



Governing Body

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Legal Issues and International Labour Standards Section
International Labour Standards and Human Rights Segment

LILS

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FOURTH ITEM ON THE AGENDA

Proposed form for reports to be requested under article 19 of the Constitution in 2017 on the instruments on working time

Purpose of the document

In the present document, the Governing Body is invited to request governments to submit in 2017, under article 19 of the Constitution, reports on certain working-time instruments with a view to the preparation of the General Survey by the Committee of Experts on the Application of Conventions and Recommendations in 2017 and its discussion by the Conference Committee on the Application of Standards in 2018; and to approve the corresponding report form (see the draft decision in paragraph 6).

Relevant strategic objective: Develop and enhance measures of social protection.

Policy implications: None.

Legal implications: None.

Financial implications: The usual implications related to the preparation of a General Survey.

Follow-up action required: Implementation of Governing Body decisions.

Author unit: International Labour Standards Department (NORMES).

Related documents: Constitution of the International Labour Organisation; GB.325/LILS/4; GB.325/PV/Draft.

1. It will be recalled that, at its 325th Session (November 2015), the Governing Body had before it a paper on the choice of Conventions and Recommendations on which reports should be requested under article 19 of the ILO Constitution in 2017, with a view to the preparation of the annual General Survey by the Committee of Experts on the Application of Conventions and Recommendations (CEACR).¹ The Governing Body decided that the General Survey to be prepared by the CEACR and submitted to the International Labour Conference in 2018 should be devoted to the instruments on working time.² In this regard, it requested the Office to prepare, for consideration at this session, a draft report form for the General Survey concerning these instruments.
2. Accordingly, the present document proposes such a report form (see the appendix) to the Governing Body for its consideration and approval.
3. The proposed questionnaire covers the following nine Conventions, one protocol and six Recommendations on working time: Hours of Work (Industry) Convention, 1919 (No. 1); Weekly Rest (Industry) Convention, 1921 (No. 14); Hours of Work (Commerce and Offices) Convention, 1930 (No. 30); Forty-Hour Week Convention, 1935 (No. 47); Night Work (Women) Convention (Revised), 1948 (No. 89); Protocol of 1990 to the Night Work (Women) Convention (Revised), 1948; Weekly Rest (Commerce and Offices) Convention, 1957 (No. 106); Holidays with Pay Convention (Revised), 1970 (No. 132); Night Work Convention, 1990 (No. 171); Part-Time Work Convention, 1994 (No. 175); Night Work of Women (Agriculture) Recommendation, 1921 (No. 13); Holidays with Pay Recommendation, 1954 (No. 98); Weekly Rest (Commerce and Offices) Recommendation, 1957 (No. 103); Reduction of Hours of Work Recommendation, 1962 (No. 116); Night Work Recommendation, 1990 (No. 178); Part-Time Work Recommendation, 1994 (No. 182).
4. This proposal aims at taking into account the different views and concerns expressed at the November 2015 session of the Governing Body. Accordingly, it excludes from the scope of the Survey the instruments on working time that have been considered outdated, shelved and withdrawn.
5. It also excludes from the scope of the Survey the Hours of Work and Rest Periods (Road Transport) Convention, 1979 (No. 153) and the Hours of Work and Rest Periods (Road Transport) Recommendation, 1979 (No. 161). Indeed, given the very specific nature of the sector, the Office considered that it would be difficult to reconcile those specificities with the intent of the decision that the General Survey should provide a global overview of issues related to working time. It should also be noted that a Tripartite Sectoral Meeting on Safety and Health in the Road Transport Sector took place from 12 to 16 October 2015. During the Meeting, the constituents directly involved in this sector discussed, among others aspects, the issues covered by these instruments. The Meeting requested the Office to “continue to promote the ratification, effective implementation and better use of all international labour standards relevant to the road transport sector, particularly those related to occupational safety and health, and fundamental principles and rights at work, and build capacity of constituents to do likewise”.³

¹ GB.325/LILS/4.

² GB.325/PV/Draft, paras 636 and 637.

³ The conclusions of the Meeting are available at: http://www.ilo.org/sector/Resources/recommendations-conclusions-of-sectoral-meetings/WCMS_422440/lang--en/index.htm.

Draft decision

6. *The Governing Body is invited to:*

- (a) request governments to submit reports for 2017, under article 19 of the Constitution, on the working-time instruments listed in paragraph 3 of this document; and*
- (b) approve the report form concerning these instruments contained in the appendix.*

Appendix

Appl. 19

C.1. C.14, C.30, C.47, C.89, P.89, C.106, C.132 C.171 and C.175

INTERNATIONAL LABOUR OFFICE

REPORTS ON
UNRATIFIED CONVENTIONS AND RECOMMENDATIONS

*(article 19 of the Constitution of the
International Labour Organisation)*

REPORT FORM FOR THE FOLLOWING INSTRUMENTS:

Hours of Work (Industry) Convention, 1919 (No. 1)

Weekly Rest (Industry) Convention, 1921 (No. 14)

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

Forty-Hour Week Convention, 1935 (No. 47)

Reduction of Hours of Work Recommendation, 1962 (No. 116)

Holidays with Pay Recommendation, 1954 (No. 98)

Night Work (Women) Convention (Revised), 1948 (No. 89)

Protocol of 1990 to the Night Work (Women) Convention (Revised), 1948

Night Work of Women (Agriculture) Recommendation, 1921 (No. 13)

Weekly Rest (Commerce and Offices) Convention, 1957 (No. 106)

Weekly Rest (Commerce and Offices) Recommendation, 1957 (No. 103)

Holidays with Pay Convention (Revised), 1970 (No. 132)

Night Work Convention, 1990 (No. 171)

Night Work Recommendation, 1990 (No. 178)

Part-Time Work Convention, 1994 (No. 175)

Part-Time Work Recommendation, 1994 (No. 182)

Geneva

2016

INTERNATIONAL LABOUR OFFICE

Article 19 of the Constitution of the International Labour Organization relates to the adoption of Conventions and Recommendations by the Conference, as well as to the obligations resulting therefrom for the Members of the Organization. The relevant provisions of paragraphs 5, 6 and 7 of this article read as follows:

5. In the case of a Convention:

...

- (e) if the Member does not obtain the consent of the authority or authorities within whose competence the matter lies, no further obligation shall rest upon the Member except that it shall report to the Director-General of the International Labour Office, at appropriate intervals as requested by the Governing Body, the position of its law and practice in regard to the matters dealt with in the Convention, showing the extent to which effect has been given, or is proposed to be given, to any of the provisions of the Convention by legislation, administrative action, collective agreement or otherwise and stating the difficulties which prevent or delay the ratification of such Convention.

...

6. In the case of a Recommendation:

...

- (d) apart from bringing the Recommendation before the said competent authority or authorities, no further obligation shall rest upon the Members, except that they shall report to the Director-General of the International Labour Office, at appropriate intervals as requested by the Governing Body, the position of the law and practice in their country in regard to the matters dealt with in the Recommendation, showing the extent to which effect has been given, or is proposed to be given, to the provisions of the Recommendation and such modifications of these provisions as it has been found or may be found necessary to make in adopting or applying them.

7. In the case of a federal State, the following provisions shall apply:

- (a) in respect of Conventions and Recommendations which the federal Government regards as appropriate under its constitutional system for federal action, the obligations of the federal State shall be the same as those of Members which are not federal States;
- (b) in respect of Conventions and Recommendations which the federal Government regards as appropriate under its constitutional system, in whole or in part, for action by the constituent states, provinces or cantons rather than for federal action, the federal Government shall:

...

- (iv) in respect of each such Convention which it has not ratified, report to the Director-General of the International Labour Office, at appropriate intervals as requested by the Governing Body, the position of the law and practice of the federation and its constituent states, provinces or cantons in regard to the Convention, showing the extent to which effect has been given, or is proposed to be given, to any of the provisions of the Convention by legislation, administrative action, collective agreement, or otherwise;
- (v) in respect of each such Recommendation, report to the Director-General of the International Labour Office, at appropriate intervals as requested by the Governing Body, the position of the law and practice of the federation and its constituent states, provinces or cantons in regard to the Recommendation, showing the extent to which effect has been given, or is proposed to be given, to the provisions of the Recommendation and such modifications of these provisions as have been found or may be found necessary in adopting or applying them.

In accordance with the above provisions, the Governing Body of the International Labour Office examined and approved the present report form. This has been drawn up in such a manner as to facilitate the supply of the required information on uniform lines.

REPORT

to be made no later than 28 February 2017, in accordance with article 19 of the Constitution of the International Labour Organisation by the Government of, on the position of national law and practice in regard to matters dealt with in the instruments referred to in the following questionnaire.

Workers' and employers' organizations may send comments no later than 30 July 2017.

* * *

Context and scope of the questions

The questionnaire has been prepared in the light of the ILO Declaration on Social Justice for a Fair Globalization and its follow-up. Account has been taken of the fact that "This follow-up seeks to make the fullest possible use of all the means of action provided under the Constitution of the ILO to fulfil its mandate. Some of the measures to assist the Members may entail some adaptation of existing modalities of application of article 19, paragraphs 5(e) and 6(d), of the ILO Constitution, without increasing the reporting obligations of member States". In this context, General Surveys are not only intended to provide an overview on the law and practice in ILO member States concerning certain instruments but also to feed the recurrent discussions with relevant information on the trends and practices in relation to a given strategic objective. This explains the fact that some of the questions are only indirectly linked to a provision of an ILO instrument. These questions have been identified as a request for "Information on trends and practice".

In addition, in order to ensure institutional coherence, the Office has taken into account for the preparation of the questionnaire the report form adopted by the Governing Body for the last General Survey on working time (published in 2005); the conclusions of the Tripartite Meeting of Experts on Working-time Arrangements (17–21 October 2011); the conclusions of the Meeting of Experts on Non-Standard Forms of Employment (16–19 February 2015) as well as the conclusions of the recurrent discussion on social protection (labour protection) at the June 2015 session of the International Labour Conference.

* * *

The following questions relate to issues covered by Conventions Nos 1, 14, 30, 47, 89, 106, 132, 171 and 175, Protocol to Convention No. 89 and Recommendations Nos 116, 98, 13, 103, 178 and 182. **As appropriate, please give a specific reference (Web link) or include information relating to the provisions of the relevant legislation, regulations and policies, as well as electronic copies thereof.**

Notes:

1. Governments of countries which have ratified one or several of the Conventions and from which a report is due under article 22 of the Constitution will use the present form only with regard to the Conventions not ratified, if any, and the Recommendations. It will not be necessary to repeat information already provided in connection with the Conventions ratified. *The questions contained under the titles “Information on trends and practice” and “Possible needs for standards-related action and for technical assistance” are addressed to all member States.*
2. When reference is made to “national laws and regulations” or “provisions”, this should be understood as including laws, regulations, policies, collective agreements, court decisions or arbitration awards.
3. Where the national legislation or other provisions do not cover issues raised in this questionnaire, please provide information on current practices.

CONCEPTS OF HOURS OF WORK Hours of work means the time during which the persons employed are at the disposal of the employer (not including rest periods)		
1.	(i) Please provide information on how national laws and regulations define hours of work, rest periods, and stand-by or on-call hours (including to what extent stand-by or on-call hours are counted as hours of work or are to be remunerated). Please specify how many days make up one working week.	Arts 2 and 11(2)(b) of C.30; Art. 8(1)(b) of C.1; Para. 11 of R.116
SCOPE OF APPLICATION		
2.	(i) Please specify the relevant provisions excluding in whole or in part categories of workers, employers and/or sectors, if any, from the application of national laws and regulations regarding working time.	Art. 1 of C.1; Art. 1 of C.30
LIMITS ON DAILY AND WEEKLY HOURS OF WORK Normal daily and weekly working hours refer to working hours in a day or a week, respectively excluding overtime		
3.	(i) Please indicate the provisions, if any, which set limits on normal daily and weekly working hours.	Art. 2 of C.1; Art. 3 of C.30; Art. 1 of C.47
4.	Information on trends and practice Please indicate if a minimum daily rest period is provided in national laws and regulations. If so, indicate the length.	
EXCEPTIONS FROM THE NORMAL HOURS OF WORK (OVERTIME) Overtime hours are working hours in excess of the normal daily or weekly working hours		
5.	(i) Please provide information on the relevant provisions, if any, regulating temporary or permanent exceptions from the normal hours of work and the circumstances under which these exceptions are allowed.	Arts 3 and 6(1)(a) and (b) of C.1; Art. 7(1) and (2)(a) and (b) of C.30
	(ii) Please indicate the limits to the total number of hours of overtime allowed during a specified period.	Art. 6(2) of C.1; Art. 7(3) of C.30 Para. 17 of R.116

6.	Please specify the relevant provisions regulating payment for overtime and describe, in particular, the level of overtime rates and their variations, as well as compensatory rest periods (extra pay per hour, days off in lieu, and any combinations of these two).	Art. 6(2) of C.1; Para. 19(1) and (2) of R.116
<p align="center">REDUCTION OF HOURS OF WORK</p> <p align="center">Policies or legal measures that have been used to reduce daily or weekly working hours</p>		
7.	(i) Please specify the policies implemented and the measures adopted, if any, for the progressive reduction of working hours.	Art. 1 of C.47; Para. 3 of R.116
	(ii) Where applicable, please indicate if the reduction of normal hours of work was applied by stages and, if so, specify which stages were used (spaced over time, progressively encompassing branches or sectors of the economy, a combination of the two, other arrangements).	Para. 8 of R.116
<p align="center">MINIMUM WEEKLY REST PERIODS</p> <p align="center">The legal period when workers have time generally away from the workplace that is measured in consecutive hours or days at the end of a workweek</p>		
8.	(i) Please specify the legal requirements on weekly rest days, indicating if these provide for the weekly rest period to be granted simultaneously to all the persons concerned in each establishment and if it must coincide with the day of the week established as a day of rest by the traditions or customs of the country or district.	Art. 2(1) and (2) of C.14; Art. 6(1) and (2) of C.106; Para. 1 of R.103
	(ii) Please indicate if national laws and regulations define weekly rest by reference to a specific day(s) of the week or by a number of consecutive hours.	Art. 2(1) and (3) of C.14; Art. 6(1) and (3) of C.106; Paras 1 and 2 of R.103
	(iii) Please indicate if and how national laws and regulations related to weekly rest take into account traditions and customs of religious minorities.	Art. 6(4) of C.106
9.	(i) Please provide detailed information on possible temporary exemptions, total or partial, from the general rule concerning weekly rest (including the suspension or reduction of the rest period and rotating weekly rest days).	Art. 4 of C.14; Art. 8(1) and (2) of C.106
	(ii) If exemptions are allowed, please indicate if national laws and regulations require that workers be granted compensatory rest.	Art. 5 of C.14; Art. 8(3) of C.106
	<p>Information on trends and practice</p> <p>(iii) If exemptions are allowed, please indicate if according to national laws and regulations workers can be compensated with extra pay instead of compensatory rest.</p>	
	(iv) Please specify the special weekly rest schemes, if any, applying to specified categories of persons or types of establishments.	Art. 7(1) of C.106; Para. 3 of R.103
<p align="center">REST BREAKS DURING THE WORKDAY</p>		
10.	(i) Please indicate whether national laws and regulations require rest breaks (e.g. coffee/tea, meal, prayer, etc.) during the workday and under which conditions workers are entitled to them. If so, please indicate the types and the length of rest breaks, and if they are included in the hours of work.	Art. 8(1)(b) of C.1; Arts 2 and 11(2)(b) of C.30; Para 7 of R.178
	<p>Information on trends and practice</p> <p>(ii) Please indicate the provisions, if any, which allow workers to extra rest breaks between regular hours and starting overtime hours or if rest breaks are required by law during the course of working overtime hours.</p>	

PAID ANNUAL LEAVE The minimum number of leave days for workers to be given and paid by the employer over a calendar year, not including public holidays.		
11.	Please indicate the provisions, if any, requiring a minimum period of service in order to be entitled to paid annual leave.	Art. 5 of C.132; Para. 4(2)(a) of R.98
12.	(i) Please indicate the provisions, if any, which regulate the length of the paid annual leave period to which workers are entitled, specifying: (a) whether it is counted in days or weeks; (b) on which basis it is calculated (wage, bonuses); (c) if it increases with length of service or by reason of other factors (e.g. age); and (d) if it differs pursuant to workers' categories.	Arts 3 and 7 of C.132; Paras 4(1) and 6 of R.98
	(ii) Please provide information on any category of workers excluded from the scope of national laws and regulations on paid annual leave and the reasons for such exclusions.	Art. 2 of C.132; Para. 3 of R.98
13.	Please indicate whether annual holiday with pay can be divided into parts and if national laws and regulations provide for a right to an uninterrupted minimum period. If so, please specify the length of this minimum period.	Art. 8 of C.132
14.	Please indicate the provisions, if any, requiring that an employed person receive, upon termination of employment, a holiday with pay proportionate to the length of service for which he/she has not received such a holiday, or compensation in lieu thereof, or the equivalent holiday credit.	Art. 11 of C.132; Para 4(3) of R.98
15.	(i) Please indicate the provisions, if any, allowing the carry-over of unused leave days from one year to the next.	Art. 9(1) and (2) of C.132
	(ii) Please indicate if and under which conditions national laws and regulations allow agreements to relinquish the right to paid annual leave. Please also indicate if the possibility exists for the worker to receive cash payment in exchange for annual leave.	Art. 12 of C.132
16.	Please indicate if the annual leave period includes sick leave, personal leave or leave for other reasons beyond the control of the employed person. Please specify the relevant provisions.	Art. 5(4) of C.132
PROTECTION OF NIGHT WORKERS Night work is work that is normally scheduled to take place at night when workers might otherwise be asleep.		
17.	Please provide information on the definition of "night" and "night worker" in national laws and regulations.	Art. 2 of C.89; Art. 1 of C.171; Para.1 of R.178
18.	(i) Please specify the maximum length of night work and the limits of night work overtime as determined by national laws and regulations, indicating if these limits are per day or per week.	Paras 4 and 5 of R.178
	(ii) Please indicate if national laws and regulations guarantee a minimum period of rest for night workers, with particular attention to the situation of women in agricultural undertakings.	Para. 1 of R.13; Para 6 of R.178
19.	Please provide information on measures to assess workers' health, as well as the possibility for the worker to be transferred to daywork in case of incapacity to perform night work.	Arts 4 and 6 of C.171
20.	Please indicate which sectors or categories of workers, if any, are exempted from the national laws and regulations on night work.	Art. 2 of C.171
21.	Please specify the measures taken, if any, to protect women who work at night in relation to maternity (including transfer to day work during certain periods before and after delivery).	Art. 7 of C.171

22.	Please indicate the provisions, if any, establishing compensation for night workers (in terms of working time, pay or similar benefits ...) to recognize the nature of night work.	Art. 8 of C.171
23.	Please indicate the provisions, if any, on social services (i.e. in terms of transportation, meals, rest), or facilities (first-aid facilities), to be put in place for night workers.	Arts 5 and 9 of C.171; Paras 13–18 of R.178
24.	Information on trends and practice Please indicate whether there is a growing or declining trend in night work by sectors of the economy and/or the number of workers.	
PART-TIME WORK The term part-time worker refers to an employed person whose normal hours of work are less than those of comparable full-time workers		
25.	(i) Please indicate if and how the national laws and regulations define part-time work (including the level(s) of normal hours of work of full-time workers below which a worker is considered to be a part-time worker).	Art. 1 of C.175; Para. 2 of R.182
	(ii) Please provide information on any category of workers excluded from the scope of part-time work laws and regulations and the reasons for such exclusions.	Art. 3 of C.175
26.	(i) Please indicate the measures taken, if any, to facilitate access to productive and freely chosen part-time work which meets the needs of both employers and workers. Please indicate the policies, if any, addressing situations where part-time work is not the result of a free choice.	Art. 9(1) of C.175
	(ii) Please indicate the provisions, if any, facilitating voluntary movement from full-time to part-time work and vice versa and indicate the conditions under which these movements are allowed. Please specify the role of employers in facilitating this process.	Arts 9 and 10 of C.175; Para. 18 of R.182
27.	(i) Please indicate the provisions, if any, ensuring that part-time workers receive the same protection as that accorded to comparable full-time workers in respect of: (a) the right to organize, the right to bargain collectively and the right to act as a workers' representative; (b) occupational safety and health; and (c) discrimination in employment and occupation.	Art. 4 of C.175
	(ii) Please indicate the measures taken, if any, to ensure that part-time workers receive conditions equivalent to those of comparable full-time workers in the fields of maternity protection, termination of employment, paid annual leave and paid public holidays and sick leave, wages and statutory social security.	Arts 5, 6 and 7 of C.175; Paras 6(d), 7(2), 10, 11, 13, 14 and 16 of R.182
	(iii) Please indicate if there exist thresholds on hours of work or earnings to be entitled to certain social security or other benefits. If so, please describe them and indicate if they are periodically reviewed.	Art. 8(1), (2) and (3)(a) of C.175
	(iv) Please provide information on measures to overcome specific constraints on the access of part-time workers to training, career opportunities and occupational mobility.	Para. 15 of R.182
TRENDS IN WORKING-TIME ARRANGEMENTS Working-time arrangements are some of the ways working hours can be organized, normally during the work week. Legal provisions on limits on daily and weekly working hours usually provide the basis for how these arrangements should be organized		

28.	Information on trends and practice ¹ Please indicate if national laws and regulations require employers to consider employees' requests to change their work schedules for personal reasons (e.g. to address family or personal needs).	
29.	Please indicate the national laws and regulations, if any, providing for shift-work arrangements ² (including variable daily shift lengths) and describe the circumstances in which they are permitted.	Arts 2(c) and 4 of C.1; Art. 11(2)(a) of C.30
30.	(i) Please indicate the national laws and regulations, if any, providing for hour-averaging schemes ³ and describe the circumstances in which it is permitted. Where appropriate, indicate the length of the reference period that can be used: weekly; monthly; annually; other.	Art. 5(1) and (2) of C.1; Art. 6 of C.30
	Information on trends and practice (ii) Please indicate if national laws or regulations forbid the use of averaging hours – or of certain periods for averaging (like annualized working hours) – to calculate working time.	
31.	Information on trends and practice Please provide information on the national laws and regulations, if any, providing for: (a) compressed workweeks ; ⁴ (b) staggered working hours ; ⁵ (c) flexitime ; ⁶ and (d) time-saving account arrangements ⁷ (time banking).	
32.	Information on trends and practice Please provide information on the national laws and regulations, if any, providing for on-call work , work on demand , or zero hours contracts . Where appropriate, please indicate if national laws and regulations require employers to provide a minimum number of guaranteed hours as part of the criteria for an employment contract; under which conditions workers have a duty to be available; whether they have the possibility to work for another employer, and whether they are entitled to have advance notice of work schedules.	

¹ See also ILO: *Working time in the 21st century*, Report for discussion at the Tripartite Meeting of Experts on Working-time Arrangements (17–21 October 2011).

² Shift work is usually defined as a method of organizing working time through which workers succeed one another at the workplace so that the operating hours of the undertaking exceed the hours of work of individual workers. ILO: *Hours of work. From fixed to flexible?* Report of the Committee of Experts on the Application of Conventions and Recommendations (articles 19, 22 and 23 of the Constitution). Report III (Part 1B), International Labour Conference, 93rd Session, Geneva, 2005), para. 103.

³ Annualized hours and other types of hours-averaging schemes (e.g. monthly hours or hours averaged over a period of one month) allow for variations in daily and weekly hours of work within specified legal limits, such as maximum daily and weekly hours, while requiring that working hours either achieve a specified weekly average over the period within which the hours are averaged, or remain within a fixed annual total. As long as the maximum limits are respected, including the weekly average or annual total, no overtime premium is payable for hours worked beyond the statutory normal hours. ILO: *Working time in the 21st century*, Report for discussion at the Tripartite Meeting of Experts on Working-time Arrangements (17–21 October 2011), para. 119.

⁴ Compressed workweeks are a method of organizing working time under which normal weekly hours of work are scheduled over fewer days. ILO: *Hours of work. From fixed to flexible?*, op. cit., para. 207.

⁵ Staggered hours are used to organize working time when workers or groups of workers start and finish work at slightly different, but fixed times. Ibid., para. 214.

⁶ Flexitime arrangements are used to allow workers to schedule their own hours of work within specific limits, although workers are normally required to be present during specified core periods under such arrangements. Ibid. para. 231.

⁷ Time-saving account arrangements (time banking) permit workers to build up “credits” or to accumulate “debits” in hours worked, up to a maximum amount; the periods over which the credits or debits are calculated are longer than with flexitime arrangements, ranging from several months to a year or even longer. ILO: *Working time in the 21st century*, op. cit., para. 116.

33.	Information on trends and practice Please indicate the national policies, if any, addressing work-sharing ⁸ . Please describe any existing schemes, the extent of hours reduction, and the level of compensation by the State for wage reduction by enterprises.	
34.	Information on trends and practice Please provide information on: (a) the frequency at which the above working-time arrangements are used; (b) the sectors of the economy in which they are more frequent; and (c) the extent to which the current practice is compatible with relevant national laws and regulations.	
35.	Information on trends and practice Please indicate the national policies, laws and regulations, if any, addressing the impact of information and communication technologies on availability and working time beyond regular office hours.	
SOCIAL DIALOGUE AND COLLECTIVE BARGAINING ON WORKING TIME Social dialogue and collective bargaining are important mechanisms in the arrangement and scheduling of working hours.		
36.	Please indicate how and to what extent social dialogue is used for the determination of national laws and regulations or other provisions on working time.	Arts 2(b), 5(1) and 6(2) of C.1; Art. 8 of C.30; Para. 20 of R.116; Art. 4 of C.14; Arts 4, 7 and 8 of C.106; Arts 2(2) and 9 of C.132; Art. 5 of C.89; Art. 1(1) of Protocol to C.89; Arts 10 and 11(2) of C.171; Arts 3(1) and 8(4) of C.175
37.	Please provide examples of working-time arrangements addressed through collective bargaining agreements, with emphasis on the primary sectors of your economy.	Arts 2(b) and 5 of C.1; Art. 8 of C.30; Paras 3 and 11 of R.116; Art. 5 of C.14; Para. 7 of R.103; Arts 9(3) and 10(1) of C.132; Art. 11 of C.175; Art. 1(1) of Protocol to C.89; Art. 11 of C.171

⁸ Work-sharing is defined as a labour market instrument based on the reduction of working time intended to spread a reduced volume of work over the same (or a similar) number of workers in order to avoid lay-offs. Messenger, J. CF. and Ghosheh, Naj (eds). *Work sharing during the great recession. New developments and beyond* (ILO, 2013), p. 3.

CONSULTATIONS OF EMPLOYERS' AND WORKERS' ORGANIZATIONS AS REQUIRED BY CONVENTIONS		
38.	<p>Please provide information on consultations undertaken, if any, at the national level with the most representative organizations of employers and workers prior to:</p> <p>(a) the making of regulations determining permanent and temporary exceptions to regular working hours</p> <p>(b) the making of regulations which permit hours of work to be distributed over a period longer than the week</p> <p>(c) the making of any measure relating to the introduction of special schemes implying total or partial exceptions to the normal weekly rest scheme (24 consecutive hours of rest over seven days of work)</p> <p>(d) the determination of a minimum part of annual holidays which cannot be postponed and the time limit up to which the exceeding part of the stated minimum can be postponed</p> <p>(e) the determination of the meaning of the term "night work" and "night workers"</p> <p>(f) the determination of the categories of workers excluded from the night work laws and regulations</p> <p>(g) the determination of the length of the period beyond the period of childbirth where an alternative to night work should be available to women</p> <p>(h) the making of laws and regulations concerning night work</p> <p>(i) the exclusion of certain categories of workers from the scope of application of part-time laws and regulations</p> <p>(j) the setting of hours of work and earning thresholds below which workers may be excluded from certain rights</p> <p>(k) the making of laws and regulations regarding part-time work</p>	<p>Art. 6(2) of C.1;</p> <p>Arts 7 and 8 of C.30</p> <p>Art. 4 of C.14; Art. 7(4) of C.106</p> <p>Art. 9(3) of C.132</p> <p>Art. 2 of C.89; Art. 1 of C.171</p> <p>Art. 2(2) of C.171</p> <p>Art. 7(b)(ii) of C.171</p> <p>Art. 11(2) of C.171</p> <p>Art. 3(1) of C.175</p> <p>Art. 8 of C.175</p> <p>Art. 11 of C.175</p>
MEASURES OF ENFORCEMENT		
39.	<p>(i) Please specify the relevant provisions requiring employers to: (a) notify, by the posting of notices in conspicuous positions in the establishment or other suitable place, the times at which hours of work begin and end, the rest periods granted and, where work is carried on by shifts, the times at which each shift begins and ends; and (b) keep a record of all additional hours of work and the payments made in respect thereof.</p> <p>(ii) Please, specify all measures, such as the posting of notices and the keeping of records, taken to ensure compliance with national laws and regulations concerning weekly rest.</p> <p>(iii) Please provide information on the specific measures implemented by labour inspection to address working-time issues (including overtime, rest periods and leave); the role played by social actors and other institutions concerning compliance and enforcement of working-time national laws and regulations, and provision of penalties and application thereof.</p>	<p>Art. 8(1) of C.1; Art. 11(2) of C.30</p> <p>Art. 7 of C.14; Paras 5 and 6 of R.103</p> <p>Arts 11(1) and 12 of C.30; Art. 10(1) and (2) of C.106; Art. 14 of C.132</p>

IMPACT OF ILO INSTRUMENTS/PROSPECTS OF RATIFICATION

40.	<p>(i) Please indicate whether any modifications have been made or are intended to be made to national laws and regulations or practice with a view to giving effect to all or some of the provisions of the Conventions or of the Recommendations concerning working time.</p> <p>(ii) Please indicate any prospects of ratification and identify any obstacles impeding or delaying ratification of Conventions Nos 1, 14, 30, 47, 89, 106, 132, 171, 175 and the Protocol of 1990 to Convention No. 89.</p>
41.	<p>If your country is a federal State:</p> <p>(i) please indicate whether the provisions of the Conventions or of the Recommendations are regarded by the federal government as appropriate, under the constitutional system, for federal action or as appropriate, in whole or in part, for action by the constituent states, provinces or cantons, rather than for federal action;</p> <p>(ii) Please indicate also any arrangements that it has been possible to make within the federal State, with a view to promoting coordinated action to give effect to all or some of the provisions of the Conventions and the Recommendations, giving a general indication of any results achieved through such action.</p>
42.	Please indicate the representative organizations of employers and workers to which copies of the present report have been communicated in accordance with article 23(2) of the Constitution of the ILO and state whether you have received from the organizations of employers and workers concerned any observations concerning the effect given, or to be given, to the instruments to which the present report relates. If so, please communicate a copy of the observations received together with any comments that you may consider useful.
<h3>POSSIBLE NEEDS FOR STANDARDS-RELATED ACTION AND FOR TECHNICAL ASSISTANCE</h3>	
43.	<p>(i) Please provide your country's views on any existing gaps that would have to be addressed by future standards. What suggestions would your country wish to make concerning possible standards-related action on working time to be taken by the ILO, including the revision of standards and prospects of consolidation?</p> <p>(ii) Has your country formulated any request for technical assistance by the ILO to give effect to the instruments in question? If this is the case, what has been the effect of this support? If not, how could the ILO best provide appropriate assistance within its mandate to support country efforts in the area of working time?</p>

