South Africa, the United Kingdom, the United States and Venezuela.

The replies from these Governments are reproduced in Chapter I of the present report. Chapter II contains a brief survey of the replies. Chapter III contains the proposed texts, modified in the light of the Governments' replies and submitted as a basis for the second discussion of the question by the Conference at its 34th Session.

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CHAPTER I

REPLIES OF THE GOVERNMENTS

This chapter contains the observations made by the Governments on the texts communicated to them. The replies are grouped according to the Articles (in the case of the proposed Convention) or the paragraphs (in the case of the proposed Recommendations) of the texts to which they refer. Several Governments have forwarded remarks of a general nature or concerning the form to be taken by the international regulations. These remarks are reproduced immediately below.

General Remarks

ARGENTINA

As regards the form which should be taken by an international instrument, the Argentine Government wishes to endorse the standpoint adopted in this respect by the Argentine Government delegate in the course of the 33rd Session of the Conference (Report VII (1)) and considers that a Convention should be adopted, together with a supplementary Recommendation.

An examination of the suggestions made in the report shows that proper consideration has been given to the fundamental problems arising out of the application of the principles adopted, and in view of this the Argentine Government has no objection to make.

However, in the opinion of this Government very wide criteria should be adopted in drafting the final proposals, in order (as was observed in its reply to the questionnaire in Report V (1)) to avoid the benefits which it is intended to confer proving illusory owing to measures being applied without thorough previous study of their possible effects in practice. This point was emphasised by Professor Mario L. Deveali in his work Lineamientos de Derecho del Trabajo.

AUSTRALIA

The Australian Government declares that it favours the adoption of the Recommendation and considers that the proposed text II provides an adequate basis of discussion.

AUSTRIA

The Austrian Federal Government is of the opinion that, having regard to the outstanding importance of this matter in the field of social policy, the relevant international regulations should take the form of a Convention, supplemented by a Recommendation; and that the proposed draft texts will provide a suitable basis for the work of the 34th Session of the International Labour Conference.

It should be pointed out, however, that the Federal Chamber of Industry unanimously rejects the idea of international regulations in the form of a Convention, and is in favour of a Recommendation only.

BELGIUM

The Belgian Government points out that it would serve no useful purpose to make observations both on the proposed Convention supplemented by a proposed Recommendation and on the proposed Recommendation. It would be sufficient to decide at the beginning the form to be given to the regulations and then to make observations on the text of which the form corresponds to that favoured by the Government concerned.

The Belgian Government recalls that, at the 33rd Session, it favoured the adoption of a Convention supplemented by a Recommendation. The Belgian Government sees no reason to change its position as no new elements were introduced at the first discussion of the problem. It is therefore in favour of a Convention supplemented by a Recommendation.

BOLIVIA

The Bolivian Government states that it approves the proposed texts.

BURMA

The Government of the Union of Burma states that the proposed texts of international instruments constitute an adequate basis for discussion at the 34th Session and that it has no other comments or amendments to suggest in respect of these texts.

CANADA

The Canadian Government has referred Report VII (1) to the Provincial Governments, and has had the benefit of their views. The Canadian Government is of the opinion that there is room for improvement in the drafting of the proposed texts in order to remove certain obscurities. Nevertheless, without prejudice to any proposals the
Government may wish to put forward at the time of the Conference, it considers that the proposed texts afford an adequate basis for the initiation of discussions.

CEYLON

The Government of Ceylon considers that the proposed texts constitute an adequate basis for discussion at the 34th Session of the Conference.

CHILE

The Chilean Government declares that it has no observations to make and that it considers that the proposed texts constitute an adequate basis of discussion of the question at the next session of the Conference.

ECUADOR

The Government of Ecuador states that it has no observations or suggestions to make regarding the proposed texts and considers that they provide an adequate basis for the second discussion of the question at the 34th Session of the Conference.

EGYPT

The Egyptian Government is in favour of the proposed Recommendation II and has no further comments to make.

FINLAND

The Finnish Government refers to its reply to the questionnaire sent out by the Office in 1949 in which it stated that the term “work of equal value” should not be understood as referring only to job content and that, in appraising jobs, other aspects should be taken into account. The Finnish Government suggested that the term “work of equal value” be defined so as to mean equal work from the employer’s point of view. This means primarily that to work done and considered as equal from the employer’s point of view would correspond equal remuneration, irrespective of the sex of the worker who performs it. “Work of equal value” should therefore mean output of equal value. Costs of production should not be increased because women workers are employed. The Finnish Government suggested therefore that the “over-all value” of the work be taken into account.

The Finnish Government states that if the term “work of equal value” can be interpreted as meaning primarily output of equal value, it has no observations to make as regards the adoption of the proposed Recommendation II.

FRANCE

The French Government declares that the proposed texts correspond in general to the points proposed by the Office to the States Members of the I.L.O. as a basis of study. The French Government, however,
considers that it would be more desirable to adopt a Convention supplemented by a Recommendation than a single Recommendation, in view of the social importance of the question. A single Recommendation would impose upon States Members less strict obligations than a Convention.

Iceland

The Government of Iceland states that complete equality of men and women is recognised in Iceland, women having legally the same right as men to all occupations in the country. Icelandic legislation now acknowledges the principle that for work of the same or comparable value remuneration should be at the same rate, whether the work is done by men or women. Various kinds of seasonal work, involving much exposure or physical strain, e.g., fishing operations, sheep-tending in winter, dock labour, or occupations of a similar nature, are normally not engaged in by women, and so provision is made only for payment to male workers. The women's trade unions, supported by the Icelandic Federation of Labour, seek methodically for the unification of wages rates for men and women within such occupations as may come into consideration for women to engage in, though normally reserved for men; but organisations of workers and employers being fully independent in Iceland, it is reasonable to expect that some considerable time may elapse before provisions to this effect have been embodied in all labour agreements.

In view of the reasons now detailed, the Icelandic Government is in favour of the next Conference of the I.L.O. adopting a Convention providing for the same rate of wages for work of equal value whether done by men or women, and considers that the draft text printed in Report VII (1) is a serviceable basis for such a Convention. The Government desires, however, to reserve for the Icelandic representatives at the Conference the right to move, or to support, if moved by others, amendments to the draft text, which amendments then would refer to the formal side of the matter and the application of the Convention.

India

The Government of India states that it is opposed to the adoption of a Convention; its suggestions are therefore confined to the text of the Recommendation only and the Government of India reserves the right to suggest further amendments, if necessary, on appropriate occasions later.

Iran

The Government of Iran has no observations to make as regards the proposed texts.

Iraq

The Government of Iraq states that it has no observations to make on the proposed texts.

Ireland

The Irish Government considers that the proposed texts form an adequate basis for discussion at the 34th Session.
ISRAEL

As already expressed in the statement of the Israel Government delegate to the 33rd International Labour Conference, it is considered that the international regulations concerning equal pay for men and women workers should be in the form of a Convention supplemented by a Recommendation.

As a general observation applying to the proposed texts of the Convention and the Recommendation, the Israel Government declares that wherever there is a duty of consultation with workers and employers the consultation should be with the most representative employers' and workers' organisations concerned and not with "the workers or with representatives of the workers' organisations concerned" or "with the employers' and workers' organisations concerned" as proposed in the Office text.

LUXEMBOURG

The Luxembourg Government recalls that the International Labour Conference, at its 33rd Session, declared itself by a majority vote in favour of the adoption of a Convention and a supplementary Recommendation. The Luxembourg Government, in a preparatory note to the Conference, had stated its preference for the adoption of a Recommendation alone. The Luxembourg Government is not prepared to change its attitude, the reasons for which have been confirmed by the wide differences of opinion apparent at the Conference and reflected in the compromise texts submitted to the 34th Session.

It is true that the trend of Luxembourg policy has for a long time been towards a progressive reduction in the differential rates of remuneration for men and women workers for work of equal value and that considerable progress has been made in this direction in public administration services and bodies. The time would not, however, seem opportune to accentuate this policy by formal sanction of the principle of equal remuneration and to provide for its general implementation by public authority when it is precisely those sectors of the Luxembourg economy in which women's work plays an important part that are most handicapped in the face of foreign competition owing to the general level of wages and to social charges in the Grand Duchy.

The Luxembourg Government, while appreciating the considerations which have been taken into account in drafting the texts to be submitted to the 34th Session, would be unable to approve a Convention containing compulsory provisions. In view of its practical inapplicability to essential branches of the national economy, such action would risk being repudiated by the legislative authorities or remaining a dead letter.

MEXICO

The Labour Secretariat has examined the text drafted by the International Labour Office following the 1950 Conference and, taking into account the report by the competent Committee to the Conference on "equal remuneration for men and women workers for work of equal value", considers that this text reflects accurately the ideas put forward by the Committee at the 33rd Session of the Conference. The Labour
Secretariat has therefore no objection to make with respect to the texts submitted by the Office, but when this matter is being discussed in the next Conference, may advocate a more liberal criterion as regards women workers than that which has hitherto been accepted in international discussions on this theme.

**NEW ZEALAND**

For the reasons stated in the reply to the questionnaire in Report V (1), the New Zealand Government would prefer that regulations on the question of equal remuneration take the form of a Recommendation rather than of a Convention. Its comments therefore apply only to the proposed Recommendation II.

The Government of New Zealand reaffirms that it is in general agreement with the principle of equal remuneration for men and women workers for work of equal value, but declares that it believes that application of the principle should be through a steady evolutionary process rather than by sudden change which may result in drastic disturbance in its economic effects.

**PAKISTAN**

The Government of Pakistan would prefer the adoption of a Recommendation only, on the subject of equal remuneration for men and women for work of equal value. In the case of less advanced countries where it has not been possible even to establish ordinary wage-fixing machinery, the proposal to create appropriate machinery for fixing wage rates on the basis of job content would not be practicable in the near future. Apart from other considerations, the dearth of personnel equipped with the requisite qualifications to establish methods for objective appraisal of the work to be performed will stand in the way of implementing some of the provisions of even a Recommendation. If a Recommendation is adopted, the Government of Pakistan will implement as many of its provisions as practicable and will keep the rest in view as a guide for future action.

**PHILIPPINES**

The Government of the Philippines, in a preliminary telegram, informed the Office that it was in full accord with Report VII (1).

**POLAND**

The Government of Poland makes the strongest reservations in regard to the proposed texts to implement the principle of equal remuneration for men and women workers.

The question of equal remuneration for men and women workers for work of equal value should be settled in a definite manner allowing for no exceptions or ambiguities. It has been settled in this way under the most difficult economic conditions by countries which have abolished the capitalist system and founded their social and economic régime on

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socialist principles. Full equality of remuneration for women, far from increasing the difficulties of these countries, has stimulated economic progress by arousing the workers' enthusiasm and raising the level of output and of industrial production.

The Office proposals are not animated by this spirit and on many essential points are a surrender to the pressure exerted in pursuance of their own interests by capitalist employers and Governments. In a spirit of class egoism, these capitalists prevent female workers being accorded the same status as male workers, subject them to economic discrimination and make them bear the burden of the consequences of the economic difficulties with which the capitalist world is now grappling.

The Polish Government regrets that the International Labour Office has submitted these texts notwithstanding the efforts made for many years in every country and in international organisations by the workers and by progressive Governments, and more particularly by the Polish Government within the International Labour Organisation, to bring about the full implementation of the principle of "equal work, equal pay."

In the opinion of the Polish Government, the proposed texts concerning equal remuneration for men and women workers for work of equal value, prepared for the 34th Session of the International Labour Conference, are not a suitable basis for discussion by the Conference.

International regulations concerning equal remuneration for men and women workers for work of equal value should be inspired by the following principles:

(i) The international regulations on equality of remuneration for men and women workers for work of equal value should take the form of a Convention. Only a Convention imposing strictly defined obligations on the ratifying States would constitute an international instrument guaranteeing the application of the principle in question. The Convention should not, however, be limited to a declaration of the principle of equality. The questions dealt with in the proposed Recommendation should be included in the proposed Convention.

(ii) The scope of the proposed regulations should be clearly defined. The Convention should apply to all workers—both wage earners and salaried employees—irrespective of the branch of economic activity in which they are employed; for instance, industry, commerce, communications, transport, agriculture and offices, public administration, public and social institutions, or employment by private persons in any capacity.

(iii) States which ratify the Convention should be bound to implement the principle of equal remuneration by legislative action. All legislative or administrative rules, collective agreements or individual contracts of employment which are contrary to the principle of equal remuneration should be considered, ipso jure, null.

(iv) States which ratify the Convention should be bound to ensure the complete equality of men and women in respect of access to all occupations and to all offices from the lowest to the highest, as well as of vocational training.

(v) States which ratify the Convention should provide social and welfare services, such as crèches, nurseries, nursery schools, canteens, laundries, etc., for working mothers, special conditions of employment for pregnant women, leave and allowances during pregnancy and confinement and other protective measures.
Sweden

The Swedish Government is of the opinion that international regulations in this field should take the form of a Recommendation.

In Sweden, however, the public authorities are not in a position to further—outside the field where the Government has a direct influence on the fixing of wages—the application of the principle of equal remuneration for men and women workers for work of equal value, except by setting an example. In other sectors of economic life where the question under consideration is the subject of free negotiation or where otherwise the Government is not directly concerned with the fixing of wages, the acceptance by the Government of the principle of equal remuneration as well as its participation in enquiries concerning problems connected with the implementation of the principle may of course have an influence on public opinion. But every form of direct State interference with the wage policy of communal agencies or industrial organisations would conflict with long-established traditions.

In this connection, reference may be made to a suggestion received from an important Swedish organisation of women workers, drawing attention to the flexible procedure proposed in respect of the question "Objectives and Minimum Standards of Social Security". This organisation suggests—referring to the fact that in many socially and industrially developed countries the Governments have no direct influence on the fixing of wages except in respect of their own employees—that an international Convention should be drawn up to cover persons in Government employment. Even the ratification of a Convention of such a limited scope would, in the opinion of this organisation, have a stimulating effect on the development of a general solution of this important problem of social justice. Although the Swedish Government is not in a position to express any opinion as to the possibility or expediency of such a procedure, it nevertheless has found it appropriate to bring this suggestion to the notice of the I.L.O.

Switzerland

The Swiss Government is not in favour of the international regulations taking the form of a Convention, as in Switzerland the State does not, generally speaking, intervene in the determination of rates of remuneration. Moreover, under the federal structure of the country, the Swiss Government is not empowered to legislate on the application of the principle of equal remuneration to workers in the cantons and communes. The implementation of the provisions of the proposed Recommendation would be very difficult for the same reason. The Swiss Government accordingly abstains from observations on any of the provisions of the proposed Convention supplemented by a Recommendation. It considers that a country proposing to apply the principle of equal remuneration can only do so gradually, more especially a country with a federal structure.

Syria

The Syrian Government states that it has no further comment to add to its reply to the original questionnaire (See Report V (2), Chapter I).
THAILAND

The Government of Thailand considers that the proposed texts constitute a suitable basis for discussion.

TURKEY

The Government of the Turkish Republic approves the modifications adopted at the first discussion of the question at the 33rd Session of the International Labour Conference. In the event of the Conference deciding to adopt a Convention and a Recommendation, the Turkish Government is of the opinion that Paragraphs 1 and 2 of the proposed Recommendation should be included in the proposed Convention. This would establish the principle of equal remuneration for men and women workers for work of equal value in respect of all wage earners and salaried employees, irrespective of the nature of the undertaking in which they are employed.

UNION OF SOUTH AFRICA

The attitude of the Union Government to the general question is that having regard to the financial and economic implications of the practical application of the principle, viewed particularly in the light of the composition of the Union's population, it would not be possible to apply the principle at the present time.

The industrial laws of the Union of South Africa permit of differences in pay to workers of different sexes and such differences are a common feature in collective agreements freely negotiated between workers and employers in industries in which men and women are employed. Such differential wages are often more apparent than real. For example, differential wages are found prescribed for "clerical male" and "clerical female" workers whereas, in fact, having regard to factors such as a more rapid labour turnover, the actual work performed by the two groups described as "clerical" cannot be classified as "equal". In addition, women are invariably employed in occupations suitable to their physique and length of industrial life. Although there is a small number of higher posts in the Public Service with prescribed emoluments in which appointments are made irrespective of sex, it is the general policy of the Union Government to differentiate in the scales of pay between the sexes.

On the general question as to whether any international regulations which the Conference may decide to adopt should take the form of a Convention or a Recommendation, the Union Government reaffirms its previous attitude that a Recommendation would be preferable. This view is strengthened by a perusal of the suggested proposed Convention. In a matter such as the question of equal remuneration for men and women workers for work of equal value, the adoption of a Recommendation with proper "follow up" by periodical reports so that the actual practice can be ascertained, is considered to be the wiser course. It is the view of the Union Government that a Convention containing phraseology like "all practicable measures", "where necessary and appropriate", etc., will give rise to varying interpretations of the instrument, with the result that it might be rendered
tantamount to a Recommendation in the end. Bearing in mind the provisions of Articles 24-34 of the Constitution of the International Labour Organisation and the obligations devolving upon a Member State which freely accepts ratification of a Convention, it is the opinion of the Union Government that such instruments should be drafted in strict terms leaving no doubts as to the duty of a Member State which ratifies.

**UNITED KINGDOM**

In the view of the United Kingdom Government, the international regulations adopted by the Conference should take the form of a Recommendation and not of a Convention supplemented by a Recommendation. The observations on Texts A and B should be read in the light of this general reservation.

The comments on Paragraphs 1-7 of Text I B apply equally to Paragraphs 5-11 of Text II.

**UNITED STATES**

The United States Government strongly supports the adoption of international regulations on equal remuneration for men and women workers for work of equal value embodying the general principles set out in the Office text for a Convention and/or a Recommendation. As to the form the international regulations should take, e.g., either a Convention to embody principles, with an accompanying Recommendation to include principally methods of implementation, or a Recommendation only, to embody both principles and methods of implementation, the United States Government wishes to call attention to the fact that under its Federal-State system the suggested Convention on this subject would in all probability be regarded as appropriate, in part, for action by the constituent States.

If, however, a majority of Members prefer a Convention on this subject, the United States Government would consider supporting two regulations, as suggested by the first Office text, i.e., a Convention embodying basic principles only, together with an accompanying Recommendation concerning implementation.

The United States Government agrees with the substance and does not now take exception to the general wording, of the seven paragraphs included in the proposed Recommendation. Detailed comments will therefore not be made on each paragraph but the United States Government reserves the privilege of suggesting alternative wording on specific points. On two or three of the proposed provisions, however, comment and suggestion are made at this time.

**VENEZUELA**

The Government of Venezuela refers to the reply which it made to the questionnaire included in Report V (1) prepared for the first discussion of the question at the 33rd Session of the Conference. That reply was as follows:

"The Government of Venezuela states that Venezuelan legislation has upheld, since 1936, the same principle as has been submitted to the Member States in general terms in the questionnaire. The Venezuelan
State has given such a broad scope to the principle, that it is possible that none of the aspects dealt with in the questionnaire has been neglected. To indicate this, the legislative provision is reproduced: 'In order to fix the wage with respect to each kind of work, the amount and the quality of the work is to be taken into account, and it is to be understood that for equal work, where the length of the working day and skill requirements are also equal, an equal remuneration must be received, remuneration being understood to include not only the daily wage but also the bonuses and all other payments received by the worker for his ordinary labour, all differences because of sex or nationality being forbidden'. Judicial decisions have constantly confirmed the legal text, so that it is now possible to affirm that female labour has been protected in the sense that it is considered to be due the same rates as are payable to men, without the existence of those unjust differences to which, in other countries, women workers are subject. In all collective agreements, parity of remuneration is respected, since the Labour Code is a public order law and its provisions cannot be abated by private agreements.

"With regard to other points in the questionnaire, for instance that concerning the most convenient form for the proposed regulation, it would be desirable that a Convention be adopted, since a Convention is similar to a law, and its application would be guaranteed after its ratification. A resolution would have only the effect of a simple suggestion."

I

A. Proposed Convention concerning Equal Remuneration for Men and Women Workers for Work of Equal Value

Article 1

For the purpose of this Convention—

(a) the term "remuneration" includes the ordinary, basic or minimum wage or salary and any additional emoluments whatsoever, either in cash or in kind, which are received by the worker from his employer and arise out of his 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.

Belgium

1. (a) This definition corresponds to that adopted by the Committee. It is not satisfactory. The discussion showed that it was essential to avoid all ambiguity, but the present definition does not do so and several points are not clear. To give one or two examples—

(i) It would appear from the discussion that the allowances granted under a social security scheme are to be excluded from remuneration. The Belgian Government has no objection but if this point of view is adopted it should be stated in the definition that such allowances are
excluded from remuneration. It may be mentioned that a definition of this point is to be found in the Belgian Decree concerning Ruanda Urundi.\(^1\) The Belgian Government is of the opinion that the phrase "received by the worker from his employer" does not indicate if, for example, social security benefits paid by the employer are included in remuneration. If this is the case—and it would appear to be so from the discussion on the subject in Committee—it does not seem logical. In the view of the Belgian Government there is no difference between social security benefits paid by public authorities and those paid by the employer, and consequently there is no apparent reason why the former should be excluded from remuneration and the latter included in it.

(ii) Is promotion by seniority to be included in the definition of remuneration? As it stands, the definition may give rise to the differences of interpretation which came to light during the discussion. The Belgian Government points out that the grant of a basic wage or the same minimum wage to both sexes does not automatically involve an identical system of promotion by seniority for men and women workers. It is particularly important for so complex a subject as equal remuneration to define all the terms employed as exactly as possible in order that they shall be interpreted uniformly in all countries. Failing an exact definition of terms, there is grave risk that international regulations on the subject will remain a dead letter.

(b) The above observation also applies to the definition of the term "equal remuneration for men and women workers for work of equal value". The wording (in the French text) is too vague. The words "se rapporte" which are employed by the Office in this subparagraph, should be changed. Moreover, the text does not correspond to that adopted by the Committee. The Office justifies the proposed modification in the following words: "... the original text seemed inconsistent with the intention of this subparagraph, which is to define the expression in question and not to lay down an obligation, which is provided for in Article 2." Pertinent though this remark may be, it is nevertheless essential that the expression should have a precise meaning leaving no doubt as to the duties of a Member when applying the regulations. The Belgian Government considers that, as it is a question of definition, it will be sufficient to replace the words "sera définie comme signifiant" by the words "signifie que" in the text of the conclusions. The new text would have the advantage of conforming to the definition of remuneration (Article 1 (a)). Moreover, whatever the definition of equality of remuneration may be, it would seem indispensable that it should have an identical and mandatory meaning for all the States which adopt the regulations.

**New Proposal**

It is particularly regrettable that Article 1 does not include a subparagraph (c) defining the expression "job content". Several States Members have already objected that they are unable to ratify a Convention giving rise to different interpretations. The Belgian Government considers this objection to be justified. It realises that "job content" is not defined owing to the many different opinions expressed during the discussion of this question, but to ignore the problem because of these divergent opinions is not a good procedure because it does not

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\(^1\) Decree of 25 June 1949 concerning the contract of employment in the Belgian Congo and in Ruanda Urundi.
help in finding a positive solution. Agreement should be reached on this point even though it may mean a compromise, so that all ratifying States are enabled to apply the Convention in a substantially uniform manner. Moreover, it should be pointed out that international regulations are of a permanent and stable nature and should therefore be based from the beginning on well-established principles which are not liable to misinterpretation. Finally, the need for some kind of a definition is so evident that attempts have been made to give one at several points in the text, for example, in Article 3 of the proposed Convention and in Paragraph 5 of the proposed Recommendation. The text will gain greatly in clarity if such a definition is added after the other two definitions in Article 1. A precise term, the meaning of which will have been clearly defined, can then be used in the remainder of the text.

United States

Subparagraph (b) specifically defines "remuneration" in terms of rates, which the United States Government regards as the correct interpretation of the basis for application of the equal pay principle. Subparagraph (a) defines "remuneration", in part, as including the "ordinary, basic or minimum wage or salary". The United States Government interprets this to cover all forms and levels of wage payments, e.g., the regular or "ordinary" rate for any given occupation, depending on the skill involved; the "basic" rate applicable to work done presumably on an incentive basis, and the "minimum" rate as set by law, or in the form of "entrance" or "beginning" rates as set by practice. In other words it understands that "ordinary" and "basic" are not necessarily equivalent to "minimum", and the application of the principle is not to be confined to "minimum" rates, but is to apply to rates at all levels of remuneration.

Article 2

(1) Each Member shall take all practicable measures, by means appropriate to the methods in force for determining rates of remuneration, to further and, in so far as is in conformity with such methods, to ensure the application to all workers of the principle of equal remuneration for men and women workers for work of equal value.

(2) This principle shall be applied by means of—

(a) national laws or regulations;
(b) collective agreements between employers and workers; or
(c) a combination of laws and regulations and collective agreements between employers and workers.

Israel

2. (2) (b) Add the words "or any legally established or recognised wage fixing machinery". The text as submitted by the Office would exclude Arbitration Tribunals or Wage Boards.
This subparagraph should be amended to read "a combination of (a) and (b)".

**United Kingdom**

2. (1) The fourth paragraph of the preamble to the proposed Recommendation (Text B) recommends that States Members should "apply the following provisions, as rapidly as national conditions allow." It is not considered, however, that the detailed methods of application contained in Text B can properly be considered apart from the general obligations contained in Article 2 (1) of the proposed Convention. It is, therefore, proposed that the words "as rapidly as national conditions allow" be transferred from the preamble to Text B and inserted after the words "Each Member shall" in the first line of Article 2 (1) of Text A.

It is considered that the words "in force" in the second line of this paragraph might be interpreted as limiting its reference to methods for determining rates of remuneration which may be established by law. It is accordingly proposed that the words "in operation" be substituted for the words "in force".

2. In view of the fact that this paragraph sets out certain alternative methods of applying the principle of equal remuneration, it would seem appropriate for the paragraph to be drafted in a permissive rather than in a mandatory form. Moreover, the paragraph as drafted appears to imply obligations additional to those embodied in the Article. Paragraph 1 provides that the principle of equal remuneration shall be "furthered" and, in certain circumstances, "ensured". Paragraph 2, however, states that the principle shall be "applied" by one of the means set out in subparagraphs (a), (b) and (c). It is considered that the opening of paragraph 2 should be redrafted so as to make it clear that where, as a consequence of action taken under paragraph 1 of the Article, the principle of equal remuneration is, in fact, applied, then it may be applied by one of the alternative methods set out in subparagraphs (a), (b) and (c). It is accordingly proposed that the word "may" should be substituted for the word "shall" in the first line of this paragraph.

**United States**

2. (1) The United States Government takes exception to this wording, particularly to the phrase: "by means appropriate to the methods in force for determining rates of remuneration, to further and, in so far as is in conformity with such methods, to ensure", etc. If such wording is adopted it will establish as the basic principle for implementation only those procedures now "in force" in individual countries, rather than the positive directive to proceed by whatever measures are necessary to assure the implementation of the principle. In other words, the maintenance of the status quo would be all that would be required by this language, no matter how far that might be from effectuating equal pay.

This would have two undesirable results: (i) it would remove any obligation on the part of ratifying or complying Member States to improve the present extent or procedures of implementation; (ii) it would place the I.L.O., through its approved international regulation, in the position, in spite of its historic and urgent obligation to advance
the principle of equal pay, of permitting technical compliance with the regulations by Member States without their incurring any new obligation to carry out the basic objective.

For these reasons the United States Government proposes that this part of Article 2 be reworded to read, in complete form, as follows:

"Each Member shall take all practicable measures, by all means appropriate for determining rates of remuneration, to assure as promptly as possible the application to all workers of the principle of equal remuneration for men and women workers for work of equal value."

The effect of such wording would be to place an obligation upon ratifying or complying Members to move forward, by appropriate means, from measures and means now in force, if any, to such other measures as will assure, without undue delay, the application of the principle. This would have the effect of advancing implementation and would defeat charges from hostile sources that mere lip service is given to the principle of equal remuneration.

**Article 3**

Where necessary and appropriate, measures shall be taken to promote objective appraisal of jobs on the basis of the work to be performed and the abilities required for its performance, or on such other basis as may be decided upon by the authorities responsible for the determination of rates of remuneration or, where such rates are determined by collective agreement, by the parties thereto.

**Belgium**

3. The Belgian Government considers the phrase "objective appraisal of jobs on the basis of the work to be performed and the abilities required for its performance" to be incomplete. An objective appraisal of jobs should be based on three main factors: (i) the abilities required for the performance of a specified job; (ii) the conditions under which it is performed; (iii) the vocational training of the worker.

Point (ii) is not included in Article 3. It might possibly be understood to be included in the expression "on such other basis as may be decided upon by the authorities", but it should be given the same weight as the other two factors and its omission is to be regretted. Finally, the text will be both shorter and more exact if a definition of "job content" or some equivalent expression is given at the beginning.

**Israel**

3. Substitute "establish" for "promote". The Article referring to cases "where necessary and appropriate", the use of the word "establish" instead of "promote" would not cause any difficulties and would secure more force to the provision.

The words "with a view to providing a classification of jobs without regard to the sex of the workers" appearing at the end of Paragraph 5 (1) of the proposed Recommendation should also be added at the end of Article 3 of the proposed Convention.
3. It is considered that the essence of this Article could appropriately be embodied in the following simplified text: “Where necessary and appropriate for this purpose, measures shall be taken to promote objective appraisal of jobs on such basis as may be decided upon . . .”, etc.

3. The wording substituted by the Office for the term “job content,” i.e., “on the basis of the work to be performed and the abilities required for its performance” (which was developed in part to eliminate difficulties of translation), is a happy and entirely acceptable solution of the various problems created by the English term “job content.” However, the United States Government objects to the additional wording “or on such basis as may be decided upon by the authorities responsible for the determination of rates of remuneration, etc.” If these words remain, discrimination solely on the basis of sex is still possible, whereas the one clear purpose of the international regulations is to do away with such discrimination. The broad and undefined wording proposed leaves the way wide open for permission of wage differentials between men and women on grounds entirely unrelated to work performed or skill, many of which reflect prejudice, deliberate undervaluation of women’s skills, or the weaker bargaining position of women as compared with that of men.

A resolution of the difficulty might be possible by the substitution for the proposed text of wording based on that used in Paragraph 5 (1) of the accompanying Recommendation, i.e.—

“Where necessary and appropriate, measures shall be taken to promote objective appraisal of jobs on the basis of the work to be performed and the abilities required for its performance, whether by job analysis or by other procedures with a view to providing a classification of jobs without regard to the sex of the worker, such procedures to be decided upon by the authorities responsible for the determination of rates of remuneration, or, when such rates are determined by collective agreements, by the parties thereto.”

Such a change would keep the “objective appraisal”, etc., firmly as the core of the matter, but would permit flexibility in the choice of procedures in arriving at the “objective appraisal”. Where job analysis is feasible or already an accepted practice, this would be presumed to be the normal procedure to follow. Where such method is only one of several used, or where it is at the moment not feasible, other procedures might be used, either in part or in whole, but only such as would lead to an “objective appraisal,” and the elimination of discrimination based on sex. The proposed change in wording would greatly aid in eliminating the effect of prejudice and of discriminatory assumption as to women’s skills and the relative “value” of their work upon measures taken to implement the principle of equal remuneration.

The United States Government recognises that some countries may find it difficult or impossible to enforce the principle of equal pay because of technical or economic difficulties in the way of administering a full-fledged operation, at least in the early stages. The United States Government sympathises with the problems of such countries and is therefore prepared to support incorporation of some alternative methods.
of implementation that do not leave the way open for deliberate discrimination. Two such methods are actually spelled out in subparagraphs (a) and (b) of Paragraph 4 of the accompanying Recommendation.

Article 4

Appropriate measures shall be taken to encourage co-operation with the employers' and workers' organisations concerned for the purpose of giving effect to the provisions of this Convention.

Belgium

4. The Government is unable to agree to this text, which does not conform to the amendment submitted by the United States Government member and adopted by the Committee.

The Office has deleted " between the competent public authorities and " in order to lighten the text but if the text is to be understood in the way the Office indicates, that is to say, " any obligation to encourage co-operation set forth in international regulations must be laid upon the States Members concerned ", the Belgian Government does not agree.

Report VII (1) does not give the reason for the amendment submitted by the United States Government member, but it may be useful to recall that the Belgian Government proposed a similar amendment as it considered co-operation to represent mutual goodwill on the part of Governments, employers and workers equally. The Belgian Government cannot accept the interpretation which the Office drafting implies, that is to say, that the obligation to promote co-operation rests on Governments. The Belgian Government therefore proposes the maintenance of the text adopted in Committee.

United Kingdom

4. It is understood that this Article is designed to promote co-operation between Governments and the employers' and workers' organisations concerned. The Article seems, however, to be hardly satisfactory in its present form since, as drafted, it appears to place an obligation on Governments to encourage themselves to co-operate with the employers' and workers' organisations. It is suggested that the Article should be redrafted in the following terms: " Each Member shall co-operate as appropriate with the employers' and workers' organisations concerned... ".

United States

4. The United States Government is in hearty accord with this provision. By principle and practice the United States Government believes in co-operation between workers' and employers' organisations in working out problems of mutual concern. It also believes that the most effective enforcement can be obtained by close co-operation with and between groups immediately affected by any given type of legislation or regulation. There are various methods of implementing the obligation " to encourage " co-operation, some of which are indicated by the accompanying Recommendation.
B. Proposed Supplementary Recommendation concerning Equal Remuneration for Men and Women Workers for Work of Equal Value

Preamble

Whereas the Equal Remuneration Convention, 1951, lays down the general principle of equal remuneration for men and women workers for work of equal value;

Whereas it is important that the methods of application of this principle should be consistent with the methods for the fixing of remuneration in use in the countries or occupations concerned;

Whereas it is desirable to make known to all Members methods which have been found to give satisfactory results in certain countries;

The Conference recommends that each Member should, subject to the provisions of Article 2 of the Convention, apply the following provisions, as rapidly as national conditions allow, and report to the International Labour Office as requested by the Governing Body concerning the measures taken to give effect thereto.

BELGIUM

(i) The Belgian Government would like the preamble to include a consideration drawing attention to the fact that the Recommendation is intended to enable the general principle of equal remuneration to be applied progressively.

(ii) The third consideration seems to have no bearing on the text of the Recommendation. The object of the Recommendation is not to make known the methods which have been found to give satisfactory results in certain countries, but rather to give guidance to Member States and to indicate methods for the application of the principle of equal remuneration which the Member States which participated in drafting the proposed Recommendation considered to be desirable and suitable. The Belgian Government therefore proposes the deletion of this sentence.

(iii) In the event of the 34th Session of the Conference deciding on a Recommendation alone, the Belgian Government is of opinion that the preamble to the Recommendation could be usefully supplemented, with appropriate modifications, by the considerations in the preamble of the proposed Recommendation supplementing the Convention.

UNITED KINGDOM

First paragraph. When read in conjunction with the terms of the proposed Convention (Article 2 (1) in particular), the statement that "The Equal Remuneration Convention, 1951, lays down the general principle of equal remuneration" appears to be ambiguous, if not misleading. It is considered that this paragraph should be redrafted as follows: "Whereas the Equal Remuneration Convention, 1951, lays down certain general principles concerning equal remuneration . . . ".
Second paragraph. It is considered that this paragraph should be re-drafted on the following lines: “Whereas it is there provided that the application of this principle shall be furthered or ensured by means appropriate to methods in operation for determining rates of remuneration”.

Third paragraph. It is suggested that this paragraph should be re-drafted as follows: “Whereas it is at the same time desirable that all Members should have regard to methods of applying the principle of equal remuneration which have been found satisfactory in certain countries”.

Fourth paragraph. See the first comment on Article 2, paragraph 1, of Text A.

Paragraph 1

1. Appropriate action should be taken, after consultation with the workers or with representatives of the workers’ organisations concerned—
   (a) to ensure the application of the principle of equal remuneration for men and women workers for work of equal value to all employees of central government departments or agencies; and
   (b) to encourage the application of the principle to employees of State, provincial or local government departments or agencies, where these have jurisdiction over rates of remuneration.

Israel

1. The obligation concerning the application of the principle to employees as enumerated in Paragraph 1 and Paragraph 2 (b) of the proposed Recommendation supplementing the Convention should be included in the Convention and not, as proposed by the Office, in the Recommendation.

United Kingdom

1. No comment, provided that a suitable reference to Article 2 of the proposed Convention appears in the fourth paragraph of the preamble. See also the first comment on Article 2, paragraph 1, of Text A.

Paragraph 2

2. Appropriate action should be taken, after consultation with the representatives of the employers’ and workers’ organisations concerned, to ensure, as rapidly as practicable, the application of the principle of equal remuneration for men and women workers for work of equal value in all occupations, other than those mentioned in Paragraph 1, in which rates of remuneration are subject to statutory regulation or public control, particularly as regards—
   (a) the establishment of minimum or other wage rates in industries and services where such rates are fixed under public authority;
(b) industries and undertakings operated under public ownership or control; and
(c) where appropriate, work executed under the terms of public contracts.

Belgium

2. (c) The words "where appropriate" are redundant, since it is stated at the beginning of this paragraph that action should only be taken in respect of occupations in which rates of remuneration are subject to statutory regulation or public control. It is obvious that if the public authorities have no power in this matter they can take no action. Moreover, the wording proposed by the Office enables the public authorities, when they regulate or control rates of remuneration, to establish equal remuneration in some sectors of the economy and not in others. This is too arbitrary. Furthermore, this is not the wording adopted by the Committee.

Israel

2. (b) See comments on Paragraph 1.

United Kingdom

2. The United Kingdom Government assumes that, in the light of Article 2 of the proposed Convention, and of the preamble to the present text, the obligations contained in this paragraph would apply only in the case of countries where it would be in conformity with methods in operation for determining rates of remuneration to ensure the application of equal pay in respect of the occupation here specified.

Paragraph 3

3. (1) Where appropriate in the light of established procedures for the fixing of rates of remuneration, provision should be made by legal enactment for the general application of the principle of equal remuneration for men and women workers for work of equal value.

(2) National laws and regulations might make provision for specific exceptions to the scope of such legal enactment to be made after consultation with the employers' and workers' organisations concerned.

(3) The competent public authority should take all necessary and appropriate measures to ensure that employers and workers are fully informed as to such legal requirements and, where appropriate, advised on their application.

Belgium

3. The Belgian Government does not consider that at the present time exceptions should be allowed to any statutory enactments concerning equal remuneration. To accept such a provision would
considerably slow down the progressive application of a system of equal remuneration, for two reasons.

(i) On the national plane, as has already been stated, experience has shown that it is dangerous to allow exceptions as they become more and more numerous and in the end, by force of circumstances, are more frequent than the general rule.

(ii) On the international plane, the Belgian Government fears that the following situation will arise: each Member State will provide for exceptions the scope of which will doubtless vary from country to country. Each State will thus approve a certain number of exceptions in those branches of activity in which the internal economic situation of the country makes them desirable. The Belgian Government has no doubt that the exceptions will, by the following process, rapidly become more numerous than is strictly required on the national plane.

Suppose a country makes an exception for the textile industry. At once one or more competitive countries will do the same thing for the same branch of activity even if such an exception is unnecessary on the national plane. In this way exceptions will rapidly become more and more numerous. The application of a system of equal remuneration having no unfortunate repercussions on the economy of the country concerned is only possible in so far as every country adopts the same attitude. The possibility of exceptions to the scope of application not corresponding will invalidate any attempt to establish a system of equal remuneration.

Nevertheless, in order to reach a compromise to which all can agree, the Belgian Government might assent to the proposed text, but in this event it would desire that it be stated that the scope of the exceptions must, as far as possible, be the same for all countries. However, the Belgian Government would prefer the deletion of this point to be discussed at the 34th Session. From the discussion which took place during the 33rd Session, the question of its deletion would not appear ever to have been raised, perhaps because the point was already in the text prepared by the Office for the first discussion.

UNITED KINGDOM

3. (1) It is proposed that the words "the methods in operation" should be substituted for the words "established procedure" in order to make the terminology of this paragraph consistent with that proposed in the case of Article 2, paragraph 1, of Text A.

(2) It is suggested that "might" should be replaced by "may".

Paragraph 4

4. When, after consultation with the organisations of workers and employers concerned, where such organisations 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 covered by Paragraphs 1, 2 and 3, appropriate provision should be made, or caused to be made, for its gradual application, by such measures as—

(a) decreasing the differentials between rates of remuneration for men and rates of remuneration for women for work of equal value;
(b) where a system of increments is in force, providing equal increments for men and women workers performing work of equal value.

**Belgium**

4. This paragraph provides for measures in respect of employment covered by Paragraphs 1, 2 and 3. The word "employment" is inexact, as Paragraphs 1, 2 and 3 of the Recommendation do not, in fact, concern employment. The wording in the text submitted to the Committee and in the text it adopted is "in the fields covered by" these paragraphs. This wording is far preferable as it is more in conformity with the substance of the text.

It may be recalled that the Belgian Government expressed the wish that the measures provided in Paragraph 4 should apply to all workers and not only to those whose rates of remuneration in one way or another depend upon public authorities. The Belgian Government considers the limitation introduced by the words "in respect of employment covered by Paragraphs 1, 2 and 3" to be arbitrary and likely to hinder the gradual establishment of a system of equal remuneration. The experience of some countries—for instance, France—has shown that decreases in the differential rates for men and women workers and the grant, under a system of increments, of equal increases to men and women workers, are two essential provisions for a progressive reduction in inequality and a full application of the principle.

Naturally, where remuneration is determined by collective agreement and does not depend on the public authorities, the Government cannot intervene. Nevertheless, the draft of Paragraph 4 does not seem to take into account the fact that the Member States which draw up and then ratify a Convention are not represented by Governments alone but also by delegates from employers' and workers' organisations.

**United Kingdom**

4. See comments on Paragraph 2. Similar considerations apply to this paragraph as regards employment covered by Paragraphs 1 (b) and 2.

Even in those cases where it may be appropriate for Governments themselves to make or cause to be made provision for the application of the principle of equal remuneration, it should not, in the opinion of the United Kingdom Government, be assumed that it would necessarily be appropriate to make or cause to be made provision for its gradual application as recommended in this paragraph. Accordingly the obligation upon Members should be limited to considering the gradual application of the principle in such cases and it is suggested that the following words should be substituted for the words "appropriate provision... such measures as..." in the present text—

"each Member should consider making or causing to be made, appropriate provision for its gradual application by such methods as...".

**United States**

4. There appears to be a typographical error in line 6 of the introductory paragraph. It reads "Paragraphs 1, 2 and 3"; in relation to the context, it appears that this should read "Paragraphs 1, 2 or 3".
Paragraph 5

5. (1) Where appropriate for the purpose of facilitating the determination of rates of remuneration in accordance with the principle of equal remuneration for men and women workers for work of equal value, each Member should, in agreement with the representatives of the employers' and workers' organisations concerned, establish or encourage the establishment of methods for objective appraisal of the work to be performed and of the abilities required for its performance, whether by job analysis or by other procedures, with a view to providing a classification of jobs without regard to the sex of the worker.

(2) Differential rates between men and women workers which correspond to differences, as so determined, in the work to be performed and in the abilities required for its performance should be considered as being in accordance with the principle of equal remuneration for men and women workers for work of equal value.

Belgium

5. This paragraph has been considerably changed by the Office. As it now stands, it is unsatisfactory for the following reasons—

(i) The amendment submitted by the Canadian Government member and adopted without observation by the Committee, which read "the application of the methods developed, however, to be in conformity with the principle of Paragraph 5" (Article 2 of the proposed Convention), is not retained. In view of the lively discussion which took place concerning the intervention of public authorities in job classification and the fact that the text adopted was satisfactory to all Members, its inclusion in Paragraph 5 would seem desirable even though, as the Office states, it is implicit in the proposed text.

(ii) The expression "job content" has been substituted for the words "the work to be performed and the abilities required for its performance". This wording is not appropriate for the reasons given above. The Belgian Government suggests the words "job content" be maintained, reference being made to the definition which would be given in the Convention.

(iii) The text states that each Member should "establish or encourage the establishment of methods". This wording is unfortunate and does not conform exactly to the Canadian Government member's amendment adopted in Committee regarding the application of methods. On the other hand, the Belgian Government has no objection to providing for two measures in this paragraph, e.g.: (a) to establish methods; and (b) to encourage their application.

(iv) On this point the text of the proposed Recommendation supplementing the Convention is not, for some reason, the same as the text of the Recommendation alone. In the latter, the Canadian Government member's amendment is retained in full. Although the drafting proposed by the Office makes the Canadian Government member's amendment superfluous, nevertheless for the reasons given in (i) above, the Belgian Government would prefer the retention of the text adopted in Committee containing the amendment.
5. (1) It is proposed that the words "at the request of and" should be inserted before the words "in agreement with" in the fourth line of this paragraph.

UNITED STATES

5. (2) This statement appears to relate to the concept of "proportionate rates". The United States Government agrees with this general idea, i.e., that when jobs are related to each other on the basis of reasonably objective tests, then the establishment of a proportionate value for certain jobs in relation to other jobs can be considered as fulfilling the test of equal pay for equal work. In brief, where jobs actually differ, pay rates may differ. However, the United States Government suggests that the language of this item, i.e., "differential rates between men and women workers" does not too accurately sustain this basic idea in that it suggests differential rates based on sex, which is what it is the objective to eliminate. The United States Government suggests that the wording referred to be changed to read "differential rates between workers, regardless of sex, which correspond to differences, etc.". Such wording would sustain the principle of proportionate rates and at the same time eliminate the impression that the basis for such rates is sex-related.

Paragraph 6

6. In order to facilitate the application of the principle of equal remuneration for men and women workers for work of equal value, appropriate action should be taken, where necessary, to raise the productive efficiency of women workers and to limit the effects of the factors accounting for their relatively low level of remuneration, by such measures as—

(a) ensuring that workers of both sexes have equal or equivalent facilities for vocational guidance or employment counselling, vocational training and placement;

(b) taking appropriate measures to encourage women to use facilities for vocational guidance, employment counselling, vocational training and placement;

(c) providing welfare and social services which meet the needs of women workers, particularly those with family responsibilities, and financing such services from general public funds or social security funds or industrial welfare funds covering workers irrespective of sex; and

(d) promoting, without prejudice to the provisions of international labour Conventions and Recommendations and of national laws and regulations concerning the employment of women, equality of men and women workers as regards access to occupations and posts.
6. The words "and to limit the effects of the factors accounting for their relatively low level of remuneration" should be deleted, as tending to state a fact which might prejudice women's claim for equal pay.

UNITED KINGDOM

6. The United Kingdom Government has no comments on the detailed provisions of this paragraph. Its views on the general appropriateness and necessity of including such provisions in the proposed Recommendation remain as recorded on page 45 of Report V (2) prepared for the 33rd Session of the Conference.

UNITED STATES

6. The United States Government believes that the needs discussed under this point have less applicability to it than they may have to some other countries because there are in the United States facilities for training, vocational guidance, counselling and placement available to both men and women, all of which contribute to the development of efficiency in workers. The United States Government realises, however, that the problems proposed to be dealt with here may be very real ones for some other countries, and is therefore willing that this portion of the Recommendation be worked out, as to details, according to the judgment of those who have substantial problems of this nature.

Specifically, with reference to Paragraph 6, subparagraph (c), the United States Government believes it would be preferable to revise this subparagraph to indicate that "where such services are provided for by the competent authorities, the method of financing be so established that the financial burden shall rest neither on the employer nor on the individual woman worker involved".

Paragraph 7

7. In view of the importance of an informed public opinion—

(a) every effort should be made to promote public understanding of the equity and usefulness of the principle of equal remuneration for men and women workers for work of equal value; and

(b) such investigations as may be desirable to promote the application of the principle should be undertaken.

UNITED KINGDOM

7. (a) It is proposed that this subparagraph should be re-drafted as follows:

"Every effort should be made to promote public understanding of the grounds on which it is considered that the principle of equal remuneration for men and women workers for work of equal value should be implemented."

(b) It is proposed that the contents of this subparagraph should appear as a separate paragraph of the text.
The Belgian Government proposed the inclusion of four other points in the Recommendation, which, it states, do not appear to have been raised at the first discussion. The Belgian Government thinks that attention might be drawn to them at the 34th Session. They are as follows:

1. Each Member, in close co-operation with representatives of the employers' and workers' organisations concerned, should take appropriate measures to ensure, as rapidly as possible, the application of the principle of equal remuneration to all salaried workers in private employment.

2. Each Member, in close co-operation with representatives of the employers' and workers' organisations concerned, should take appropriate measures to ensure to women workers all the benefits in cash or in kind granted to male workers either by statutory enactment and regulations, collective agreements, individual contracts of work or employment or by customary practice in the industry, and the same methods of wage payment in force for male workers in identical or comparable occupations.

3. Each Member, in close co-operation with representatives of the employers' and workers' organisations concerned, should take appropriate measures to guarantee to women workers the same protection and security of employment which is accorded to male workers.

4. Each Member, in close co-operation with representatives of the employers' and workers' organisations concerned, should take appropriate measures to establish identical bases of remuneration for all jobs whether paid at time or piece-work rates.

The Belgian Government considers that these four points would facilitate the practical and progressive application of the principle of equal remuneration.

Lastly, the Belgian Government remarks that, generally speaking, the order given by the Office to the various points in the first questionnaire is more logical and consistent than that adopted in subsequent texts.
in cash or in kind, which are received by the worker from his employer and arise out of his 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.

Sweden

1. These definitions seem acceptable.

Paragraph 2

2. (1) Each Member should take all practicable measures, by means which are appropriate to the methods in force for determining rates of remuneration, to further and, in so far as is in conformity with such methods, to ensure the application to all workers of the principle of equal remuneration for men and women workers for work of equal value.

(2) This principle should be applied by means of—

(a) national laws or regulations;

(b) collective agreements between employers and workers;

(c) a combination of laws or regulations and collective agreements between employers and workers.

India

2. (1) The words "as far as possible in the light of the development of social policy and financial and economic circumstances of the country concerned" should be inserted between the word "ensure" and the word "the" in line 4.

(2) The word "or" should be added after the word "workers" in (b).

New Zealand

2. (1) The New Zealand Government would prefer that this subparagraph be so drafted that action taken to further the principle be appropriate to the established proceedings for determining rates of remuneration and to be decided in the light of the development of social policy and financial and economic circumstances of the countries concerned.

(2) The New Zealand Government would prefer that this subparagraph be so drafted that the opening words provide that the application of the principle of equal remuneration for men and women workers be sought through the regulations which follow.

Sweden

2. As already explained under "General Remarks" above, these provisions of the Recommendation can only be applied in Sweden to a limited extent. Since, however, these provisions may be of importance
to countries where the Government has a direct influence on the fixing of wages in general, the Swedish Government has no objection to the text proposed.

United Kingdom

2. (1) It is proposed that the words "as rapidly as national conditions allow" should be inserted after the word "should" in the first line of this subparagraph.

The second comment on Article 2, paragraph 1, of Text I A, applies also to this subparagraph.

(2) See comments on Article 2, paragraph 2, of Text I A. It is proposed that the word "may" should be substituted for the word "should" in the first line of this subparagraph.

Paragraph 3

3. Where necessary and appropriate for this purpose, measures should be taken to promote objective appraisal of jobs on the basis of the work to be performed and of the abilities required for its performance, or on such other basis as may be decided upon by the authorities responsible for the determination of rates of remuneration or, where such rates are determined under collective agreement, by the parties to such agreement.

Sweden

3. It may be pointed out that generally accepted methods for such an objective appraisal of jobs as indicated hardly exist, and that the implementation of such a method for wage fixing would probably cause a radical transformation of the collective agreement system now in force for important groups of wage earners.

United Kingdom

3. See comments on Article 3 of Text I A.

Paragraph 4

4. Appropriate measures should be taken to encourage co-operation with the employers' and workers' organisations concerned for the purpose of giving effect to the provisions of this Recommendation.

United Kingdom

4. See comments on Article 4 of Text I A. It is suggested that this paragraph should be redrafted as follows: "Each Member should co-operate as appropriate with the employers' and workers' organisations concerned . . . ."
II. Methods of Application

Paragraph 5

5. Appropriate action should be taken, after consultation with the workers or with representatives of the workers’ organisations concerned—

(a) to ensure the application of the principle of equal remuneration for men and women workers for work of equal value to all employees of central government departments or agencies; and

(b) to encourage the application of the principle to employees of State, provincial or local government departments or agencies, where these have jurisdiction over rates of remuneration.

INDIA

5. (a) and (b) should be replaced by the following: “to ensure the application of the principle of equal remuneration for men and women workers for work of equal value to the employees of the Government”.

SWEDEN

5. See under “General Remarks”.

Paragraph 6

6. Appropriate action should be taken, after consultation with the representatives of the employers’ and workers’ organisations concerned, to ensure, as rapidly as practicable, the application of the principle of equal remuneration for men and women workers for work of equal value in all occupations, other than those mentioned in Paragraph 5, in which rates of remuneration are subject to statutory regulation or public control, particularly as regards—

(a) the establishment of minimum or other wage rates in industries and services where such rates are fixed under public authority;

(b) industries and undertakings operated under public ownership or control; and

(c) where appropriate, work executed under the terms of public contracts.

INDIA

6. This paragraph should be replaced by the following—

“Appropriate action should be taken in accordance with the terms of these regulations to bring the provisions of the regulations to the notice of all wage and salary fixing authorities and employers’ and workers’ organisations concerned”.
6. The New Zealand Government would prefer that this paragraph be so drafted as to permit a greater flexibility in the application of the principle, its views being identical with those expressed by the United Kingdom Government set out in Report VII (1).

SWEDEN

6. See under “General Remarks”.

Paragraph 7

7. (1) Where appropriate in the light of established procedures for the fixing of rates of remuneration, provision should be made by legal enactment for the general application of the principle of equal remuneration for men and women workers for work of equal value.

(2) National laws and regulations might provide for specific exceptions to the scope of such legal enactment to be made after consultation with the employers’ and workers’ organisations concerned.

(3) The competent public authority should take all necessary and appropriate measures to ensure that employers and workers are fully informed as to such legal requirements and, where appropriate, advised on their application.

INDIA

7. (2) The words “to be made . . . concerned” should be deleted.

SWEDEN

7. See under “General Remarks”.

Paragraph 8

8. When, after consultation with the organisations of workers and employers concerned, where such organisations 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 covered by Paragraphs 5, 6 and 7, appropriate provision should be made, or caused to be made, for its gradual application, by such measures as—

(a) decreasing the differentials between rates of remuneration for men and rates of remuneration for women, for work of equal value;

(b) where a system of increments is in force, providing equal increments for men and women workers performing work of equal value.
Sweden

8. See under "General Remarks".

Paragraph 9

9. (1) Where appropriate for the purpose of facilitating the determination of rates of remuneration in accordance with the principle of equal remuneration for men and women workers for work of equal value, each Member should, in agreement with the representatives of the employers' and workers' organisations concerned, establish, or encourage the establishment of, methods for objective appraisal of the work to be performed and of the abilities required in its performance, whether by job analysis or by other procedures, with a view to providing a classification of jobs without regard to the sex of the worker; such methods should be applied in accordance with the provisions of Paragraph 2 of this Recommendation.

(2) Differential rates between men and women workers which correspond to differences, as so determined, in the work to be performed and in the abilities required for its performance should be considered as being in accordance with the principle of equal remuneration for men and women workers for work of equal value.

India

9. (1) The words "As far as possible and" should be added at the beginning of line 1.

Sweden

9. (1) It would not be in accordance with the spirit and purpose of the Recommendation to apply it in a manner that would lead to the exclusion of women from any fields of activity which they would like to see opened to them, by making female labour considerably more expensive than male labour. Along with measures for reducing the difference between male and female wages, a study should therefore be made concerning the construction of the wage system so as to adjust remuneration to the value of the work performed on the basis of a more equitable and rational differentiating principle than classification according to the sex of the worker concerned.

This differentiation of wages should be based not only on the nature of the work to be performed and the abilities required for its performance but also on factors varying with the individual concerned and apt to influence the result of the work. It is therefore suggested that the text under Paragraph 9 (1) be worded as follows—

"Where appropriate for the purpose of facilitating the determination of rates of remuneration in accordance with the principle of equal remuneration for men and women workers for work of equal value, each Member should, in agreement with the representatives of the
employers' and workers' organisations concerned, establish, or encourage the establishment of, methods for objective appraisal, whether by job analysis or by other procedures, of the work to be performed and of the abilities and other qualifications of importance in this connection which are required in its performance, with a view to determining the remuneration in accordance with the value of the work to be performed without regard to the sex of the worker; such methods should be applied in accordance with the provisions of Paragraph 2 of this Recommendation."

Paragraph 10

10. No comments were received on this paragraph.

Paragraph 11

11. In view of the importance of an informed public opinion—

(a) every effort should be made to promote public understanding of the equity and usefulness of the principle of equal remuneration for men and women workers for work of equal value; and

(b) such investigations as may be desirable to promote the application of the principle should be undertaken.

India

11. (b) This subparagraph should be deleted.

New Proposals

UNITED KINGDOM

It is noted from page 52 of Report VII (1) that "with the exception of Paragraph 9 (1), references to Paragraph 2 have been omitted as being cumbersome and unnecessary in a single instrument". The United Kingdom Government agrees that it would be cumbersome to insert a reference to Paragraph 2 in each separate paragraph of this text. On the other hand, it is strongly of the opinion that the main substance of the preamble to Text I B should be incorporated in this text also, immediately before Paragraph 5. While it is true that the terms of the Recommendation would need to be read as a whole, the United Kingdom Government considers that, in order to avoid any misunderstanding, the text of the Recommendation should be quite explicit as regards the bearing of the "general principles" upon the "methods of application". It is, therefore, proposed that the following additional paragraph should be inserted before Paragraph 5 of the existing text—

"Each Member should, subject to the provisions of Paragraph 2 of this Recommendation, apply the following provisions, and report to the I.L.O. as requested by the Governing Body concerning the measures taken to give effect thereto."
CHAPTER II

ANALYSIS OF THE REPLIES

The following pages contain an analysis of the replies of the Governments and an examination of the proposals which have been made with a view to drafting final texts as a basis for discussion at the 34th Session of the International Labour Conference.

The Governments of the following twenty-four countries raise no objections to the texts contained in Report VII (1), which they consider a suitable basis for discussion: Argentina, Australia, Austria, Bolivia, Burma, Canada, Ceylon, Chile, Ecuador, Egypt, France, Iceland, Iran, Iraq, Ireland, Luxembourg, Mexico, Pakistan, the Philippines, Switzerland, Syria, Thailand, the Union of South Africa and Venezuela. A number of these Governments have made general observations. The Argentine Government re-affirms that very wide criteria should be adopted and that the proposed measures should be the subject of thorough previous study so that the resulting benefits for the persons concerned shall not be illusory. The Canadian Government considers that there is room for improvement in the drafting of the proposed texts in order to remove certain obscurities, and it may wish to put forward a number of proposals at the time of the Conference. The Government of Iceland reserves the right to move, during the Conference, amendments to the proposed text of the Convention relating in particular to the methods of application, or to support amendments moved by other Members. The Mexican Government reserves the right, when the matter is discussed at the next session of the Conference, to advocate a more liberal criterion as regards women workers than that which has hitherto been accepted in international discussions on this theme.

With the exception of the Polish Government, the remaining Governments accept the proposed texts as a basis for discussion, but they suggest a number of amendments which are examined below.

The Polish Government makes the strongest reservations in regard to the proposed texts, which it does not consider a suitable
basis for discussion by the 34th Session of the Conference. In the opinion of the Polish Government, the question of equal remuneration for men and women workers for work of equal value should be decided in a definite manner; there should be no exceptions and no ambiguities. The question has been settled in this way under the most difficult economic conditions by countries which have abolished the capitalist system and founded their social and economic régime on socialist principles. Full equality of remuneration for women, far from increasing the difficulties of these countries, has stimulated economic progress by quickening the workers' enthusiasm and raising the level of output and of industrial production. In the view of the Polish Government, the Office proposals are not animated by this spirit, and on many essential points are a surrender to the pressure exerted by capitalist employers and Governments in pursuance of their own interests. Inspired by class egoism, these capitalists prevent female workers being given the same status as male workers, subject them to economic discrimination, and make them bear the burden of the consequences of the economic difficulties with which the capitalist world is now grappling. The Polish Government regrets that the Office has submitted these texts notwithstanding the efforts made for many years by the workers and progressive Governments in every country and also in international organisations, more especially by the Polish Government within the International Labour Organisation, fully to implement the principle of "equal work, equal pay". The Polish Government makes counter-proposals which are examined below in connection with the provisions of the draft texts.

Form of the International Regulations

At its last session, the Conference authorised the Office to prepare a proposed Convention, supplemented by a proposed Recommendation, and a proposed Recommendation alone. Accordingly, Report VII (1) purposely did not question Governments on the form they considered the regulations should take. Nevertheless, twenty-two Governments expressed an opinion on this point 1; twelve Governments have given no opinion on the matter.

1 The French Government forwarded to the Office the observations submitted by the General Confederation of Labour—Force Ouvrière and the French Federation of Christian Workers. The Luxembourg Government enclosed with its reply documents showing the attitude of the following Workers' groups: The Federation of Artisans, the National Federation of Workers, the Federation of Private Employees, the Workers' group of the National Labour Conference and the Socialist Women of Luxembourg.
Three Governments, those of Iceland, Poland and Venezuela, favour a Convention.

The Government of Iceland, after reviewing the present position in respect of "equal pay" in Iceland, states that the complete equality of men and women is recognised in that country, women having legally the same right as men to all occupations. Icelandic legislation now accepts the principle that remuneration should be at the same rate for work of the same or comparable value whether the work is done by men or women. Various kinds of seasonal work involving much exposure or physical strain, e.g., fishing operations, sheep tending in winter, dock labour or occupations of a similar nature, are normally not engaged in by women, and so provision is made only for payment to male workers. The women's trade unions, supported by the Icelandic Federation of Labour, seek methodically for the unification of wage rates for men and women within such occupations as may come into consideration for women to engage in, although normally reserved for men; but organisations of workers and employers being fully independent in Iceland, it is reasonable to expect that some considerable time may elapse before provisions to this effect have been embodied in all labour agreements.

In the opinion of the Polish Government, only a Convention imposing strictly defined obligations on the ratifying States would constitute an international instrument guaranteeing the application of the principle in question. But the Convention should not be limited to a declaration of the principle of equality. The questions dealt with in the proposed Recommendation should be included in the text of the Convention.

The Government of Venezuela refers to its reply 1 to the Questionnaire included in Report V (1); in this reply, after giving the legal provisions concerning equal remuneration for men and women workers for work of equal value in force in Venezuela, it stated it was in favour of a Convention, since a Convention is similar to law and its application would be guaranteed after its ratification.

The Governments of the following six countries favour a Convention supplemented by a Recommendation: Argentina, Austria, Belgium, France, Israel and Turkey.

The Austrian Government points out that the Austrian Chamber of Industry unanimously rejects the idea of international regula-

1 This communication (XXXIII/CER/D.5), was distributed at the 33rd Session of the Conference.
tions in the form of a Convention, and is in favour of a Recommendation only. The French Government bases its choice on the social importance of the question of equal remuneration, pointing out that a Recommendation would impose less strict obligations on States Members than a Convention.

The attitude of the Government of the United States is conditional. It supports the adoption of international regulations embodying the principles set out in the Office texts. It points out that under its Federal Constitution the suggested Convention would, in all probability, be regarded as appropriate, in part, for action by the constituent States. If, however, a majority of Members prefer a Convention on this subject, the United States Government would consider supporting two instruments as suggested by the first Office text, i.e., a Convention embodying basic principles only together with an accompanying Recommendation concerning implementation.

The Governments of the following eleven countries are in favour of a Recommendation alone: Australia, Egypt, Finland, India, Luxembourg, New Zealand, Pakistan, Sweden, Syria, the Union of South Africa and the United Kingdom.

The Finnish Government states that if the term "work of equal value" can be interpreted as meaning primarily output of equal value, it has no observations to make as regards the adoption of the proposed Recommendation II (see comments on Article 3 below).

The Luxembourg Government states that its preference for the adoption of a Recommendation is confirmed by the wide differences of opinion apparent at the Conference and reflected in the compromise texts submitted to the 34th Session. Referring to the trend of Luxembourg policy in respect of equal remuneration for men and women workers, the Luxembourg Government does not consider the time is opportune to accentuate this policy by formal sanction of the principle of equal remuneration and to provide for its general implementation by public authority when it is precisely those sectors of the Luxembourg economy in which women's work plays an important part that are now most handicapped in the face of foreign competition owing to the general level of wages and to social charges in the Grand Duchy. Consequently, while appreciating the considerations which have been taken into account in drafting the texts to be submitted to the 34th Session, the Luxembourg Government would be unable to approve a Convention, which would contain compulsory provisions.
In view of the practical inapplicability to essential branches of the national economy, such action would risk being repudiated by the legislative authorities or remaining a dead letter.

The Government of New Zealand reaffirms its general agreement with the principle of equal remuneration for men and women workers for work of equal value, but believes that application of the principle should be effected through a steady evolutionary process rather than by sudden change which might result in serious economic difficulties.

The Government of Pakistan states that in the case of less advanced countries where it has not been possible even to establish ordinary wage-fixing machinery, the proposal to create appropriate machinery for fixing wage rates on the basis of job content would not be practicable in the near future. Apart from other considerations, the dearth of personnel equipped with the qualifications requisite for the establishment of methods of objective appraisal of the work to be performed will stand in the way of implementing some of the provisions of even a Recommendation. If the Conference adopts a Recommendation, the Government of Pakistan will implement as many of its provisions as are practicable and will keep the rest in view as a guide to future action.

The Swedish Government, referring to the restricted possibilities of implementing the principle of equal remuneration, nevertheless states that in sectors of economic life where the question under consideration is the subject of free negotiation or where otherwise the Government is not directly concerned with the fixing of wages, the acceptance by the Government of the principle of equal remuneration as well as its participation in enquiries concerning the problems connected with the implementation of the principle, may, of course, have an influence on public opinion. But every form of direct State interference with the wage policy of municipal agencies or industrial organisations would conflict with long-established traditions. The Swedish Government points out that an important Swedish organisation of women workers draws attention to the flexible procedure proposed in respect of the question "Objectives and Minimum Standards of Social Security". This organisation suggests, referring to the fact that in many of the socially and industrially developed countries the Governments have no direct influence on the fixing of wages except in respect of their own employees, that an international Convention should be drawn up to cover persons in Government employment. Even the ratification of a Convention of such a limited scope would, in the opinion
of this organisation, have a stimulating effect on the development of a general solution of this important problem of social justice. Although the Swedish Government is not in a position to express any opinion as to the possibility or expediency of such a procedure, it nevertheless has found it appropriate to bring the suggestion to the notice of the I.L.O.

The Government of the Union of South Africa does not consider that it would be possible to apply the principle of equal remuneration at the moment in view of the financial and economic consequences of its practical application and taking into account the composition of the population of the Union. The industrial laws of the Union of South Africa permit of differences in pay to workers of different sexes, and such differences are a common feature of collective agreements freely negotiated between workers and employers in industries in which men and women are employed. Such differential wages are often more apparent than real. For example, differential wages are prescribed for "clerical male" and "clerical female" workers, whereas in fact, having regard to factors such as a more rapid labour turnover in respect of female workers, the actual work performed by the two groups described as "clerical" cannot be classified as "equal". In addition, women are invariably employed in occupations suitable to their physique and length of industrial life. Although there is a small number of higher posts in the public service with prescribed emoluments in which appointments are made irrespective of sex, it is the general policy of the Union Government to differentiate in the scales of pay between the sexes. It is the view of the Union Government that the adoption of a Recommendation on a matter such as the question of equal remuneration for men and women workers for work of equal value with proper "follow-up" by periodical reports so that the actual practice can be ascertained, is the wiser course. In the opinion of the Union Government, a Convention containing phraseology like "all practicable measures", "where necessary and appropriate", etc., will give rise to varying interpretations of the instrument with the result that it might in the end be tantamount to a Recommendation. Bearing in mind the provisions of Articles 24 to 34 of the Constitution of the International Labour Organisation, and the obligations devolving upon a Member State which freely accepts ratification of a Convention, it is the opinion of the Union Government that such instruments should be drafted in strict terms, leaving no doubts as to the duties of a Member State which ratifies.
The Swiss Government adopts a very reserved attitude. It is not in favour of the international regulations taking the form of a Convention, as the Swiss Government does not, generally speaking, intervene in the fixing of wage rates. Moreover, owing to the federal structure of the country, the Federal Government is not empowered to legislate on the application of the principle of equal remuneration to workers in the cantons and communes. The implementation of the provisions of the proposed Recommendation alone would be very difficult, for the same reasons. In the view of the Swiss Government, a country proposing to implement the principle of equal remuneration, more particularly a federal country, can only do so gradually.

It would seem clear, from a consideration of the Governments' replies to the previous consultation on equal remuneration, of the discussions which took place at the last session of the Conference and also of the attitude of the Governments which participated in the recent consultation, that the Conference will wish to adopt an international instrument on the question. On the other hand, the form to be given to these international regulations appears to raise a number of difficulties. The possibility that at the next session the Governments will be almost equally divided between partisans of a Convention supplemented by a Recommendation and partisans of a Recommendation alone must be envisaged. For the adoption of a Convention a two-thirds majority is required. The proposed Convention which has been the subject of discussion and which is to be submitted to the Conference covers all branches of activity. If the Conference should wish to study every possibility for the adoption of a Convention on the subject, it could consider a proposed Convention of a more restricted scope; it might be limited to employees of the public authorities, for instance, or to another branch of activity or group of workers, and the Conference might also consider a general Recommendation comparable to proposed Recommendation II. It did not seem appropriate, however, to submit to the Conference an alternative text to that of the proposed Convention, as no suggestion to that effect had been made by any of the Governments. Careful study of an alternative text cannot, therefore, be made before the second discussion of the question. In these circumstances it would seem desirable to consider the possibility of adopting a general Recommendation on which agreement can be reached at the next session of the Conference and which will have the advantage of dealing with the question of equal remuneration as a whole by establishing
a number of basic principles and defining certain methods of application. The example of the Income Security Recommendation, 1944, shows that a Conference decision of this kind can prepare the way for later action by the International Labour Organisation, as the question of income security is to be discussed at the next session of the Conference with a view to the adoption of Conventions on social security. Thus a decision taken seven years ago seems to have borne fruit, as the International Labour Organisation is once again taking up the question and considering a decision which will involve stricter obligations for Member States. The adoption of a general Recommendation on equal remuneration may play a preliminary role similar to that of the 1944 Recommendation concerning income security. The Conference may decide either to invite the Governing Body to follow the question attentively and to include it in the agenda of a session of the Conference when, in the opinion of the Governing Body, it is ripe for reconsideration with a view to the adoption of one or more Conventions.

A. PROPOSED CONVENTION AND PARAGRAPHS 1-4 OF THE RECOMMENDATION CONCERNING EQUAL REMUNERATION FOR MEN AND WOMEN WORKERS FOR WORK OF EQUAL VALUE

The replies of a number of the Governments relate either to the Articles of the proposed Convention (I A) or to the paragraphs of proposed Recommendation II which reflect the Articles exactly but for unavoidable drafting changes. Account is taken of the suggestions concerning both these texts in the discussion of Articles 1 to 4 of the proposed Convention and of Paragraphs 1 to 4 of the proposed Recommendation alone. The question of the preamble to Recommendation II will be considered later at the same time as the preamble to the supplementary Recommendation (I B).

Article 1 of Text I A
Paragraph 1 of Text II

The Belgian Government makes a number of observations on this provision. In the first place, the definition of “remuneration” implicitly excludes allowances granted under a social security scheme. The Belgian Government considers that if this point of view is adopted it should be specifically stated in the definition
that such allowances are excluded from remuneration. The words "received by the worker from his employer" do not indicate whether, for example, social security benefits paid by the employer are included in remuneration. If, the Belgian Government continues, this is the case—and it would appear to be so from the discussion on the subject in Committee—it does not seem logical. The Belgian Government sees no difference between social security benefits paid by public authorities and those paid by the employer, and there is therefore no apparent reason why the former benefits should be excluded from remuneration and the latter included in it. Paragraph 1. (a) was the subject of long discussion by the Committee on Equal Remuneration at the 33rd Session of the Conference. The Committee was of opinion that the allowances paid under social security schemes financed by the undertaking or industry concerned were part of the system of remuneration in the undertaking and were one of the elements making up wages in respect of which there should be no discrimination based on sex. It would be difficult to change the text at this stage as no objections have been raised to it by the other Governments which took part in the consultation.

In the opinion of the Belgian Government the text does not indicate clearly whether promotion by seniority is to be included in the definition of remuneration. The Belgian Government points out that the grant of a basic wage or the same minimum wage to both sexes does not automatically involve an identical system of promotion by seniority for men and women. The Committee discussed this question and seems to have agreed that increases on account of seniority are an integral part of the wage system. Also, the phrase "any additional emoluments whatsoever" in paragraph 1. (a) refers in particular to promotion by seniority. There would therefore be no reason to change the proposed text.

The United States Government agrees to paragraph 1. (a) in the following terms:

Paragraph 1. (a) defines "remuneration", in part, as including the "ordinary basic or minimum wage or salary". The United States Government interprets this to cover all forms and levels of wage payments, e.g., the regular or "ordinary" rate for any given occupation depending on the skill involved; the "basic" rate applicable to work done presumably on an incentive basis and the "minimum" rate as fixed by law or in the form of "entrance" or "beginning" rates as set by practice. In other words, it understands that "ordinary" and "basic" are not necessarily equivalent to "minimum" and the applica-
tion of the principle is not to be confined to "minimum" rates but is to apply to rates at all levels of remuneration.

In the opinion of the Belgian Government, the French words "se rapporte" in paragraph 1. (b) (the term used in the English text is "refers") should be changed; it considers that the term in question should have a precise meaning which no Member can misinterpret when applying the regulations. This was indeed the aim of the Office text and the sense of the Conference decision.

To prevent any possibility of misunderstanding it seems desirable to adopt the Belgian Government's suggestion and to employ the word "signifie" in the French text.

The United States Government considers that rates of remuneration are the correct basis for applying the principle of equal pay.

The Belgian Government regrets that Article 1 does not define "job content" or some equivalent term. It considers that the text would be much clearer if such a definition followed the other two definitions in Article 1. A precise term, the meaning of which would have been clearly defined, could then be used in the remainder of the text. In the view of the Belgian Government, it would be difficult to ratify a Convention giving rise to different interpretations. The Belgian Government points out that international regulations are of a permanent and stable nature and should therefore be based from the beginning on well-established principles which leave no doubt as to the duties of a Member which ratifies. The Belgian Government remarks that the need for some kind of a definition is so evident that attempts have been made to give one at several points in the text, for example in Article 3 of the proposed Convention and in Paragraph 5 of the proposed Recommendation. It concludes that agreement should be reached on this point even though it may mean a compromise. The Belgian Government does not, however, suggest a definite text. It should be pointed out that the French terms "nature du travail" or "caractéristiques de l'emploi" and the corresponding English expression "job content" have been deleted from the text for the reasons given in Report VII (1), (p. 49). Under the circumstances, it would not appear to serve any useful purpose to attempt to define the French term "nature du travail" or other expression corresponding to the English term "job content" (see Article 3 below).

The Swedish Government agrees to the proposed definitions.
A number of proposals have been made concerning this provision. The United States Government takes exception to the wording of this provision and particularly to the phrase "by means appropriate to the methods in force for determining rates of remuneration, to further and, so far as is in conformity with such methods, to ensure", etc. The United States Government considers that if such wording is adopted it will establish as the basic principle for implementation only those procedures now "in force" in individual countries rather than the positive directive to proceed by whatever measures are necessary to assure the implementation of the principle. In other words, the maintenance of the status quo would be all that would be required by this language, no matter how far that might be from effectuating equal pay. The United States Government considers that this would have two undesirable results: (1) it would remove any obligation on the part of ratifying or complying Member States to improve the present extent or procedures of implementation; (2) it would place the I.L.O., through its approved international regulations, in the position, in spite of its historic and urgent obligation to advance the principle of equal pay, of permitting technical compliance with the regulations by Member States without their incurring any new obligation to carry out the basic objective. The United States Government suggests that the wording of this part of Article 2 should be redrafted as follows: "Each Member shall take all practicable measures by all means appropriate for determining rates of remuneration to assure as promptly as possible the application to all workers of the principle of equal remuneration for men and women workers for work of equal value". The effect of such wording would be to place an obligation upon ratifying or complying Members to move forward by appropriate means from measures and means now in force, if any, to such other measures as will assure without undue delay the application of the principle. This would have the effect of advancing implementation and would defeat charges from hostile sources that mere lip service is given to the principle of equal remuneration. The interpretation of the United States Government calls for an explanation of the Office text. As the discussion in the Committee shows, the phrase "by means appropriate to the methods in force for determining rates of remuneration" does not mean that
no new measures shall be taken, but is intended to specify that public authorities must respect the principles of the wage-fixing system in force in regard to all the measures which they may take to further or ensure the application of the principle. A provision of this kind is necessary in view of the great variety of methods of wage determination in operation, and is a compromise which appears to be acceptable to the Governments and to the representatives of employers and workers in countries where the methods in question are widely different. There would seem to be general agreement that it would be undesirable to use, in connection with the application of the principle of equal remuneration, different methods from those in force in the various countries for determining wage rates. This explanation of the intention of the text should meet the objection of the United States Government.

However, the wording "to promote and in so far as the nature of such methods allows, to ensure" would perhaps make the intention of the text clearer. The wording suggested by this Government differs from the Office text in another important respect: it eliminates the words "to further" and retains only the obligation imposed on Member States to ensure under certain conditions the application of the principle. It would seem difficult for the Conference to consider this proposal as, from the discussion in the Committee on Equal Remuneration and the attitude of the Governments which took part in the consultation, it would appear desirable to keep the text as flexible as possible.

The Indian Government suggests the insertion of the words "as far as possible in the light of the development of social policy and the financial and economic circumstances of the country concerned" between the word "ensure" and the word "the" in line 4 of the text. The New Zealand Government also proposes that the text should be so drafted that action to promote the application of the principle of equal remuneration should be decided in the light of "the development of social policy and the financial and economic circumstances of the country concerned". Proposals to this effect were rejected by the Committee on Equal Remuneration. It would be difficult at this stage to reconsider texts which were not accepted at the first discussion of the question.

The Polish Government states that the scope of the proposed regulations should be clearly defined. The Convention should apply to all workers, both wage earners and salaried employees, irrespective of the branch of economic activity in which they are
employed, for instance, industry, commerce, communications, transport, agriculture and offices, public administration, public and social institutions or employment by private persons in any capacity. It should be pointed out in this connection that, although the text of Article 2 (1) does not define the scope of the Convention in so detailed a manner, it provides that Member States shall undertake to ensure under certain conditions the application of the principle to all workers.

The Government of the United Kingdom remarks that “the fourth paragraph of the preamble to the proposed Recommendation (Text B) recommends that Member States should . . . apply the following provisions as rapidly as national conditions allow”. It is not considered, however, that the detailed methods of application contained in Text B can properly be considered apart from the general obligations contained in Article 2 (1) of the proposed Convention. It is therefore proposed that the words “as rapidly as national conditions allow” be transferred from the preamble to Text B and inserted after the words “each Member shall . . . ” in the first line of Article 2 (1) of Text A. The same observations apply mutatis mutandis to Paragraph 2 of Recommendation II. It is difficult at this stage to modify the proposed text in the way suggested. On the one hand, the proposal seems more appropriate to a Recommendation, as the ratification of a Convention is implicitly conditional on the possibility of application. It should also be pointed out that the Governments which favour a Convention supplemented by a Recommendation have accepted the Office text as a basis for discussion. On the other hand, as will be seen later, it is suggested that the Conference should consider whether it would not be advisable to preface the proposed Recommendation alone, by a preamble. If this suggestion is accepted, the United Kingdom’s observation would apply to the whole of the Recommendation and it would not be appropriate to insert the proposed words in Paragraph 2.

The United Kingdom Government suggests another alteration. It considers that the words “in force” (second line of the English text) might be interpreted as limiting its reference to methods of determining rates of remuneration which may be established by law. The United Kingdom Government accordingly proposes that the words “in operation” be substituted for the words “in force”. This proposal is fully acceptable and does not affect the corresponding French term “en vigueur”, which is wider than the term “in force”.
The Government of Israel proposes the addition to Paragraph 2 of the words "or any legally established or recognised wage-fixing machinery", as it considers that the Office text would exclude arbitration tribunals and wage boards. It also suggests that subparagraph (2) (c) should read as follows: "A combination of (a) and (b)". The proposed text is intended to recognise all methods of determining rates of remuneration for the purpose of applying the Convention. It is therefore suggested that the important method mentioned by the Government of Israel might be specifically included. It might even be made into a separate subparagraph (b), subparagraph (c) being modified and becoming subparagraph (d) and the present subparagraph (b) becoming subparagraph (c).

The Indian Government draws attention to an error in subparagraph (2) of the English text (of the Recommendation). The word "or" should be added at the end of (b), which becomes (c) as the result of an amendment suggested by the Israeli Government.

The New Zealand Government would prefer that the text of Paragraph 2, subparagraph (2) of proposed Recommendation II should be so drafted that the opening words provide that the application of the principle of equal remuneration for men and women workers be sought through the regulations which follow. As will be seen later, words to this effect are included in the draft preamble to the proposed Recommendation alone, and it would not seem appropriate to repeat them in this paragraph.

In the opinion of the Polish Government, ratification of the Convention should involve the obligation to implement the principle of equal remuneration by legislative action. All legislative or administrative rules, collective agreements or individual contracts of employment which are contrary to the principle of equal remuneration should be considered ipso jure null. It should be pointed out in this connection that both the Committee on Equal Remuneration and the Conference at its last session thought it desirable to allow considerable flexibility in the methods of application. Legislative action is one of the methods recognised. It would seem difficult to reconsider this principle since it has been thoroughly discussed and approved by all the Governments which took part in the consultation. Moreover, the application of the principle by legal enactment is the subject of Paragraph 3 of the draft supplementary Recommendation.

The United Kingdom Government proposes that the word "may" should be substituted for the word "shall" in paragraph 2
It considers that this paragraph should be drafted in a permissive rather than in a mandatory form in view of the fact that it sets out alternative methods of applying the principle. Furthermore, in the view of the United Kingdom Government, the paragraph as drafted appears to imply obligations additional to those embodied in paragraph 1 of the same Article. Paragraph 1 provides that the principle of equal remuneration shall be “furthered” and, in certain circumstances, “ensured”. Paragraph 2, however, states that the principle “shall be applied” by one of the means set out in subparagraphs (a), (b) and (c). The United Kingdom Government considers that the opening of Paragraph 2 should be re-drafted so as to make it clear that where, as a consequence of action taken under paragraph 1 of the Article the principle of equal remuneration is in fact applied, then it may be applied by one of the alternative methods set out in subparagraphs (a), (b) and (c). The Conference will no doubt wish to consider this proposal.

Finally, the Swedish Government points out that these provisions can be applied in Sweden to a limited extent only. Since, however, they may be of importance to countries where the Government has a direct influence on the fixing of wages in general, the Swedish Government has no objection to the proposed text.

**Article 3 of Text I A**

**Paragraph 3 of Text II**

The reply of the Finnish Government concerning the criteria for the appraisal of jobs may be considered at this point. The Finnish Government refers to its reply to the questionnaire sent out by the Office in 1949, in which it stated that the term “work of equal value” should not be understood as referring only to job content but that when jobs were being appraised other aspects should be taken into account. The Finnish Government suggested that the term “work of equal value” should be defined so as to mean equal work from the employer’s point of view. This would mean primarily that the work done and considered as equal from the employer’s point of view would correspond to equal remuneration irrespective of the sex of the worker who performed it. “Work of equal value” should therefore mean output of equal value. Costs of production should not be increased because women workers are employed. The Finnish Government therefore suggested that the over-all value of the work should be taken
into consideration. It may, however, be remembered that this suggestion was rejected by the Committee on Equal Remuneration in June 1950. Moreover, judging from the replies of the Governments concerning this Article, there would not appear to be a majority in favour of the proposal.

The United Kingdom Government on the other hand proposes to eliminate any reference to specified criteria for the appraisal of jobs and considers that the essence of this Article could properly be embodied in the following simplified text:

Where necessary and appropriate for this purpose measures shall be taken to promote objective appraisal of jobs on such basis as may be decided upon . . .

In view of the importance given to this question at the first discussion and in particular to the need for defining exactly the criteria for the objective appraisal of jobs without discrimination based on sex, it would not seem desirable to submit too flexible a text to the Conference. It should, however, be observed that the proposed text offers alternatives to take account of special conditions. Moreover, the attitude of the Governments of Belgium, Israel and the United States lends support to the maintenance of the proposed text.

The Belgian Government does not consider the proposed text satisfactory. It is of opinion that the phrase “objective appraisal of jobs on the basis of the work to be performed and the abilities required for this purpose” is incomplete. In the view of the Belgian Government, an objective appraisal of jobs should be based on three main factors: (i) the abilities required for the performance of a specified job, (ii) the conditions under which it is performed, and (iii) the vocational training of the worker. Point (ii) is not included in Article 3. It might possibly be understood to be included in the expression “or such other basis as may be decided upon by the authorities”. But it should be given the same weight as the other two factors and its omission is to be regretted. The Office text was intended to take account of the factor mentioned in (ii). If, however, the text as it stands is not clear, the Conference might consider it preferable to specify that account should be taken of the conditions under which the work is performed.

The Government of Israel suggests the substitution of the word “establish” for the word “promote”. As this Article refers to cases “where necessary and appropriate”, that Government does
not consider that the word "establish" would cause any difficulties but feels that it would strengthen the text. This change would certainly make the text more positive. There are, however, cases in which the public authorities cannot intervene directly in this matter though any encouragement they may give may have an appreciable influence. Moreover, the discussion in the Committee on Equal Remuneration indicated that the Conference might not be prepared to accept a text imposing stricter obligations on Governments. It would therefore seem appropriate to maintain the proposed text, which takes into account the different conditions in which action may be taken by the public authorities.

The Government of Israel also suggests that the words "with a view to providing a classification of jobs without regard to the sex of the worker" (end of Paragraph 5 (1) of the supplementary Recommendation) should also be added to the end of Article 3 of the proposed Convention. This suggestion is in accordance with the spirit and intention of the Article. Discussions on this point showed, however, that the principles to be included in the Convention should be worded in the simplest and most general manner. It might, therefore, not be desirable to add the words proposed by the Government of Israel, more especially as the question of the "classification of jobs" is considered among the methods of application.

The Government of the United States agrees that the proposed wording expresses the idea of "job content". It objects, however, to the alternative "or on such basis as may be decided upon by the authorities responsible for the determination of rates of remuneration, etc." It considers that if these words are retained, discrimination solely on the basis of sex is still possible, whereas the purpose of the international regulations is to do away with such discrimination. The broad and undefined wording proposed leaves the way open for promotion of wage differentials between men and women on grounds entirely unrelated to work performed or to skill, many of which grounds reflect prejudice, deliberate undervaluation of women's skills or the weaker bargaining position of women as compared with that of men. The United States Government suggests that the difficulty might be solved by the substitution of the proposed wording by that of Paragraph 5 (1) of the accompanying Recommendation. The text would then read—

Where necessary and appropriate, measures shall be taken to promote objective appraisal of jobs on the basis of the work to be performed and the abilities required for its performance, whether by job analysis or by
other procedures, with a view to providing a classification of jobs without regard to the sex of the worker, such procedures to be decided upon by the authorities responsible for the determination of rates of remuneration, or, when such rates are determined by collective agreements, by the parties thereto.

The United States Government considers that the new wording would retain the basic idea of the objective appraisal of jobs on the basis of specified criteria but would permit flexibility in the choice of procedures. Where job analysis is feasible or already an accepted practice, it would be presumed to be the normal procedure to follow. Where such a method is only one of several used, or where it is not at the moment feasible, other procedures might be employed, either in whole or in part, but only such as would lead to an "objective appraisal", etc., and the elimination of discrimination based on sex. It considers the proposed change in wording would greatly aid in eliminating the effects of prejudice and of under-estimation of women's skills and the relative "value" of their work upon measures taken to implement the principle of equal remuneration.

The discussion in the Committee on Equal Remuneration and the decision taken by the Conference clearly showed that the proposed Convention should only contain general principles, methods of application being dealt with in a supplementary proposed Recommendation. If the above suggestion were adopted, difficulties comparable to those which arose during the discussion of Paragraph 5 of the proposed Recommendation would probably be encountered. It would seem, moreover, that the idea of job appraisal without discrimination based on sex is implicit in the conception of "objective appraisal" which is basic to this Article. If the text is interpreted in this way the fear expressed by the United States Government and the objection implicit in the counter-proposal of the Government of Israel to introduce the wording "with a view to providing a classification of jobs without regard to the sex of the worker", are perhaps unwarranted. It should nevertheless be possible to clarify the intention of the Article by modifying the opening words so as to read—

Where necessary and appropriate for the purpose of applying the preceding Article . . .

It is relevant to refer at this point to the observation made by the Swedish Government on the corresponding paragraph of the proposed Recommendation alone (Paragraph 4). The Swedish Government points out that generally accepted methods hardly
exist for such an objective appraisal of jobs as indicated and that the implementation of such a method of wage fixing would probably cause a radical transformation of the collective agreement system now in force for important groups of employees.

Article 4 of Text I A
Paragraph 4 of Text II

The Belgian Government does not agree to the proposed text, which in its opinion does not conform to the amendment submitted by the United States Government and adopted by the Committee. The Belgian Government recalls that it had proposed a similar amendment as it considered co-operation to represent mutual goodwill on the part of Governments, employers and workers equally. The Belgian Government cannot accept the interpretation which the Office drafting implies, that is to say, that the obligation to encourage co-operation rests on Governments. It therefore proposes the maintenance of the text adopted in Committee.

The Office wording does not seem satisfactory and the proposal of the United Kingdom Government provides a solution which would appear to correspond more exactly to the intention of this Article. The Conference might prefer to consider the following substitute text—

Each member shall co-operate as appropriate with the employers' and workers' organisations concerned for the purpose of giving effect to the provisions of this Convention.

As the Government of the United Kingdom remarks, this Article is designed to promote co-operation between Governments and the organisations of employers and workers concerned. In the proposed draft the Article appears to place an obligation on Governments to encourage themselves to co-operate with the employers' and workers' organisations.

A general observation made by the Israel Government should be examined at this point. The Israel Government states that wherever consultation with workers and employers is a duty, the consultation should be with the most representative employers' and workers' organisations concerned and not with "the workers" or with "the employers' and workers' organisations concerned", as proposed in the Office text. It is certainly desirable that the most representative organisations of employers and workers should co-operate with the public authorities in the application of the
principle, but for the texts to oblige Governments to co-operate with "the most representative" organisations would raise difficulties irrelevant to the question of equal remuneration. Moreover, if the wording used in this connection in the Office text is not uniform, it is expressly in order to take account of the special conditions of trade union organisation in certain branches of activity, for instance, in the public services. In these circumstances the Conference may hesitate to adopt the Israel Government's suggestion. Furthermore, it may be remembered that during the discussion of Paragraph 3 of the Recommendation by the Committee on Equal Remuneration, this Government made a proposal in the same sense, which the Workers' members did not accept.

The United States Government states that it is in hearty accord with this provision of the proposed text. By principle and practice the United States Government believes in co-operation between workers' and employers' organisations in working out problems of mutual concern. It also believes that the most effective enforcement can be obtained by close co-operation with and between the groups immediately affected by any given type of legislation or regulation. It adds that there are various methods of implementing the obligation "to encourage" co-operation, some of which are indicated by the Recommendation accompanying the proposed Convention.

B. **Proposed Supplementary Recommendation and Preamble and Paragraphs 5-11 of the Proposed Recommendation alone concerning Equal Remuneration for Men and Women Workers for Work of Equal Value**

_Preamble to the Proposed Supplementary Recommendation_

.First Consideration. The United Kingdom Government is of opinion that, read in conjunction with the terms of the proposed Convention (Article 2 (1) in particular) the statement that "The Equal Remuneration Convention 1951 lays down the general principle of equal remuneration" appears to be ambiguous if not misleading. It considers that this paragraph should be re-drafted on the following lines:

Whereas the Equal Remuneration Convention, 1951 lays down certain general principles concerning equal remuneration . . .
This wording is more precise than the Office draft and the Conference may wish to consider it.

*Second Consideration.* The United Kingdom Government considers that this paragraph should be re-drafted on the following lines:

Whereas it is there provided that the application of these principles shall be furthered or ensured by means appropriate to methods in operation for determining rates of remuneration.

This proposal is of the same nature as the preceding proposal and might be considered by the Conference instead of the Office text provided that the words "furthered or" are deleted, since the Recommendation is to deal with methods of application.

*Third Consideration.* In the view of the Belgian Government the third Consideration has no bearing on the text of the Recommendation. The Belgian Government states that the object of the Recommendation is not to make known the methods which have been found to give satisfactory results in certain countries but rather to give guidance to Member States and to indicate methods for the application of the principle of equal remuneration which the Member States which participated in drafting the Recommendation considered to be desirable and suitable. The Belgian Government therefore proposes the deletion of this sentence.

The proposal concerning this Consideration made by the United Kingdom Government would seem more acceptable to the Belgian Government and the Conference is asked to examine the following text:

Whereas it is at the same time desirable that all Members should have regard to methods of applying these principles which have been found satisfactory in certain countries;

*Fourth Paragraph.* The United Kingdom Government suggests the deletion of the words "as rapidly as national conditions allow" in the preamble and their transfer to the first line of Article 2 (1) of Text A (see observations on this Article). It has not seemed appropriate to adopt this proposal and the text of this paragraph is maintained without amendment.

*New Consideration.* The Belgian Government would like the preamble to include a Consideration drawing attention to the fact that the Recommendation is intended to enable the general principle of equal remuneration to be applied progressively.
The Conference may wish to examine this proposal, which might be submitted in the following form and inserted between the second and third Considerations—

Whereas it is desirable to indicate certain procedures for the progressive application of these principles.

Preamble to the Draft Recommendation alone.

The Belgian Government considers that if the Conference decides to adopt a Recommendation only, this Recommendation might usefully include a preamble similar to the preamble to the proposed supplementary Recommendation accompanying the proposed Convention, but with appropriate modifications. The Conference may wish to consider this proposal. The preamble to the proposed Recommendation would then read, after the introductory part, as follows—

Whereas the application of the principle of equal remuneration for men and women workers for work of equal value should be ensured by means appropriate to the methods in operation for determining rates of remuneration in the countries concerned;

Whereas it is desirable to indicate certain procedures for the progressive application of the principle;

Whereas it is desirable that all Members should have regard to methods of applying the principle which have been found satisfactory in certain countries;

The Conference recommends that each Member should apply the following provisions, as rapidly as national conditions allow, and report to the International Labour Office as requested by the Governing Body concerning the measures taken to give effect thereto.

The United Kingdom Government suggests the addition of a paragraph to the proposed Recommendation alone. This point may be considered at this stage. The Government in question is strongly of opinion that the substance of the preamble to Text I B should be incorporated in Text II also, immediately before Paragraph 5. It considers that, in order to avoid any misunderstanding, the text of the Recommendation should be quite explicit as regards the bearing of the "general principles" upon the "methods of application". It therefore proposes that the following additional paragraph should be inserted before Paragraph 5 of the existing text:

Each Member should, subject to the provisions of Paragraph 2 of this Recommendation, apply the following provisions and report to the International Labour Office as requested by the Governing Body concerning the measures taken to give effect thereto.

The last paragraph of the new preamble would take account, in part, of the proposals of the United Kingdom Government. It
would therefore seem unlikely that the Conference would wish to consider an additional paragraph intended to provide that when methods of application are put into operation due account shall be taken of the provisions of Paragraph 2 of this Recommendation, as the latter lays down one of the basic principles underlying the whole Recommendation. Attention is moreover drawn to the importance of this principle in the first Consideration of the new preamble.

Paragraph 1 of Text I B  
Paragraph 5 of Text II

As the provisions of Paragraphs 1-7 of the supplementary Recommendation exactly reflect the provisions of Paragraphs 5-11 of the Recommendation alone, it would seem appropriate to consider at the same time the observations of Governments on the provisions of both texts, more especially as these texts are of the same character.

A number of observations have been made on Paragraph 1, corresponding to Paragraph 5 of Text II.

Two Governments, those of Israel and Turkey, make suggestions relating to Paragraphs 1 and 2 which should be considered together. The Israel Government considers that the obligation concerning the application of the principle to the workers enumerated in Paragraphs 1 and 2 (b) of the supplementary Recommendation should be included in the Convention and not in the Recommendation as proposed by the Office. The Turkish Government makes a comparable proposal. It recommends the inclusion in the proposed Convention of Paragraphs 1 and 2 of the proposed Recommendation in the event of the Conference deciding to adopt a Convention and a Recommendation. It states that this would establish the principle of equal remuneration for men and women workers for work of equal value in respect of all wage earners and salaried employees irrespective of the nature of the undertaking in which they are employed.

It should be pointed out that the scope of the proposed Convention as defined in Article 2 of this instrument is very wide. Article 2 prescribes that each Member shall take all practicable measures to ensure the application to all workers of the principle of equal remuneration for men and women workers for work of equal value. It would seem that the addition of provisions concerning particular categories of workers would tend, if not to cause a certain confusion in the interpretation of Article 2 of the
draft Convention, at least to weaken its effect. For this reason it is doubtful if the Conference would think it desirable to consider the proposals of the Governments of Israel and Turkey.

The Indian Government proposes that subparagraphs (a) and (b) should be replaced by the following text:

To ensure the application of the principle of equal remuneration for men and women workers for work of equal value to the employees of the Government.

It may be recalled that a comparable amendment was submitted at the first discussion in the Committee on Equal Remuneration and was rejected by the Committee. It would not therefore seem desirable to amend the text in the way suggested by the Indian Government.

The United Kingdom Government has no comment to make on this paragraph provided that a suitable reference to Article 2 of the proposed Convention appears in the fourth paragraph of the preamble.

The Swedish Government refers, in connection with this paragraph, to its observations under "General Remarks" above.

Paragraph 2 of Text I B
Paragraph 6 of Text II

In the opinion of the Belgian Government the words "where appropriate" in subparagraph (c) are superfluous, as it is stated at the beginning of this paragraph that action should only be taken in occupations in which rates of remuneration are subject to statutory regulation or public control. It is obvious, it declares, that if public authorities have no power in the matter they can take no action. Furthermore, the Belgian Government considers that the wording proposed by the Office enables public authorities, when they regulate or control rates of remuneration, to establish equal remuneration in some sectors of the economy and not in others. In the view of the Belgian Government this is too arbitrary. Moreover, this is not the wording adopted by the Committee. It may be remembered that these words were included in the text in order to take account of the objections raised by a number of Governments at the first discussion. Though no decision on them was taken by the Committee it has nevertheless appeared desirable that they should be considered at the second discussion. The Belgian Government did not comment on the reasons for which the words were included in subparagraph (c); the reasons seem
to be still valid and it might accordingly be advisable to submit the Office text to the Conference for discussion.

The Governments of India and New Zealand suggest the substitution of the following wording:

Appropriate action should be taken in accordance with the terms of these regulations to bring the provisions of the regulations to the notice of all the wage earning and salary fixing authorities and employers' and workers' organisations concerned.

Such an amendment would radically change the intention of this paragraph, which is to specify certain fields in which public authorities are able to determine rates of remuneration. Furthermore, a proposal of this kind was made at the first discussion by the Committee on Equal Remuneration and was rejected by it. It would therefore seem inappropriate to resubmit the proposal to the Conference as a basis for discussion.

The United Kingdom Government considers that in the light of Article 2 of the proposed Convention the obligations contained in this paragraph would apply only in the case of countries where it would be in conformity with methods in operation for determining the rates of remuneration to ensure the application of the principle of equal pay in respect of the occupations specified by this paragraph.

The Swedish Government refers, in connection with this paragraph, to its observations under "General Remarks" above.

*Paragraph 3 of Text I B*
*Paragraph 7 of Text II*

The Belgian Government is not in favour of subparagraph (2) of this paragraph. It considers that if exceptions are allowed to legal enactments it will considerably slow down the progressive application of the principle of equal remuneration both on the national and international plane. The Belgian Government states that experience has shown the danger of exceptions of this kind; exceptions tend to multiply and end by becoming more frequent than the general rule. The Belgian Government fears that if the Office text is maintained the following situation will arise in the international field. Each Member State will provide for exceptions the scope of which will doubtless vary from country to country. Each State will thus approve a certain number of exceptions in those branches of activity in which the internal economic situation of the country makes them desirable. The Belgian Government
has no doubt that the exceptions will rapidly become more numerous than are strictly required in the national field, in the following way. Suppose in a given country an exception is made for the textile industry. At once, one or more competitive countries will do the same thing for the same industry even if such an exception is unnecessary for their national economy. Thus, exceptions will become more and more numerous. The Belgian Government considers that a system of equal remuneration having no unfortunate repercussions on the economy of a country can only be applied in so far as all the other countries adopt the same attitude. The possibility of exceptions to the scope of application not corresponding will invalidate any attempt to establish a system of equal remuneration. In order to reach a compromise to which all can agree the Belgian Government might assent to the Office text provided it were specified that the scope of the exceptions allowed should as far as possible be the same for all countries. The Belgian Government would, however, like the deletion of this point to be discussed at the 34th Session, since its deletion does not appear to have been raised at the 33rd Session.

It may be remembered that at the first discussion of this paragraph an amendment tending to make the text more rigid was rejected by the Committee, which adopted only the part providing for the consultation of workers' and employers' organisations. It would seem to follow from the discussion of this question that the Conference might wish to re-examine the question of the possibility of exceptions to the principle. Furthermore, it would hardly be possible to amend the text in the way proposed by the Belgian Government; indeed, in applying the provisions of a Recommendation, Governments can only fulfil their obligations in respect of their own country. Only by international bilateral or multilateral agreements concerning specific exceptions could provisions based on the Belgian Government's suggestion be put into operation. In these circumstances it would seem preferable to maintain the Office text as a basis for discussion.

The Indian Government proposes the deletion in subparagraph (2) of the words "to be made after consultation with the employers' and workers' organisations concerned". It has just been pointed out that these words were included in the text as the result of an amendment at the first discussion. In view of the position taken by the Conference it would not seem advisable to submit the text amended in the way proposed by the Indian Government as a basis for the second discussion.
The United Kingdom Government suggests two modifications which are essentially drafting changes and which it would seem desirable to adopt. It proposes firstly that the words "methods in operation" should be substituted for the words "established procedures" in subparagraph (1). This change would make the wording of this subparagraph consistent with that proposed in the case of Article 2, Paragraph 1 of the proposed Convention. Secondly, the Conference may wish to consider the proposal of the United Kingdom Government that the word "might" in subparagraph (2) of the English text be replaced by the word "may".

The Swedish Government refers, in connection with this paragraph, to its observations under "General Remarks" above.

Paragraph 4 of Text I B
Paragraph 8 of Text II

The Belgian Government considers that the phrase "in respect of employment covered by Paragraphs 1, 2 and 3" is inaccurate and that the wording adopted by the Committee on Equal Remuneration should be maintained, i.e., "in the fields covered by Paragraphs 1, 2 and 3". The modification made by the Office to the text adopted by the Conference was a purely drafting change, as the phrase proposed seemed to include in a more appropriate manner the various kinds of Government action specified in Paragraphs 1, 2 and 3. The Belgian Government's objections would seem to indicate that the Office text is not entirely satisfactory. It might, however, be advisable to maintain the proposed text and to draw the attention of the Conference to this point of drafting.

The Belgian Government is furthermore of opinion that this phrase should not be included in the text as the measures provided for in Paragraph 4 should apply to all workers and not only to those whose rates of remuneration depend in one way or another on the public authorities. The limitation introduced by the words "in respect of employment covered by Paragraphs 1, 2 and 3" is arbitrary and likely to hinder the gradual establishment of a system of equal remuneration. The experience of some countries, for instance France, has shown that decreases in the differential rates for men and women and the grant under a system of increments of equal increases to men and women are two essential provisions for a progressive reduction in inequality and for a
practical application of the principle. The Belgian Government realises that where remuneration is determined by collective agreement and does not depend on the public authorities the Government cannot intervene. It nevertheless considers that the drafting of Paragraph 4 does not seem to take into account the fact that the Member States which draw up and then adopt a Convention are not represented by Governments alone but also by employers' and workers’ organisations. It may be remembered that the text in question was discussed by the Committee and adopted as the result of a vote. It would not seem desirable to go back on this decision of principle and to take no account of it in the text which is to form the basis for the next discussion.

The United States Government recognises that some countries may find it difficult or impossible to enforce the principle of equal pay because of technical or economic difficulties in the way of full application of the principle at least in the early stages. Taking into account the problems of each country, the United States Government is prepared to support the incorporation of some alternative methods of implementation that do not leave the door open for deliberate discrimination.

The United States Government justly points out that the phrase “Paragraphs 1, 2 and 3” should read “Paragraphs 1, 2 or 3”.

The United Kingdom Government assumes that in the light of Article 2 of the proposed Convention (old text) the obligations contained in this paragraph would apply only in the case of countries where it would be in conformity with the methods in operation for determining rates of remuneration to ensure the application of equal pay. The United Kingdom Government adds that even in those cases where it may be appropriate for Governments themselves to make or cause to be made provisions for the application of the principle of equal remuneration, it should not, in the opinion of that Government, be assumed that it would necessarily be appropriate to make or cause to be made provision for its gradual application as recommended in this paragraph. Accordingly, the United Kingdom Government is of opinion that the obligation upon members should be limited to considering the gradual application of the principle in such cases, and it suggests that the following phrase should be substituted for the words “appropriate provision... by such measures as...” in the present text:

each Member should consider making or causing to be made appropriate provision for its gradual application by such methods as...
It should be pointed out that the Office text sets out the principle of the progressive application of equal remuneration in a general manner and that it specifies two methods of application by way of examples. The text would therefore seem to meet one of the United Kingdom Government's objections. The text proposed by this Government merely expresses the idea of considering taking or causing to be taken measures for the progressive application of the principle. The force of the text is thus considerably weakened. In view of the discussions on this point it would not seem appropriate to submit such a text to the Conference as a basis for discussion.

The Swedish Government refers, in connection with this paragraph, to its observations under "General Remarks" above.

Paragraph 5 of Text I B  
Paragraph 9 of Text II

The Belgian Government makes a number of observations on the proposed text. It considers that it does not reproduce the amendment submitted by the Canadian Government and adopted by the Committee, reading as follows: "the application of the methods developed, however, to be in conformity with the principle of Paragraph 5 (Article 2 of the draft Convention)". In view of the lively discussion which took place concerning the intervention of the public authorities in job classification and the fact that the text adopted was satisfactory to all members, the Belgian Government desires its inclusion in this paragraph even if, as the Office states, the provision is implicit in the Office text. The Belgian Government also points out that the Office text specifies that each Member should establish or encourage the establishment of methods. This wording is unfortunate and does not conform exactly to the Canadian Government Member's amendment adopted in Committee regarding the application of methods. The Belgian Government has no objection to providing for two measures in this paragraph, i.e., (1) to establish methods, and (2) to encourage their application. It also states that the wording of this paragraph in the supplementary Recommendation is not the same as in that of the Recommendation alone. In the latter the Canadian Government Member's amendment is reproduced in full. Although the Office drafting makes the Canadian Government Member's amendment appear superfluous, the Belgian Govern-
ment would nevertheless prefer the retention of the text adopted in Committee containing the amendment in question.

It should be borne in mind that, although a text for this paragraph was adopted in Committee, a number of difficulties were not solved in a satisfactory manner. The Office text, more especially Paragraph 9 of the proposed Recommendation alone, provides on the one hand that Member States shall establish or encourage the establishment under certain conditions of the methods in question and, on the other, in conformity with the substance of the decision of the Conference, specifies certain conditions for the application of these methods. The Conference will doubtless consider, as the Belgian Government suggests, that the draft text of Paragraph 5 of the supplementary Recommendation and that of Paragraph 9 of the Recommendation alone should be identical, in particular as regards the last part of subparagraph (1).

The Belgian Government repeats the observation it made on the text of Article 3 in respect of a definition of "job content". If the Conference should adopt the suggested amendment to Article 3 of the proposed Convention and Paragraph 3 of the proposed Recommendation II, it would doubtless consider that the proposed wording should also be employed in Paragraph 5, and that the phrase "of the conditions under which the work is performed" should be included in subparagraph (1), line 8 and in subparagraph (2), line 4.

The United Kingdom Government suggests that the words "at the request of and" should be inserted before the words "in agreement with" in the fourth line of this paragraph. A similar suggestion was discussed by the Committee on Equal Remuneration and was rejected. It would not, therefore, seem appropriate to submit a text as a basis for discussion on which agreement had not been reached.

The United States Government agrees with the general concept of "proportionate rates" in subparagraph (2). It considers that when jobs are related to each other on the basis of reasonably objective tests, then the establishment of a proportionate value for certain jobs in relation to other jobs can be considered as fulfilling the test of equal pay for equal work. However, in the opinion of the United States Government, the drafting of this point, i.e., differential rates between men and women workers, does not too accurately sustain this basic idea in that it suggests

differential rates based on sex, which is exactly what it is intended to eliminate. The United States Government suggests that the wording be changed to read as follows:

Differential rates between workers regardless of sex which correspond to differences, etc.

This drafting would sustain the principle of proportionate rates and at the same time eliminate the impression that the basis for such rates is related to sex. The observation of the United States Government would seem to denote that the Office text is not sufficiently clear and the Conference may wish to consider this proposal.

The Indian Government suggests that the beginning of sub-paragraph (1) should be amended to read as follows: "As far as possible and where appropriate . . . ". A similar proposal was rejected by the Committee on Equal Remuneration. It would accordingly be unsuitable to take account of this suggestion in the text which is to be a basis for the second discussion.

In connection with this paragraph, the Swedish Government raises the question of the criteria to be adopted to determine the relative value of the work performed by men and women workers. It observes that it would not be in accordance with the spirit and purpose of the Recommendation to apply it in a manner that would lead to the exclusion of women from any fields of activity which they would like to see opened to them by making female labour considerably more expensive than male labour. Together with the measures for reducing the difference between male and female wages, a study should be made concerning the structure of the wage system so as to adjust remuneration to the value of the work performed on the basis of a more equitable and rational differentiating principle than classification according to the sex of the worker concerned. This differentiation of wages should be based not only on the nature of the work to be performed and the abilities required for its performance but also on factors varying with the individual concerned and apt to influence the result of the work. The Swedish Government, therefore, proposes to replace the words "the establishment of methods . . . providing a classification of jobs without regard to the sex of the worker" by the following sentence:

"establish or encourage the establishment of methods for objective appraisal, whether by job analysis or by other procedures, of the work to be performed and of the abilities and other qualifications of
importance in this connection which are required in its performance, with a view to determining the remuneration in accordance with the value of the work to be performed without regard to the sex of the worker.”

The first discussion showed that the texts of Paragraph 5 of the proposed supplementary Recommendation and of Paragraph 9 of the proposed Recommendation alone should be considered in close relation with Article 3 of the proposed Convention or with the corresponding paragraph of the proposed Recommendation alone, respectively. The proposal of the Swedish Government is contrary to provisions which it previously seemed desirable to include in the text to form a basis for discussion. It would not, therefore, seem appropriate to amend the text of this paragraph in the way suggested by the Swedish Government.

Paragraph 6 of Text IB
Paragraph 10 of Text II

The United Kingdom Government has no comments to make on the detailed provisions of this paragraph. Its view on the general appropriateness and necessity of including such provisions in the proposed Recommendation remains as recorded on p. 45 of Report V (2) prepared for the 33rd Session of the Conference.

The United States Government believes that the provisions of this paragraph have less applicability to the United States than they may have to some other countries because in the United States there are facilities for training, vocational guidance, counselling and placement available to both men and women, all of which contribute to the development of the workers’ efficiency. The United States Government realises, however, that the problems in question may be very real ones for some other countries, and is therefore willing that this paragraph should be drafted as to details according to the judgment of those who have substantial problems of this nature. Nevertheless, the United States Government believes that it will be preferable to revise subparagraph (c) to indicate that “where such services are provided for by the competent authorities the method of financing be so established that the financial burden shall rest neither on the employer nor on the individual woman worker involved.” The wording proposed by the United States Government might raise difficulties as it does not appear to take account of the variety of methods for financing the measures in question. The object of the text would
be to specify that the budget for social and welfare services which meet the needs of women workers should be taken from funds provided for the welfare of the population as a whole or of both men and women workers; in other words, the services in question should be financed in such a manner that women workers are not penalised, particularly in respect of remuneration, on account of the services provided on their behalf. The Office text might be clarified in a way that might meet the objection of the United States Government if the words "covering workers irrespective of sex" were deleted and the words "which are financed by payments made in respect of workers without regard to sex" were substituted.

The Israel Government suggests the deletion of the words "and to limit the effects of the factors accounting for their relatively low level of remuneration", as tending to state a fact which might prejudice women's claim for equal pay. The Conference may perhaps wish to consider this suggestion as the wording in question, which is of a negative character, expresses an idea which in a positive form would be retained in the text, which specifies that where necessary the productive efficiency of women should be raised.

Paragraph 6 as a whole, although it is included in a proposed Recommendation in view of the Conference decisions, would seem to meet some of the points raised by the Polish Government. Among the basic principles which, in the opinion of the Polish Government, should be included in a Convention, are the following: (i) the State should be bound to ensure complete equality of men and women workers in respect of access to all occupations and to all offices from the lowest to the highest, as well as of vocational training; and (ii) States which ratify the Convention should provide social and welfare services for working mothers, such as crèches, nurseries, nursery schools, canteens, laundries, etc., special conditions of employment for pregnant women, leave and allowances during pregnancy and confinement and other protective measures. These two principles are, in fact, the basis of subparagraphs (a), (b) and (d), and of subparagraph (c), respectively, though the wording of the provisions of the text proposed as a basis for discussion differs as to details from the proposals of the Polish Government, which does not make any precise suggestions for the amendment of the draft text.
Paragraph 7 of Text I B
Paragraph 11 of Text II

The Indian Government suggests the deletion of subpara-
graph (b). A similar proposal was considered by the Committee
on Equal Remuneration and it was decided to retain this sub-
paragraph. It would seem difficult to submit the same question
to the Conference.

The United Kingdom Government proposes to draft subpara-
graph (a) as follows:

Every effort should be made to promote public understanding of
the grounds on which it is considered that the principle of equal remu-
neration for men and women workers for work of equal value should
be implemented.

The United Kingdom Government also proposes that the con-
tents of this subparagraph should form a separate paragraph of
the text. It would seem desirable to submit these two proposals
to the Conference as they simplify the text and make it more
precise without appreciably altering the substance.

New Proposals

The Belgian Government suggests the inclusion of four new
provisions in the proposed Recommendation.

It proposes that the following new paragraph should be con-
sidered:

Each Member, in close co-operation with representatives of the
employers' and workers' organisations concerned, should take appro-
priate measures to ensure as rapidly as possible the application of the
principle of equal remuneration to all salaried workers in private
employment.

This proposal has already been discussed in Report V (2)¹ and
commented on in the following terms: "This . . . proposal, which
would constitute a further step in the progressive application of
the principle, raises an important question of substance which the
Conference may wish to consider. Since, however, no other
Government has made suggestions along the lines proposed, the
Office considers that it might not be appropriate to include it in
the conclusions drawn from the analysis of the Governments'
replies.” The Conference has not had occasion to consider this question as it was not the subject of any proposals at the first discussion, although the attention of the Conference had been drawn to this point in Report V (2). In these circumstances it would not seem appropriate to amend the draft text in the way suggested by the Belgian Government, which is entirely free to submit the proposal to the Conference at the next discussion.

The Belgian Government recalls that it also suggested the addition to the text of the following provisions:

Each Member, in close co-operation with representatives of the employers’ and workers’ organisations concerned, should take appropriate measures to ensure to women workers all the benefits in cash or in kind granted to male workers either by statutory enactment and regulations, collective agreements, individual contracts of work or employment, or by customary practice in the industry and the same methods of wage payment in force for male workers in identical or comparable occupations.

Each Member, in close co-operation with representatives of the employers’ and workers’ organisations concerned, should take appropriate measures to guarantee to women workers the same protection and security of employment which is accorded to male workers.

Each Member, in close co-operation with representatives of the employers’ and workers’ organisations concerned, should take appropriate measures to establish identical bases of remuneration for all jobs, whether paid at time or piecework rates.

It did not seem advisable to include these provisions in the conclusions based on the survey of replies to the questionnaire in view of the attitude of other Governments which commented on the definitions of the terms. The position is therefore the same in regard to these points as in regard to the first proposal of the Belgian Government mentioned above.

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1 Report V (2), op. cit., p. 60.
CHAPTER III

PROPOSED TEXTS

A proposed Convention supplemented by a proposed Recommendation, as well as a proposed Recommendation alone, are submitted below. They take due account of the observations of the Governments and include some purely drafting changes.

I. Texts for Consideration by the Conference Should it Decide to Adopt a Convention Supplemented by a Recommendation

A. PROPOSED CONVENTION CONCERNING EQUAL REMUNERATION FOR MEN AND WOMEN WORKERS FOR WORK OF EQUAL VALUE

The General Conference of the International Labour Organization,

Having been convened at Geneva by the Governing Body of the International Labour Office, and having met in its Thirty-fourth Session on 6 June 1951, and

Having decided upon the adoption of certain proposals with regard to the principle of equal remuneration for men and women workers for work of equal value, which is the seventh item on the agenda of the session, and

Having determined that these proposals shall take the form of an international Convention,

adopts this day of of the year one thousand nine hundred and fifty-one the following Convention, which may be cited as the Equal Remuneration Convention, 1951:

Article 1

For the purpose of this Convention—

(a) the term “remuneration” includes the ordinary, basic or minimum wage or salary and any additional emoluments whatsoever, either in cash or in kind, which are received by the worker from his employer and arise out of his employment;
TEXTES PROPOSÉS

On trouvera ci-après un projet de convention complétée par un projet de recommandation, ainsi qu'un projet de recommandation générale, qui tiennent compte des observations des gouvernements ayant participé à la présente consultation et comportent certaines modifications de pure forme.

I. Textes soumis à la Conférence pour le cas où celle-ci déciderait d'adopter une convention complétée par une recommandation

A. PROJET DE CONVENTION CONCERNANT L'ÉGALITÉ DE RÉMUNÉRATION ENTRE LA MAIN-D'ŒUVRE MASCULINE ET LA MAIN-D'ŒUVRE FÉMININE POUR UN TRAVAIL DE VALEUR ÉGALE

La Conférence générale de l'Organisation internationale du Travail,

Convoquée à Genève par le Conseil d'administration du Bureau international du Travail, et s'y étant réunie le 6 juin 1951, en sa trente-quatrième session,

Après avoir décidé d'adopter diverses propositions relatives au principe de l'égalité de rémunération entre la main-d'œuvre masculine et la main-d'œuvre féminine pour un travail de valeur égale, question qui constitue le septième point à l'ordre du jour de la session,

Après avoir décidé que ces propositions prendraient la forme d'une convention internationale,

adopte, ce jour de mil neuf cent cinquante et un, la convention ci-après, qui sera dénommée Convention sur l'égalité de rémunération, 1951.

Article 1

Aux fins de la présente convention:

a) le terme « rémunération » comprend le salaire ou traitement ordinaire, de base ou minimum, et tous autres avantages, en espèces ou en nature, reçus de la part de l'employeur par le travailleur, en raison de son emploi;
(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.

Article 2

1. Each Member shall take all practicable measures, by means appropriate to the methods in operation for determining rates of remuneration, to promote and, in so far as the nature of such methods allows, to ensure the application to all workers of the principle of equal remuneration for men and women workers for work of equal value.

2. This principle may be applied by means of—

(a) national laws or regulations;

(b) legally established or recognised machinery for wage determination;

(c) collective agreements between employers and workers; or

(d) a combination of these various means.

Article 3

Where necessary and appropriate for purposes of applying the preceding article, measures shall be taken to promote objective appraisal of jobs on the basis of the work to be performed, the abilities required for its performance, and the conditions under which it is performed, or on such other basis as may be decided upon by the authorities responsible for the determination of rates of remuneration or, where such rates are determined by collective agreement, by the parties thereto.

Article 4

Each Member shall co-operate as appropriate with the employers' and workers' organisations concerned for the purpose of giving effect to the provisions of this Convention.

B. Proposed Recommendation concerning Equal Remuneration for Men and Women Workers for Work of Equal Value

The General Conference of the International Labour Organisation,

Having been convened at Geneva by the Governing Body of the International Labour Office, and having met in its Thirty-fourth Session on 6 June 1951, and
b) l’expression « égalité de rémunération entre la main-d’œuvre masculine et la main-d’œuvre féminine pour un travail de valeur égale » signifie les taux de rémunération fixés sans discrimination fondée sur le sexe du travailleur.

**Article 2**

1. Chaque Membre prendra toutes mesures pratiquement possibles, par des moyens compatibles avec les méthodes en vigueur pour la fixation des taux de rémunération, pour encourager et, dans la mesure où la nature desdites méthodes le permet, pour assurer l’application à tous les travailleurs du principe de l’égalité de rémunération entre la main-d’œuvre masculine et la main-d’œuvre féminine pour un travail de valeur égale.

2. Ce principe pourra être appliqué au moyen:
   a) soit de la législation nationale;
   b) soit de tout système de fixation de la rémunération établi ou reconnu par la loi;
   c) soit des conventions collectives passées entre employeurs et travailleurs;
   d) soit d’une combinaison de ces divers moyens.

**Article 3**

Là où cela sera nécessaire et approprié en vue de l’application de l’article précédent, des mesures seront prises pour encourager l’évaluation objective des emplois sur la base des travaux qu’ils comportent, des capacités qu’ils exigent et des conditions dans lesquelles ces travaux s’exécutent, ou sur la base de tout autre critère qui pourra être déterminé par les autorités compétentes en ce qui concerne la fixation des taux de rémunération ou, si les taux de rémunération sont fixés en vertu de conventions collectives, par les parties à ces conventions.

**Article 4**

Chaque Membre collaborera de la manière qui conviendra avec les organisations d’employeurs et de travailleurs intéressées, en vue de donner effet aux dispositions de la présente convention.

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B. **PROJET DE RECOMMANDATION CONCERNANT L’ÉGALITÉ DE RÉMUNÉRATION ENTRE LA MAIN-D’ŒUVRE MASCULINE ET LA MAIN-D’ŒUVRE FÉMININE POUR UN TRAVAIL DE VALEUR ÉGALE**

La Conférence générale de l’Organisation internationale du Travail,

Convoquée à Genève par le Conseil d’administration du Bureau international du Travail, et s’y étant réunie le 6 juin 1951 en sa trente-quatrième session,
Having decided upon the adoption of certain proposals with regard to the principle of equal remuneration for men and women workers for work of equal value, which is the seventh item on the agenda of the session, and

Having determined that these proposals shall take the form of a Recommendation supplementing the Equal Remuneration Convention, 1951,

adopts this day of of the year one thousand nine hundred and fifty-one the following Recommendation, which may be cited as the Equal Remuneration Recommendation, 1951:

Whereas the Equal Remuneration Convention, 1951, lays down certain general principles concerning equal remuneration for men and women workers for work of equal value;

Whereas this Convention provides that the application of these principles shall be ensured by means appropriate to the methods in operation for determining rates of remuneration in the countries concerned;

Whereas it is desirable to indicate certain procedures for the progressive application of these principles;

Whereas it is at the same time desirable that all Members should have regard to methods of applying the principles which have been found satisfactory in certain countries;

The Conference recommends that each Member should, subject to the provisions of Article 2 of the Convention, apply the following provisions, as rapidly as national conditions allow, and report to the International Labour Office as requested by the Governing Body concerning the measures taken to give effect thereto:

1. Appropriate action should be taken, after consultation with the workers or with representatives of the workers' organisations concerned—

   (a) to ensure the application of the principle of equal remuneration for men and women workers for work of equal value to all employees of central government departments or agencies; and

   (b) to encourage the application of the principle to employees of State, provincial or local government departments or agencies, where these have jurisdiction over rates of remuneration.

2. Appropriate action should be taken, after consultation with the representatives of the employers' and workers' organisations concerned, to ensure, as rapidly as practicable, the application of the principle of equal remuneration for men and women workers
Après avoir décidé d'adopter diverses propositions relatives au principe de l'égalité de rémunération entre la main-d'œuvre masculine et la main-d'œuvre féminine pour un travail de valeur égale, question qui constitue le septième point à l'ordre du jour de la session,

Après avoir décidé que ces propositions prendraient la forme d'une recommandation complétant la convention sur l'égalité de rémunération, 1951,

adopte, ce jour de mil neuf cent cinquante et un, la recommandation ci-après, qui sera dénommée Recommandation sur l'égalité de rémunération, 1951:

Considérant que la convention sur l'égalité de rémunération, 1951, établit certains principes généraux concernant l'égalité de rémunération entre la main-d'œuvre masculine et la main-d'œuvre féminine pour un travail de valeur égale;

Considérant que ladite convention prévoit que l'application de ces principes devra être assurée par des moyens compatibles avec les méthodes en vigueur pour la fixation des taux de rémunération dans les pays intéressés;

Considérant qu'il y a intérêt à indiquer certaines modalités pour l'application progressive de ces principes;

Considérant qu'il est en outre désirable que tous les Membres tiennent compte des méthodes d'application de ces principes qui ont été considérées comme satisfaisantes dans certains pays;

La Conférence recommande à chaque Membre d'appliquer les dispositions suivantes, compte tenu de l'article 2 de la convention précitée, aussitôt que les conditions nationales le permettront, et de présenter au Bureau international du Travail, conformément à ce que décidera le Conseil d'administration, des rapports exposant les mesures prises pour y donner effet:

1. Des mesures appropriées devraient être prises, après consultation des travailleurs ou des représentants des organisations de travailleurs intéressées, afin:

a) d'assurer l'application du principe de l'égalité de rémunération entre la main-d'œuvre masculine et la main-d'œuvre féminine pour un travail de valeur égale à tous les employés des services et organismes de l'administration publique centrale;

b) d'encourager l'application de ce principe aux employés des services et organismes des administrations des États constituant ou des provinces d'un État fédératif, ainsi que des administrations locales, lorsque la fixation des taux de rémunération est du ressort de ces diverses autorités publiques.

2. Des mesures appropriées devraient être prises après consultation des représentants des organisations d'employeurs et de travailleurs intéressées, afin d'assurer, aussi rapidement que possible, l'application du principe de l'égalité de rémunération pour
for work of equal value in all occupations, other than those mentioned in Paragraph 1, in which rates of remuneration are subject to statutory regulation or public control, particularly as regards—

(a) the establishment of minimum or other wage rates in industries and services where such rates are determined under public authority;
(b) industries and undertakings operated under public ownership or control; and
(c) where appropriate, work executed under the terms of public contracts.

3. (1) Where appropriate in the light of the methods in operation for the determination of rates of remuneration, provision should be made by legal enactment for the general application of the principle of equal remuneration for men and women workers for work of equal value.

(2) National laws and regulations may make provision for specific exceptions to the scope of such legal enactment to be made after consultation with the employers' and workers' organisations concerned.

(3) The competent public authority should take all necessary and appropriate measures to ensure that employers and workers are fully informed as to such legal requirements and, where appropriate, advised on their application.

4. When, after consultation with the organisations of workers and employers concerned, where such organisations 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 employments covered by Paragraphs 1, 2 or 3, appropriate provision should be made or cause to be made for its gradual application, by such measures as—

(a) decreasing the differentials between rates of remuneration for men and rates of remuneration for women for work of equal value;
(b) where a system of increments is in force, providing equal increments for men and women workers performing work of equal value.

5. (1) Where appropriate for the purpose of facilitating the determination of rates of remuneration in accordance with the principle of equal remuneration for men and women workers for work of equal value, each Member should, in agreement with the representatives of the employers' and workers' organisations concerned, establish or encourage the establishment of methods for
un travail de valeur égale à la main-d’œuvre masculine et à la main-d’œuvre féminine employées dans toutes les professions autres que celles mentionnées au paragraphe 1, dans lesquelles les taux de rémunération sont soumis à une réglementation ou à un contrôle public et notamment:

a) lors de la fixation des taux de salaires minima ou autres dans les industries ou professions où ces taux sont fixés par l’autorité publique;

b) dans les industries et entreprises de propriété publique ou soumises à un contrôle de l’État;

c) la où cela sera approprié, pour les travaux exécutés en vertu de contrats passés par une autorité publique.

3. 1) Si les méthodes en vigueur pour la fixation des taux de rémunération le permettent, l’application générale du principe de l’égalité de rémunération entre la main-d’œuvre masculine et la main-d’œuvre féminine pour un travail de valeur égale devrait être assurée au moyen de dispositions légales.

2) La législation nationale pourra prévoir que des dérogations déterminées quant au champ d’application des dispositions légales en question pourront être admises après consultation des organisations d’employeurs et de travailleurs intéressées.

3) L’autorité publique compétente devrait prendre toutes mesures nécessaires et appropriées afin que les employeurs et les travailleurs soient pleinement informés sur ces dispositions légales et reçoivent, le cas échéant, des conseils sur leur application.

4. Si, après consultation des organisations d’employeurs et de travailleurs intéressées, là où de telles organisations existent, il se révèle impossible d’appliquer immédiatement le principe de l’égalité de rémunération entre la main-d’œuvre masculine et la main-d’œuvre féminine pour un travail de valeur égale, en ce qui concerne les emplois visés aux paragraphes 1, 2 ou 3, il conviendrait de prendre ou de faire prendre des dispositions appropriées en vue de l’application progressive du principe, notamment par des mesures telles que:

a) la réduction des différences entre les taux de rémunération masculins et féminins pour un travail de valeur égale;

b) l’octroi, lorsqu’un système d’augmentations de rémunération est en vigueur, d’augmentations égales, aux travailleurs masculins et féminins exécutant un travail de valeur égale.

5. 1) Si cela est approprié en vue de faciliter l’établissement de taux de rémunération conformément au principe de l’égalité de rémunération entre la main-d’œuvre masculine et la main-d’œuvre féminine pour un travail de valeur égale, chaque Membre devrait, en accord avec les représentants des organisations d’employeurs et de travailleurs intéressées, établir des méthodes per-
objective appraisal of the work to be performed, of the abilities required for its performance, and the conditions under which it is performed, whether by job analysis or by other procedures, with a view to providing a classification of jobs without regard to the sex of the worker; such methods should be applied in accordance with the provisions of Article 2 of the Convention.

(2) Differential rates between workers which correspond regardless of sex to differences, as so determined, in the work to be performed, in the abilities required for its performance and in the conditions under which it is performed, should be considered as being in accordance with the principle of equal remuneration for men and women workers for work of equal value.

6. In order to facilitate the application of the principle of equal remuneration for men and women workers for work of equal value, appropriate action should be taken, where necessary, to raise the productive efficiency of women workers by such measures as—

(a) ensuring that workers of both sexes have equal or equivalent facilities for vocational guidance or employment counselling, vocational training and placement;

(b) taking appropriate measures to encourage women to use facilities for vocational guidance, employment counselling, vocational training and placement;

(c) providing welfare and social services which meet the needs of women workers, particularly those with family responsibilities, and financing such services from general public funds or social security funds or industrial welfare funds which are financed by payments made in respect of workers without regard to sex; and

(d) promoting, without prejudice to the provisions of international labour Conventions and Recommendations and of national laws and regulations concerning the employment of women, equality of men and women workers as regards access to occupations and posts.

7. Every effort should be made to promote public understanding of the grounds on which it is considered that the principle of equal remuneration for men and women workers for work of equal value should be implemented.

8. Such investigations as may be desirable to promote the application of the principle should be undertaken.
mettant d'évaluer objectivement, soit par une analyse du travail,
soit par d'autres moyens, les travaux que comportent les divers
emplois, les capacités qu'ils exigent et les conditions dans lesquelles
ils s'exécutent, ou favoriser l'établissement de telles méthodes, en
vue d'une classification des emplois sans considération du sexe du
travailleur; lesdites méthodes devraient être appliquées conformé-
ment aux dispositions de l'article 2 de la convention.

2) Les différences entre les taux de rémunération qui corres-
pondent, sans considération du sexe du travailleur, à des diffé-
rences ainsi évaluées dans les travaux à effectuer, les capacités
qu'ils exigent et les conditions dans lesquelles ils s'exécutent,
devraient être considérées comme conformes au principe de l'éga-
lité de rémunération entre la main-d'œuvre masculine et la main-
d'œuvre féminine pour un travail de valeur égale.

6. En vue de faciliter l'application du principe de l'égalité de
rémunération entre la main-d'œuvre masculine et la main-d'œuvre
féminine pour un travail de valeur égale, des mesures appropriées
devraient être prises, si nécessaire, afin d'augmenter le rendement
des travailleuses, notamment:

a) en assurant aux travailleurs des deux sexes des moyens égaux
ou équivalents d'orientation professionnelle ou de conseils
professionnels, de formation professionnelle et de placement;
b) en prenant des mesures appropriées pour encourager les femmes
à faire usage des moyens d'orientation professionnelle ou de
conseils professionnels, de formation professionnelle et de
placement;
c) en prévoyant des services sociaux et de bien-être qui répondent
aux besoins des travailleuses, notamment de celles qui ont des
charges familiales, et en les finançant par des fonds publics
en général, par des fonds de sécurité sociale ou par des fonds
d'entreprises ou d'industries destinés au bien-être et constitués
par des versements effectués dans l'intérêt des travailleurs
sans distinction de sexe;
d) en encourageant, compte tenu des dispositions des conventions
et recommandations internationales du travail et de la légis-
lation nationale concernant l'emploi des femmes, l'égalité des
hommes et des femmes quant à l'accès aux diverses professions
et fonctions.

7. Il conviendrait de faire tous efforts afin de développer dans
l'opinion publique la conscience des motifs pour lesquels le prin-
cipe de l'égalité de rémunération entre la main-d'œuvre masculine
et la main-d'œuvre féminine pour un travail de valeur égale
devrait être appliqué.

8. Il conviendrait d'entreprendre toutes études qui se révéle-
raient désirables pour aboutir à l'application de ce principe.
The General Conference of the International Labour Organisa-

Having been convened at Geneva by the Governing Body of the International Labour Office, and having met in its Thirty-fourth Session on 6 June 1951, and

Having decided upon the adoption of certain proposals with regard to the principle of equal remuneration for men and women workers for work of equal value, which is the seventh item on the agenda of the session, and

Having determined that these proposals shall take the form of a Recommendation,

adopts this day of of the year one thousand nine hundred and fifty-one the following Recommendation, which may be cited as the Equal Remuneration Recommendation, 1951:

Whereas the application of the principle of equal remuneration for men and women workers for work of equal value should be ensured by means appropriate to the methods in operation for determining rates of remuneration in the country concerned;

Whereas it is desirable to indicate certain procedures for the progressive application of the principle;

Whereas it is desirable that all Members should have regard to methods of applying the principle which have been found satisfactory in certain countries;

The Conference recommends that each Member should apply the following provisions, as rapidly as national conditions allow, and report to the International Labour Office as requested by the Governing Body concerning the measures taken to give effect hereto:

I. General Principles

1. For the purpose of this Recommendation—

(a) the term "remuneration" includes the ordinary, basic or minimum wage or salary, and any additional emoluments
II. Texte soumis à la Conférence pour le cas où celle-ci déciderait d'adopter une recommandation seule

PROJET DE RECOMMANDATION CONCERNANT L'ÉGALITÉ DE RÉMUNÉRATION ENTRE LA MAIN-D'ŒUVRE MASCULINE ET LA MAIN-D'ŒUVRE FÉMININE POUR UN TRAVAIL DE VALEUR ÉGALE

La Conférence générale de l'Organisation internationale du Travail,

Convoquée à Genève par le Conseil d'administration du Bureau international du Travail, et s'y étant réunie le 6 juin 1951, en sa trente-quatrième session,

Après avoir décidé d'adopter diverses propositions relatives au principe de l'égalité de rémunération entre la main-d'œuvre masculine et la main-d'œuvre féminine pour un travail de valeur égale, question qui constitue le septième point à l'ordre du jour de la session,

Après avoir décidé que ces propositions prendraient la forme d'une recommandation,

adopte, ce jour de mil neuf cent cinquante et un, la recommandation ci-après, qui sera dénommée Recommandation sur l'égalité de rémunération, 1951:

Considérant que l'application du principe de l'égalité de rémunération entre la main-d'œuvre masculine et la main-d'œuvre féminine pour un travail de valeur égale devra être assurée par des moyens compatibles avec les méthodes en vigueur pour la fixation des taux de rémunération en vigueur dans les pays intéressés;

Considérant qu'il y a intérêt à indiquer certaines méthodes pour l'application progressive de ce principe;

Considérant qu'il est désirable que tous les Membres tiennent compte des méthodes d'application du principe qui ont été considérées comme satisfaisantes dans certains pays;

La Conférence recommande à chaque Membre d'appliquer les dispositions suivantes, aussitôt que les conditions nationales le permettront, et de présenter au Bureau international du Travail, conformément à ce que décidera le Conseil d'administration, des rapports exposant les mesures prises pour y donner effet:

I. Principes généraux

1. Aux fins de la présente recommandation:

\( a) \) le terme « rémunération » comprendra le salaire ou traitement ordinaire, de base ou minimum, et tous autres avantages, en
whatsoever, either in cash or in kind, which are received by
the worker from his employer and arise out of his employ-
ment;

(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.

2. (1) Each Member should take all practicable measures,
by means which are appropriate to the methods in force for deter-
mining rates of remuneration, to further and, in so far as is in
conformity with such methods, to ensure the application to all
workers of the principle of equal remuneration for men and women
workers for work of equal value.

(2) This principle may be applied by means of—
(a) national laws or regulations;
(b) any legally established or recognised machinery for wage
determination;
(c) collective agreements between employers and workers; or
(d) a combination of these various means.

3. Where necessary and appropriate for purposes of applying
the preceding paragraph, measures should be taken to promote
objective appraisal of jobs on the basis of the work to be per-
formed, the abilities required for its performance, and the condi-
tions under which it is performed, or on such other basis as may
be decided upon by the authorities responsible for the determina-
tion of rates of remuneration or, where such rates are determined
under collective agreement, by the parties to such agreement.

4. Each Member should co-operate as appropriate with the
employers’ and workers’ organisations concerned for the purpose
of giving effect to the provisions of this Recommendation.

II. Methods of Application

5. Appropriate action should be taken, after consultation
with the workers or with representatives of the workers’ organisa-
tions concerned—
(a) to ensure the application of the principle of equal remunera-
tion for men and women workers for work of equal value to
all employees of central government departments or agencies; and
(b) to encourage the application of the principle to employees of
State, provincial or local government departments or agencies,
where these have jurisdiction over rates of remuneration.
espèces ou en nature, reçus de la part de l'employeur par le travailleur, en raison de son emploi;

b) l'expression « égalité de rémunération entre la main-d'œuvre masculine et la main-d'œuvre féminine pour un travail de valeur égale » signifie les taux de rémunération fixés sans discrimination fondée sur le sexe du travailleur.

2. 1) Chaque Membre devrait prendre toutes mesures pratiquemment possibles, par des moyens compatibles avec les méthodes en vigueur pour la fixation des taux de rémunération, pour encourager et, dans la mesure où la nature desdites méthodes le permet, pour assurer l'application à tous les travailleurs du principe de l'égalité de rémunération entre la main-d'œuvre masculine et la main-d'œuvre féminine pour un travail de valeur égale.

2) Ce principe pourra être appliqué au moyen:
   a) soit de la législation nationale;
   b) soit de tout système de fixation de la rémunération établi ou reconnu par la loi;
   c) soit des conventions collectives passées entre employeurs et travailleurs;
   d) soit d'une combinaison de ces divers moyens.

3. Là où cela sera nécessaire et approprié en vue de l'application du paragraphe précédent, des mesures devraient être prises pour encourager l'évaluation objective des emplois sur la base des travaux qu'ils comportent, des capacités qu'ils exigent et des conditions dans lesquelles ces travaux s'exécutent ou sur la base de tout autre critère qui pourra être déterminé par les autorités compétentes en ce qui concerne la fixation des taux de rémunération ou, si les taux de rémunération sont fixés en vertu de conventions collectives, par les parties à ces conventions.

4. Chaque Membre devrait collaborer de la manière qui conviendra avec les organisations d'employeurs et de travailleurs intéressées en vue de donner effet aux dispositions de la présente recommandation.

II. Méthodes d’application

5. Des mesures appropriées devraient être prises, après consultation des travailleurs ou des représentants des organisations de travailleurs intéressées, afin:
   a) d’assurer l’application du principe de l’égalité de rémunération entre la main-d’œuvre masculine et la main-d’œuvre féminine pour un travail de valeur égale à tous les employés des services et organismes de l’administration publique centrale;
   b) d’encourager l’application de ce principe aux employés des services et organismes des administrations des États constituants ou des provinces d’un État fédératif ainsi que des
6. Appropriate action should be taken, after consultation with the representatives of the employers' and workers' organisations concerned, to ensure, as rapidly as practicable, the application of the principle of equal remuneration for men and women workers for work of equal value in all occupations, other than those mentioned in Paragraph 5, in which rates of remuneration are subject to statutory regulation or public control, particularly as regards—

(a) the establishment of minimum or other wage rates in industries and services where such rates are determined under public authority;
(b) industries and undertakings operated under public ownership or control; and
(c) where appropriate, work executed under the terms of public contracts.

7. (1) Where appropriate in the light of the methods in operation for the determination of rates of remuneration, provision should be made by legal enactment for the general application of the principle of equal remuneration for men and women workers for work of equal value.

(2) National laws and regulations may provide for specific exceptions to the scope of such legal enactment to be made after consultation with the employers' and workers' organisations concerned.

(3) The competent public authority should take all necessary and appropriate measures to ensure that employers and workers are fully informed as to such legal requirements and, where appropriate, advised on their application.

8. When, after consultation with the organisations of workers and employers concerned, where such organisations 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 employments covered by Paragraphs 5, 6 or 7, appropriate provision should be made, or caused to be made, for its gradual application, by such measures as—

(a) decreasing the differentials between rates of remuneration for men and rates of remuneration for women, for work of equal value;
(b) where a system of increments is in force, providing equal increments for men and women workers performing work of equal value.
administrations locales, lorsque la fixation des taux de rémunération est du ressort de ces diverses autorités publiques.

6. Des mesures appropriées devraient être prises, après consultation des représentants des organisations d’employeurs et de travailleurs intéressées, afin d’assurer, aussi rapidement que possible, l’application du principe de l’égalité de rémunération pour un travail de valeur égale à la main-d’œuvre masculine et à la main-d’œuvre féminine employées dans toutes les professions autres que celles mentionnées au paragraphe 5, dans lesquelles les taux de rémunération sont soumis à une réglementation ou à un contrôle public et notamment:

a) lors de la fixation des taux de salaires minima ou autres dans les industries ou professions où ces taux sont fixés par l’autorité publique;

b) dans les industries et entreprises de propriété publique ou soumises à un contrôle de l’État;

c) là où cela sera approprié, pour les travaux exécutés en vertu des contrats passés par une autorité publique.

7. 1) Si les méthodes en vigueur pour la fixation des taux de rémunération le permettent, l’application générale du principe de l’égalité de rémunération entre la main-d’œuvre masculine et la main-d’œuvre féminine pour un travail de valeur égale devrait être assurée au moyen de dispositions légales.

2) La législation nationale pourra prévoir que des dérogations déterminées quant au champ d’application des dispositions légales en question pourront être admises après consultation des organisations d’employeurs et de travailleurs intéressées.

3) L’autorité publique compétente devrait prendre toutes mesures nécessaires et appropriées afin que les employeurs et les travailleurs soient pleinement informés sur ces dispositions légales et reçoivent, le cas échéant, des conseils sur leur application.

8. Si, après consultation des organisations d’employeurs et de travailleurs intéressées, là où de telles organisations existent, il se révèle impossible d’appliquer immédiatement le principe de l’égalité de rémunération entre la main-d’œuvre masculine et la main-d’œuvre féminine pour un travail de valeur égale, en ce qui concerne les emplois visés aux paragraphes 5, 6 ou 7, il conviendrait de prendre ou de faire prendre des dispositions appropriées en vue de l’application progressive du principe, notamment par des mesures telles que:

a) la réduction des différences entre les taux de rémunération masculins et féminins pour un travail de valeur égale;

b) l’octroi, lorsqu’un système d’augmentations de la rémunération est en vigueur, d’augmentations égales, aux travailleurs masculins et féminins exécutant un travail de valeur égale.
9. (1) Where appropriate for the purpose of facilitating the determination of rates of remuneration in accordance with the principle of equal remuneration for men and women workers for work of equal value, each Member should, in agreement with the representatives of the employers' and workers' organisations concerned, establish, or encourage the establishment of, methods for objective appraisal of the work to be performed, the abilities required in its performance, and the conditions under which it is performed, whether by job analysis or by other procedures, with a view to providing a classification of jobs without regard to the sex of the worker; such methods should be applied in accordance with the provisions of Paragraph 2 of this Recommendation.

(2) Differential rates between workers which correspond, regardless of sex, to differences, as so determined, in the work to be performed, in the abilities required for its performance, and in the conditions under which it is performed, should be considered as being in accordance with the principle of equal remuneration for men and women workers for work of equal value.

10. In order to facilitate the application of the principle of equal remuneration for men and women workers for work of equal value, appropriate action should be taken, where necessary, to raise the productive efficiency of women workers by such measures as—

(a) ensuring that workers of both sexes have equal or equivalent facilities for vocational guidance or employment counselling, vocational training and placement;

(b) taking appropriate measures to encourage women to use facilities for vocational guidance, employment counselling, vocational training and placement;

(c) providing welfare and social services which meet the needs of women workers, particularly those with family responsibilities, and financing such services from general public funds or social security funds or industrial welfare funds which are financed by payments made in respect of workers without regard to sex; and

(d) promoting, without prejudice to the provisions of international labour Conventions and Recommendations and of national laws and regulations concerning the employment of women, equality of men and women workers as regards access to occupations and posts.

11. Every effort should be made to promote public understanding of the grounds on which it is considered that the principle
9. 1) Si cela est approprié en vue de faciliter l'établissement de taux de rémunération conformément au principe de l'égalité de rémunération entre la main-d'œuvre masculine et la main-d'œuvre féminine pour un travail de valeur égale, chaque Membre devrait, en accord avec les représentants des organisations d'employeurs et de travailleurs intéressées, établir des méthodes permettant d'évaluer objectivement, soit par une analyse du travail, soit par d'autres moyens, les travaux que comportent les divers emplois, les capacités qu'ils exigent et les conditions dans lesquelles ils s'exécutent, ou favoriser l'établissement de telles méthodes, en vue d'une classification des emplois sans considération du sexe du travailleur; lesdites méthodes devraient être appliquées conformément aux dispositions du paragraphe 2 de la présente recommandation.

2) Les différences entre les taux de rémunération qui correspondent, sans considération du sexe du travailleur, à des différences ainsi évaluées dans les travaux à effectuer, les capacités qu'ils exigent et les conditions dans lesquelles ils s'exécutent devraient être considérées comme conformes au principe de l'égalité de rémunération entre la main-d'œuvre masculine et la main-d'œuvre féminine pour un travail de valeur égale.

10. En vue de faciliter l'application du principe de l'égalité de rémunération entre la main-d'œuvre masculine et la main-d'œuvre féminine pour un travail de valeur égale, des mesures appropriées devraient être prises, si nécessaire, afin d'augmenter le rendement des travailleuses, notamment:

a) en assurant aux travailleurs des deux sexes des moyens égaux ou équivalents d'orientation professionnelle ou de conseils professionnels, de formation professionnelle et de placement;

b) en prenant les mesures appropriées pour encourager les femmes à faire usage des moyens d'orientation professionnelle ou de conseils professionnels, de formation professionnelle et de placement;

c) en prévoyant des services sociaux et de bien-être qui répondent aux besoins des travailleuses, notamment de celles qui ont des charges familiales, et en les financant par des fonds publics en général, par des fonds de sécurité sociale, ou par des fonds d'entreprises ou d'industries destinés au bien-être et constitués par des versements effectués dans l'intérêt des travailleurs sans distinction de sexe;

d) en encourageant, compte tenu des dispositions des conventions et recommandations internationales du travail et de la législation nationale concernant l'emploi des femmes, l'égalité des hommes et des femmes quant à l'accès aux diverses professions et fonctions.

11. Il conviendrait de faire tous efforts afin de développer dans l'opinion publique la conscience des motifs pour lesquels le
of equal remuneration for men and women workers for work of equal value should be applied.

12. Such investigations as may be desirable to promote the application of the principle should be undertaken.
proposait l'égalité de rémunération entre la main-d'œuvre masculine et la main-d'œuvre féminine pour un travail de valeur égale devrait être appliqué.

12. Il conviendrait d'entreprendre toutes études qui se révéleraient désirables pour aboutir à l'application de ce principe.