



## SEVENTH ITEM ON THE AGENDA

**Choice of instruments on which reports should be requested in 2005 and 2006 under article 19 of the Constitution**

1. The Committee is called upon to make proposals to the Governing Body regarding the choice of Conventions and Recommendations on which governments might be requested to supply reports in 2005 and 2006 under article 19, paragraphs 5(e), 6(d) and 7(b), of the Constitution. These provisions require member States to report “at appropriate intervals, as requested by the Governing Body” on non-ratified Conventions and Recommendations; the reports cover in particular the status of legislation and practice concerning the matters dealt with in these instruments, and should indicate the extent to which effect has been given or is proposed to be given to those instruments.
2. These reports, as well as those submitted under articles 22 and 35 of the Constitution by the States parties to the Conventions concerned, allow the Committee of Experts on the Application of Conventions and Recommendations to establish General Surveys on the effect given to the instruments considered. The General Surveys (Report III (Part 1B)) are examined by the Committee on the Application of Standards in the framework of its general discussion.
3. Certain criteria were established in 1951 as to the demand for these reports. The Governing Body decided that they should be grouped by subject matter as far as possible, and should be of current interest. It was also thought that not too many should be requested so as not to create excessive work for national administrations and the Committee of Experts.<sup>1</sup>
4. General Surveys are recognized as useful reference instruments to assess the status of legislation and national practice in any given area, and to guard against obstacles to the implementation of the Organization’s instruments and identify the ratification prospects for Conventions. In this way General Surveys can contribute both to promoting and evaluating instruments.
5. In the framework of its examination of the relevance of standards, the Working Party on Policy regarding the Revision of Standards requested that four General Surveys be

<sup>1</sup> Minutes of the 114th Session of the Governing Body (March 1951), report of the Committee on the Application of Conventions and Recommendations.

conducted. The first three have already been completed and the final one will be prepared on the basis of reports requested in 2004. It will concern hours of work (the Hours of Work (Industry) Convention, 1919 (No. 1), and the Hours of Work (Commerce and Offices) Convention, 1930 (No. 30)).

6. One of the essential results of the work of the Working Party is to identify up-to-date Conventions, which should be promoted on a priority basis (see appended list). Special efforts are currently being made to promote the four so-called priority Conventions, relating to tripartite consultation, employment policy and labour inspection. In 2000 a General Survey was conducted on the Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144), and a General Survey on the Employment Policy Convention, 1964 (No. 122), will be submitted by the Committee of Experts this year and examined by the Conference next June.
7. The Labour Inspection Convention, 1947 (No. 81), and the Labour Inspection (Agriculture) Convention, 1969 (No. 129), together with the corresponding Recommendations, gave rise to a General Survey in 1985. In the past 20 years, socio-economic changes have had a variety of effects on the structure and operation of labour inspection systems. On account of its value as a reference tool in the establishment of such systems in accordance with the instruments concerned, it would be extremely useful to update this survey, which should also include the Protocol of 1995 to the Labour Inspection Convention, 1947 (No. 81), which was adopted in the interim and which extends the application of Convention No. 81 to the non-commercial services sector. As regards Convention No. 129 in particular (41 ratifications), the survey should also include an analysis of the obstacles to its ratification and draw the constituents' attention to the importance of this instrument for people working in the agricultural sector, who represent a large portion of the working population in many countries.
8. Among the other subjects that could be taken up on the basis of the appended list, mention should be made of the question of the employment and working conditions of nursing personnel, which is particularly topical; a General Survey on the Nursing Personnel Convention, 1977 (No. 149) (37 ratifications) and Recommendation (No. 157), could be a useful addition to the work already undertaken by the Office in this respect.<sup>2</sup> In this case it would be the first General Survey on the subject.
9. A third important subject is working time. This is currently the focus of active research work by the Office.<sup>3</sup> The General Survey which will be submitted in 2004 on Conventions Nos. 1 and 30 will cover certain aspects of it. In the current context of the diversification of working-time arrangements, it could be supplemented by a General Survey on the question of part-time work (the Part-Time Work Convention, 1994 (No. 175) (ten ratifications) and Recommendation (No. 182)), which could be of particular interest both for the Organization's constituents and for the general public. No General Surveys have ever been carried out on these instruments either.

<sup>2</sup> A meeting on social dialogue in the health services was held in October 2002 and a series of studies were carried out on violence and stress in the occupations concerned, in collaboration with the WHO, the International Council of Nurses and Public Services International. SECTOR has also undertaken a study on Convention No. 149. A seminar on the promotion of this Convention was held in Sri Lanka in November 2002.

<sup>3</sup> See GB.288/2/2.

10. The Committee could choose between two options: it might wish to select one of the three abovementioned subjects for 2005 and another for 2006, or select just one of the three for 2005, considering that it is too soon to decide for 2006.
11. *In the light of the foregoing, of the information contained in the appendix, and of an exchange of views in the Committee, the Committee may wish to recommend that the Governing Body request governments to submit reports under article 19 of the Constitution on the following instruments:*
- (a) *for 2005: the Labour Inspection Convention, 1947 (No. 81), the Protocol of 1995 to the Labour Inspection Convention, 1947, the Labour Inspection Recommendation, 1947 (No. 81), the Labour Inspection (Mining and Transport) Recommendation, 1947 (No. 82), the Labour Inspection (Agriculture) Convention, 1969 (No. 129), and the Labour Inspection (Agriculture) Recommendation, 1969 (No. 133);*
- or*
- the Nursing Personnel Convention, 1977 (No. 149), and the Nursing Personnel Recommendation, 1977 (No. 157);*
- or*
- the Part-Time Work Convention, 1994 (No. 175), and the Part-Time Work Recommendation, 1994 (No. 182);*
- (b) *for 2006: one of the subjects not chosen for 2005;*
- or*
- to defer, until November 2004, the examination of the subjects upon which reports might be requested in 2006.*

Geneva, 6 October 2003.

*Point for decision:* Paragraph 11.

## Appendix

### List of up-to-date instruments\*

Title of the instrument	Ratifications	Year of General Survey **
<i>Freedom of association, collective bargaining and industrial relations</i>		
<b>Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87)</b>	142	1994
<b>Right to Organise and Collective Bargaining Convention, 1949 (No. 98)</b>	153	1994
Collective Agreements Recommendation, 1951 (No. 91)	n.a.	1959
Consultation (Industrial and National Levels) Recommendation, 1960 (No. 113)	n.a.	1976
Workers' Representatives Convention, 1971 (No. 135)	74	–
Workers' Representatives Recommendation, 1971 (No. 143)	n.a.	–
Rural Workers' Organisations Convention, 1975 (No. 141)	38	1983
Rural Workers' Organisations Recommendation, 1975 (No. 149)	n.a.	1983
Labour Relations (Public Service) Convention, 1978 (No. 151)	41	–
Labour Relations (Public Service) Recommendation, 1978 (No. 159)	n.a.	–
Collective Bargaining Convention, 1981 (No. 154)	34	–
Collective Bargaining Recommendation, 1981 (No. 163)	n.a.	–
<i>Forced labour</i>		
<b>Forced Labour Convention, 1930 (No. 29)</b>	162	1979
Forced Labour (Indirect Compulsion) Recommendation, 1930 (No. 35)	n.a.	1962
<b>Abolition of Forced Labour Convention, 1957 (No. 105)</b>	158	1979
<i>Equality of opportunity and treatment</i>		
<b>Equal Remuneration Convention, 1951 (No. 100)</b>	161	1986
Equal Remuneration Recommendation, 1951 (No. 90)	n.a.	1986
<b>Discrimination (Employment and Occupation) Convention, 1958 (No. 111)</b>	159	1996 (Special Survey)
Discrimination (Employment and Occupation) Recommendation, 1958 (No. 111)	n.a.	1988
<i>Workers with family responsibilities</i>		
Workers with Family Responsibilities Convention, 1981 (No. 156)	34	1993
Workers with Family Responsibilities Recommendation, 1981 (No. 165)	n.a.	1993
<i>Elimination of child labour and protection of children and adolescents</i>		
<b>Minimum Age Convention, 1973 (No. 138)</b>	130	1981
Minimum Age Recommendation, 1973 (No. 146)	n.a.	1981
<b>Worst Forms of Child Labour Convention, 1999 (No. 182)</b>	144	–
Worst Forms of Child Labour Recommendation, 1999 (No. 190)	n.a.	–
Medical Examination of Young Persons (Industry) Convention, 1946 (No. 77)	43	1960
Medical Examination of Young Persons (Non-Industrial Occupations) Convention, 1946 (No. 78)	39	1955
Medical Examination of Young Persons Recommendation, 1946 (No. 79)	41	1955
Medical Examination of Young Persons (Underground Work) Convention, 1965 (No. 124)	n.a.	–
Conditions of Employment of Young Persons (Underground Work) Recommendation, 1965 (No. 125)	n.a.	–

Title of the instrument	Ratifications	Year of General Survey **
<b><i>Tripartite consultation</i></b>		
<i>Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144)</i>	110	2000
Tripartite Consultation (Activities of the International Labour Organisation) Recommendation, 1976 (No. 152)	n.a.	2000
<b><i>Labour inspection</i></b>		
<i>Labour Inspection Convention, 1947 (No. 81)</i>	129	1985
Labour Inspection Recommendation, 1947 (No. 81)	n.a.	1985
Protocol of 1995 to the Labour Inspection Convention, 1947	10	–
Labour Inspection (Mining and Transport) Recommendation, 1947 (No. 82)	n.a.	1985
<i>Labour Inspection (Agriculture) Convention, 1969 (No. 129)</i>	41	1985
Labour Inspection (Agriculture) Recommendation, 1969 (No. 133)	n.a.	1985
<b><i>Labour administration</i></b>		
Labour Administration Convention, 1978 (No. 150)	57	1997
Labour Administration Recommendation, 1978 (No. 158)	n.a.	1997
Labour Statistics Convention, 1985 (No. 160)	45	–
Labour Statistics Recommendation, 1985 (No. 170)	n.a.	–
<b><i>Employment policy and employment promotion</i></b>		
<i>Employment Policy Convention, 1964 (No. 122)</i>	94	2004
Employment Policy Recommendation, 1964 (No. 122)	n.a.	1972
Employment Policy (Supplementary Provisions) Recommendation, 1984 (No. 169)	n.a.	2004
Vocational Rehabilitation (Disabled) Recommendation, 1955 (No. 99)	n.a.	–
Vocational Rehabilitation and Employment (Disabled Persons) Convention, 1983 (No. 159)	75	1998
Vocational Rehabilitation and Employment (Disabled Persons) Recommendation, 1983 (No. 168)	n.a.	1998
Private Employment Agencies Convention, 1997 (No. 181)	13	–
Private Employment Agencies Recommendation, 1997 (No. 188)	n.a.	–
Job Creation in Small and Medium-Sized Enterprises Recommendation, 1998 (No. 189)	n.a.	2004
Promotion of Cooperatives Recommendation, 2002 (No. 193)	n.a.	–
<b><i>Occupational guidance and training</i></b>		
Paid Educational Leave Convention, 1974 (No. 140)	33	1991
Human Resources Development Convention, 1975 (No. 142)	62	2004
<b><i>Social policy</i></b>		
Workers' Housing Recommendation, 1961 (No. 115)	n.a.	1970
<b><i>Wages</i></b>		
Labour Clauses (Public Contracts) Convention, 1949 (No. 94)	58	1954
Labour Clauses (Public Contracts) Recommendation, 1949 (No. 84)	n.a.	1954
Protection of Wages Convention, 1949 (No. 95)	94	2003
Protection of Wages Recommendation, 1949 (No. 85)	n.a.	2003
Minimum Wage Fixing Convention, 1970 (No. 131)	45	1992
Minimum Wage Fixing Recommendation, 1970 (No. 135)	n.a.	1992
Protection of Workers' Claims (Employer's Insolvency) Convention, 1992 (No. 173)	15	–
Protection of Workers' Claims (Employer's Insolvency) Recommendation, 1992 (No. 180)	n.a.	–

Title of the instrument	Ratifications	Year of General Survey **
<b><i>Working time</i></b>		
Weekly Rest (Industry) Convention, 1921 (No. 14)	117	1984
Weekly Rest (Commerce and Offices) Convention, 1957 (No. 106)	62	1984
Weekly Rest (Commerce and Offices) Recommendation, 1957 (No. 103)	n.a.	1984
Reduction of Hours of Work Recommendation, 1962 (No. 116)	n.a.	1984
Night Work Convention, 1990 (No. 171)	8	–
Night Work Recommendation, 1990 (No. 178)	n.a.	–
Protocol of 1990 to the Night Work (Women) Convention (Revised), 1948	1	–
Part-Time Work Convention, 1994 (No. 175)	10	–
Part-Time Work Recommendation, 1994 (No. 182)	n.a.	–
<b><i>Occupational safety and health</i></b>		
Radiation Protection Convention, 1960 (No. 115)	47	–
Radiation Protection Recommendation, 1960 (No. 114)	n.a.	–
Hygiene (Commerce and Offices) Convention, 1964 (No. 120)	49	–
Hygiene (Commerce and Offices) Recommendation, 1964 (No. 120)	n.a.	–
Occupational Cancer Convention, 1974 (No. 139)	35	–
Occupational Cancer Recommendation, 1974 (No. 147)	n.a.	–
Working Environment (Air Pollution, Noise and Vibration) Convention, 1977 (No. 148)	41	1987
Working Environment (Air Pollution, Noise and Vibration) Recommendation, 1977 (No. 156)	n.a.	1987
Occupational Safety and Health Convention, 1981 (No. 155)	40	–
Occupational Safety and Health Recommendation, 1981 (No. 164)	n.a.	–
Protocol of 2002 to the Occupational Safety and Health Convention, 1981	–	–
Occupational Health Services Convention, 1985 (No. 161)	22	–
Occupational Health Services Recommendation, 1985 (No. 171)	n.a.	–
Protection of Workers' Health Recommendation, 1953 (No. 97)	n.a.	1970
Welfare Facilities Recommendation, 1956 (No. 102)	n.a.	1970
Asbestos Convention, 1986 (No. 162)	27	–
Asbestos Recommendation, 1986 (No. 172)	n.a.	–
Safety and Health in Construction Convention, 1988 (No. 167)	17	–
Safety and Health in Construction Recommendation, 1988 (No. 175)	n.a.	–
Chemicals Convention, 1990 (No. 170)	11	–
Chemicals Recommendation, 1990 (No. 177)	n.a.	–
Prevention of Major Industrial Accidents Convention, 1993 (No. 174)	9	–
Prevention of Major Industrial Accidents Recommendation, 1993 (No. 181)	n.a.	–
Safety and Health in Mines Convention, 1995 (No. 176)	20	–
Safety and Health in Mines Recommendation, 1995 (No. 183)	n.a.	–
Safety and Health in Agriculture Convention, 2001 (No. 184)	3	–
Safety and Health in Agriculture Recommendation, 2001 (No. 192)	n.a.	–
List of Occupational Diseases Recommendation, 2002 (No. 194)	n.a.	–
<b><i>Social security</i></b>		
Social Security (Minimum Standards) Convention, 1952 (No. 102)	40	1989
Equality of Treatment (Social Security) Convention, 1962 (No. 118)	38	1977
Income Security Recommendation, 1944 (No. 67)	n.a.	1950
Employment Injury Benefits Convention, 1964 (No. 121)	23	–
Employment Injury Benefits Recommendation, 1964 (No. 121)	n.a.	–

Title of the instrument	Ratifications	Year of General Survey **
Invalidity, Old-Age and Survivors' Benefits Convention, 1967 (No. 128)	16	1989
Invalidity, Old-Age and Survivors' Benefits Recommendation, 1967 (No. 131)	n.a.	1989
Medical Care and Sickness Benefits Convention, 1969 (No. 130)	14	–
Medical Care and Sickness Benefits Recommendation, 1969 (No. 134)	n.a.	–
Maintenance of Social Security Rights Convention, 1982 (No. 157)	3	–
Maintenance of Social Security Rights Recommendation, 1983 (No. 167)	n.a.	–
Employment Promotion and Protection against Unemployment Convention, 1988 (No. 168)	6	–
Employment Promotion and Protection against Unemployment Recommendation, 1988 (No. 176)	n.a.	–
<b><i>Maternity protection</i></b>		
Maternity Protection Convention, 2000 (No. 183)	4	–
Maternity Protection Recommendation, 2000 (No. 191)	n.a.	–
<b><i>Seafarers</i></b>		
Continuity of Employment (Seafarers) Convention, 1976 (No. 145)	17	–
Continuity of Employment (Seafarers) Recommendation, 1976 (No. 154)	n.a.	–
Seafarers' Annual Leave with Pay Convention, 1976 (No. 146)	13	–
Merchant Shipping (Minimum Standards) Convention, 1976 (No. 147)	44	1990
Merchant Shipping (Improvement of Standards) Recommendation, 1976 (No. 155)	n.a.	1990
Protocol of 1996 to the Merchant Shipping (Minimum Standards) Convention, 1976	10	–
Protection of Young Seafarers Recommendation, 1976 (No. 153)	n.a.	–
Seafarers' Welfare Convention, 1987 (No. 163)	12	–
Seafarers' Welfare Recommendation, 1987 (No. 173)	n.a.	–
Health Protection and Medical Care (Seafarers) Convention, 1987 (No. 164)	11	–
Social Security (Seafarers) Convention (Revised), 1987 (No. 165)	2	–
Repatriation of Seafarers Convention (Revised), 1987 (No. 166)	9	–
Repatriation of Seafarers Recommendation, 1987 (No. 174)	n.a.	–
Labour Inspection (Seafarers) Convention, 1996 (No. 178)	8	–
Labour Inspection (Seafarers) Recommendation, 1996 (No. 185)	n.a.	–
Seafarers' Hours of Work and the Manning of Ships Convention, 1996 (No. 180)	13	–
Seafarers' Wages, Hours of Work and the Manning of Ships Recommendation, 1996 (No. 187)	n.a.	–
Recruitment and Placement of Seafarers Convention, 1996 (No. 179)	7	–
Recruitment and Placement of Seafarers Recommendation, 1996 (No. 186)	n.a.	–
Seafarers' Identity Documents Convention (Revised), 2003 (No. 185)	–	–
<b><i>Dockers</i></b>		
Occupational Safety and Health (Dock Work) Convention, 1979 (No. 152)	20	–
Occupational Safety and Health (Dock Work) Recommendation, 1979 (No. 160)	n.a.	–
<b><i>Indigenous and tribal peoples</i></b>		
Indigenous and Tribal Peoples Convention, 1989 (No. 169)	17	–
Indigenous and Tribal Populations Recommendation, 1957 (No. 104)	n.a.	–

Title of the instrument	Ratifications	Year of General Survey **
<i>Specific categories of workers</i>		
Plantations Convention, 1958 (No. 110)	10	–
Plantations Recommendation, 1958 (No. 110)	n.a.	–
Protocol of 1982 to the Plantations Convention, 1958	2	–
Tenants and Share-croppers Recommendation, 1968 (No. 132)	n.a.	–
Nursing Personnel Convention, 1977 (No. 149)	37	–
Nursing Personnel Recommendation, 1977 (No. 157)	n.a.	–
Working Conditions (Hotels and Restaurants) Convention, 1991 (No. 172)	13	–
Working Conditions (Hotels and Restaurants) Recommendation, 1991 (No. 179)	n.a.	–
Home Work Convention, 1996 (No. 177)	4	–
Home Work Recommendation, 1996 (No. 184)	n.a.	–

\* The fundamental Conventions are shown in bold and the priority Conventions in italics. \*\* The date mentioned is that of the discussion at the Conference.