

TENTH MEETING OF THE SRM TWG

(14 - 18 SEPTEMBER 2026)

EXAMINATION OF INSTRUMENTS CONCERNING WORKING TIME

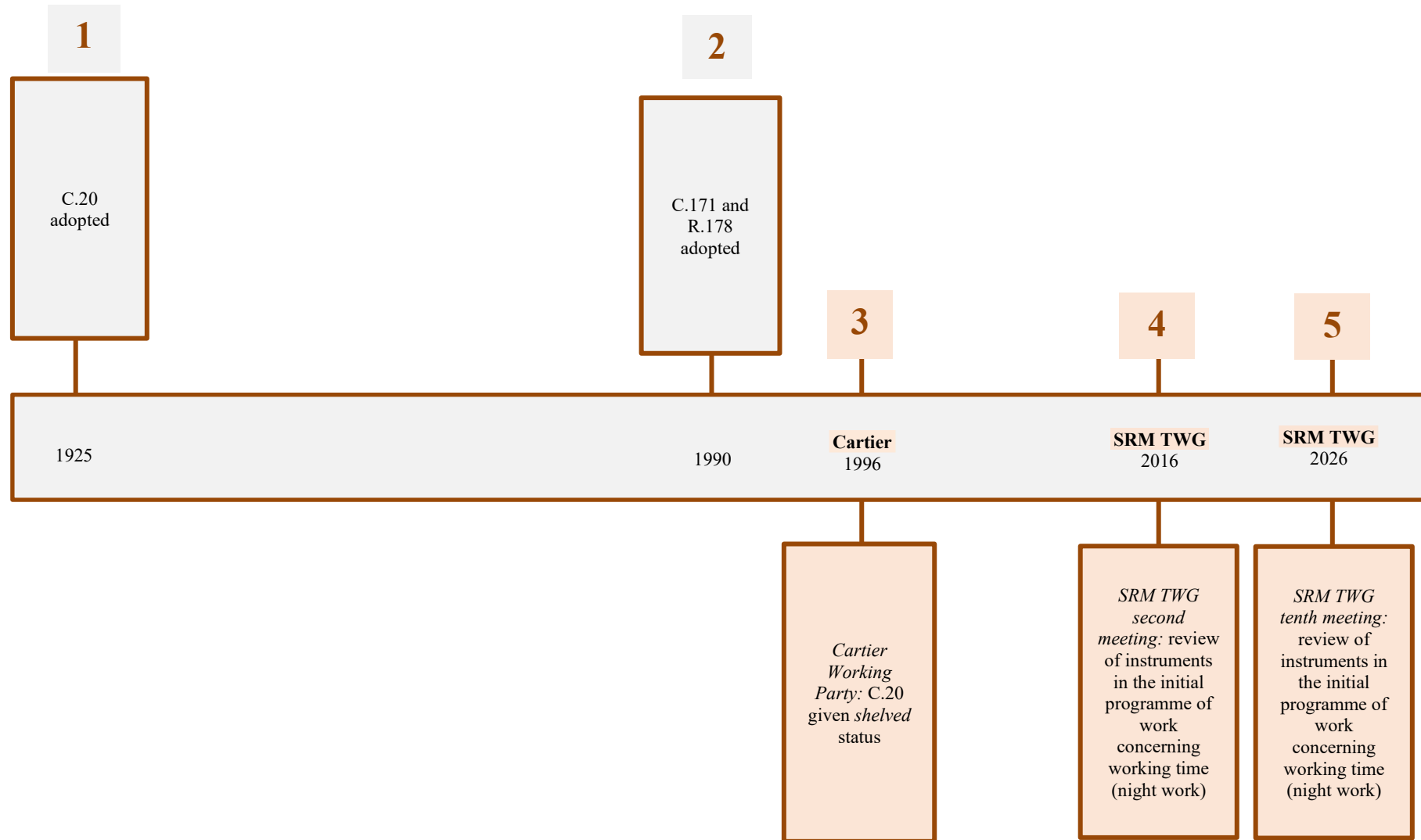
Technical Note 1.3: Night work

- Three instruments in the initial programme of work concern night work: Night Work Convention, 1990 (No. 171), Night Work Recommendation, 1990 (No. 178), Night Work (Bakeries) Convention, 1925 (No. 20).
- *Current status of instruments:* Convention No. 20 was reviewed by the Cartier Working Party, following which it was classified as outdated; Convention No. 171 and Recommendation No. 178 are considered up-to-date (never reviewed).
- *Action to be considered:* Classification of Convention No. 171 and Recommendation No. 178; follow-up action to be taken for outdated Convention No. 20; identification of any gaps in coverage; and associated follow-up action.

14 August 2026

ILO regulation of night work

Chronology of developments



ILO regulatory approach to night work

Night work, a significant aspect of the regulation of working time, was initially addressed through restrictions targeting certain groups, particularly women and young persons, deemed “vulnerable” to the hazards associated with such work,¹ as well as specific branches of activity. The adoption of the **Night Work (Bakeries) Convention, 1925 (No. 20)** reflected this regulatory approach, restricting night work in certain branches of activity.²

By 1990, when the most recent instruments on night work were adopted, the regulatory approach had evolved. First, the **Night Work Convention, 1990 (No. 171)** and the **Night Work Recommendation, 1990 (No. 178)** are of general application, applying to all workplaces and industries, as well as to both women and men workers. Second, the restriction on night work evolved into an approach aimed at managing the reality of night work having become increasingly common in Member States, with the aim of protecting all night workers. Convention No. 171 and Recommendation No. 178 set out comprehensive measures for Member States to implement, including periodic health assessments, protections during pregnancy and after childbirth, and compensation for night work in the form of pay, benefits, or reduced working time. They also call for mechanisms to support night workers in relation to family and social responsibilities, opportunities for occupational advancement, and regular consultations with workers’ representatives on work schedules and health and safety measures.³

ILO developments since adoption of the instruments

1. 1925: ILC adopted Convention No. 20

Convention No. 20 prohibits “the making of bread, pastry or other flour confectionery during the night”. Night is defined as a period of at least seven consecutive hours, including the interval from 11 p.m. to 5 a.m. or, in certain seasons, from 10 p.m. to 4 a.m.

See: [Convention No. 20](#)

2. 1990: ILC adopted Convention No. 171 and Recommendation No.178

Convention No. 171 reflects a new approach to the problems of night and shift work in that it is designed to protect the health and rights of all night workers without distinction.⁴ While

¹ This approach was reflected in early instruments such as the Night Work (Women) Convention, 1919 (No. 4) and the Night Work (Women) Convention (Revised), 1934 (No. 41), abrogated in 2017, and the Night Work of Young Persons (Industry) Convention, 1919 (No. 6) – followed by the Night Work of Young Persons (Non-industrial Occupations) Convention, 1946 (No. 79), the Night Work of Young Persons (Industry) Convention (Revised), 1948 (No. 90), the Night Work of Children and Young Persons (Agriculture) Recommendation, 1921 (No. 14) and the Night Work of Young Persons (Non-Industrial Occupations) Recommendation, 1946 (No. 80). Standards targeting women also include the Night Work of Women (Agriculture) Recommendation, 1921 (No. 13), the Night Work (Women) Convention (Revised), 1948 (No. 89), and its Protocol, which will be reviewed by the SRM TWG at its tenth meeting in 2026 (see Technical Note 1.4). See ILO: *General Survey, Ensuring decent working time for the future*, Report III (Part B), International Labour Conference, 107th Session, Geneva, 2018, para 401.

² See ILO: *Night work, Report V(1)*, International Labour Conference, 76th Session, 1989, pp 59-60.

³ ILO: *Night work*, p. 7; and ILO: *2018 General Survey*, p. 148, paras 418 and 442-443.

⁴ ILO: *2018 General Survey*, para. 418. For information on exclusions, see table below (Article 2).

Convention No. 171 does not formally revise Convention No. 20, it is an instrument of general application that covers workers in bakeries, among other night workers.

The Convention requires ratifying States to take measures required by the nature of night work for the protection of night workers and provides a package of measures aimed at mitigating the impact of night work. Night work is defined as work performed during a period of not less than seven consecutive hours, including the interval from midnight to 5 a.m. Night worker is defined as an employed person whose work requires performance of a substantial number of hours of night work which exceeds a specified limit.⁵ Article 3 of the Convention provides flexibility through progressive implementation, requiring States to adopt, as a minimum, specific measures to protect night workers' health, assist them in meeting family and social responsibilities, provide opportunities for occupational advancement, ensure appropriate compensation, and measures in the fields of safety and maternity protection for all night workers.

Recommendation No. 178 complements Convention No. 171 and provides guidance on the regulation of night work to ensure the health, safety, and well-being of workers. It emphasizes the importance of adapting working conditions for night workers, including adequate rest periods, fair remuneration, and access to facilities and social services during nighttime hours, while also underscoring special protections for pregnant women.

See: [Convention No. 171](#); [Recommendation No. 178](#)

3. 1996: Governing Body shelved Convention No. 20 with immediate effect

In 1996, the Cartier Working Party's recommendation concerning Convention No. 20 was made within the context of its examination of "the least-ratified and dormant Conventions". Since 1985, Convention No. 20 had been one of a group of Conventions considered to have 'lost their relevance' and the Governing Body had accordingly decided to discontinue detailed reporting on them, and they were placed in the category of "dormant" instruments. As the Office background paper prepared for the Cartier Working Party stated, the Convention "had been overtaken by developments in the baking industry".

Following the Cartier Working Party's recommendation, the Governing Body decided to: shelve Convention No. 20 with immediate effect; invite the States that had ratified Convention No. 20 to contemplate ratifying Convention No. 171, while at the same time denouncing the earlier Convention; and re-examine its status in due course.

The result of the shelving was largely the same as the result of the dormant status conferred in 1985. That is, the Convention was no longer promoted or discussed in Office documents and was not the subject of requests for regular reports; it could, however, be the subject of article 24 and 26 procedures and observations under article 23.

⁵ ILO: [2018 General Survey](#), para. 381.

See: [GB.265/LILS/WP/PRS/1](#), pp 8-10 (Office background paper for Working Party, March 1996); [GB.265/LILS/5](#), paras 24-30 (discussion by Working Party, March 1996); [GB.265/8/2](#), para. 24(d)(ii) (discussion by LILS Committee, March 1996)

4. 2016: The SRM TWG examined the follow-up taken to Convention No. 20

The SRM TWG examined Convention No. 20 within the context of its 2016 examination of the follow-up to be taken to outdated instruments. In light of its recommendations, the Governing Body requested that:

- (1) the Office commences follow-up within the next 12 months with the nine Member States for which the Night Work (Bakeries) Convention, 1925 (No. 20), is currently in force encouraging them to ratify the Night Work Convention, 1990 (No. 171), as the most up-to-date instrument in this subject area;⁶
- (2) based on the Office's report concerning the information obtained through that follow-up, the SRM TWG will consider Convention No. 20 during its later examination of other instruments concerning working time and decide at that time whether or not to recommend its abrogation or withdrawal as appropriate.

See: [GB.328/LILS/2/1\(Rev.\)](#), Annex I, para. 13.

Analysis of Convention No. 171 and Recommendation No. 178

ANALYSIS OF SUBSTANTIVE PROVISIONS OF CONVENTION NO 171 AND RECOMMENDATION NO 178	
General provisions	
Art. 1 of C.171 Para. 1 of R.178	• <i>Objective:</i> C.171 and R.178 define: i) “night work” as all work performed during a minimum of seven consecutive hours, including midnight to 5 a.m., as determined by the competent authority following consultation with employer and worker organisations or through collective agreements; ii) “night worker” as an employed person whose work requires performance of a substantial number of hours of night work which exceeds a specified limit set by the competent authority after consulting the most representative organisations of employers and workers or by collective agreements.⁷ • <i>Comparison with other relevant instruments:</i> In contrast with C.89 on night work of women, which defines “night”, C.171 and R.178 define “night work” (a specific time period) and “night worker” (frequency with which a person works at night). This distinction is crucial in determining who is covered by the benefits of the Convention, as the use of the term “night worker”, as opposed to “night work”, has the effect of limiting the number of workers covered by the respective provisions which use that term, including Articles 4, 6 and 8.⁸

⁶ Individualized letters were sent to 8 Member States in 2017–18.

⁷ The definition of the term “night worker” as an employed person whose work requires performance of “a substantial number of hours” of night work, has the effect of limiting the number of workers covered by the provisions of the Convention. ILO: [2018 General Survey](#), para. 420.

⁸ ILO: [2018 General Survey](#), para. 420.

	• <i>Current relevance:</i> The determination of the interval between midnight and 5 a.m. is centred on the hours that are critical for the disturbance of physiological and other circadian rhythms.⁹ All the countries where the legislation provides a definition of night or night work comply with this interval or core period, although the starting and ending times of the period vary widely between countries.¹⁰
Art. 2 of C.171 Para. 2 of R. 178	• <i>Objective:</i> C.171 and R.178 apply to all employed persons, excluding those in agriculture, stock raising, fishing, maritime transport and inland navigation.¹¹ Certain worker categories may also be excluded after consultation if significant problems exist, with reporting required on exclusions and efforts to extend coverage. • <i>Comparison with other relevant instruments:</i> ○ Other international instruments prohibit night work by children by ensuring long periods of rest that include the night period.¹² C.138 on minimum age and C.182 on worst forms of child labour prohibit hazardous work for those under 18, as determined by the competent authority - some Member States which have ratified C.138 and/or C.182 have identified night work as hazardous work to be prohibited to young persons under 18 years of age. ○ R.201 on domestic workers prohibits night work for domestic workers under the age of 18 (Para. 5(2)(b)). C.188 on fishing provides that no fishers under 18 years of age shall work at night, with the exception of training (Art.9(1)). The MLC prohibits night work of seafarers under the age of 18, with the exception of training (Standard A1.1, paras 2-3). ○ C.184 on safety and health in agriculture provides that night work for workers in agriculture should be in accordance with national laws and regulations or collective agreement (Art.20). ○ In relation to night work of women, see TN 1.4. • <i>Current relevance:</i> C.171 and R.178, which are considered the most recent and comprehensive instruments on night work, apply to all employed persons subject to a few exceptions listed in Article 2. Many countries report that no category or sector is excluded from the legislation on night work, though certain countries exclude those categories listed in Article 2. Further, a number of countries reported that domestic workers are not included in the scope of application of their night work legislation.¹³
Art. 11 of C.171 Para. 3 of R.178	• <i>Objective:</i> C.171 and R.178 allow the application of the instruments through a wide range of possible means (regulations, collective agreements, arbitration awards or court decisions) consistent with national practice and conditions. For workers who are not protected in any other way, there is a residual requirement for legislative action. When countries have recourse to laws and regulations, prior consultations are required. • <i>Comparison with other relevant instruments:</i> Similar provisions in other working time instruments, such as C.132 and R.98. • <i>Current relevance:</i> These provisions are consistent with current practice. Several countries report that certain aspects of night work are covered by collective

⁹ ILO: [2018 General Survey](#), para. 421.

¹⁰ ILO: [2018 General Survey](#), para. 423.

¹¹ During the preparatory work, it was considered that workers in agriculture, stock-raising, fishing, maritime transport and inland navigation were all categories with specific characteristics with regard to night work which justified their exclusion from the scope of application of the new night work instruments. See ILO: [2018 General Survey](#), para. 431.

¹² The Night Work of Young Persons (Industry) Convention, 1919 (No. 6); the Night Work of Young Persons (Non-Industrial Occupations) Convention, 1946 (No. 79); Night Work of Young Persons (Industry) Convention (Revised), 1948 (No. 90).

¹³ ILO: [2018 General Survey](#), paras 437-439.

	agreements, such as compensation, the definition of “night workers”, or social services for night workers. ¹⁴
Hours of work and rest periods	
Paras 4-7 of R.178	• <i>Objective:</i> Night workers’ normal hours of work should not exceed eight in 24 hours, except for stand-by periods, equivalent alternative schedules, or exceptional cases. Their hours should generally be shorter than daytime workers’ and benefit equally from reduced weekly hours or increased paid leave. Overtime should be minimized and banned for hazardous jobs, except in emergencies. Shift work with night hours should avoid consecutive full-time shifts (except in emergencies) and provide an 11-hour rest between shifts when possible. Night work should also include scheduled rest and meal breaks. • <i>Comparison with other relevant instruments:</i> No similar provisions are found in other ILO instruments specifically addressing the regulation of working hours for night workers. • <i>Current relevance:</i> The provisions remain relevant in promoting fair and safe working conditions for night workers, recognizing the increased physical and mental demands of night work and the importance of proper scheduling, rest breaks, and reduced working hours to ensure health, safety, and productivity.
Specific protection for all workers performing night work and for night workers	
Art. 3 of C.171	• <i>Objective:</i> Provide a minimum and coherent package of measures aimed at mitigating the impact of night work. Art. 3 forms the core of this framework, incorporating as a minimum the requirements outlined in Articles 4–10, which may be applied progressively.¹⁵ These measures aim to protect workers’ health, assist them in fulfilling family and social responsibilities, provide opportunities for occupational advancement, ensure appropriate compensation, and address safety and maternity protection. • <i>Comparison with other relevant instruments:</i> No similar provisions. • <i>Current relevance:</i> These measures remain relevant as they emphasize the need for tailored protections to mitigate the impact of night work, reflecting a long-standing consensus on its harmful effects on workers’ health, social and family life.¹⁶ The principle of gradual implementation enshrined in Art. 3(2) is particularly relevant regarding some provisions of the Convention, such as Art. 9 on social services, which most countries do not specifically require for night workers and which can be progressively improved.¹⁷
Safety and health	
Art. 4 of C.171 Para. 10 R.178	• <i>Objective:</i> ○ C.171: Grants night workers the right to free health assessment at various stages of their night work assignment. Medical findings remain confidential, with employers only informed of fitness for night work. Assessments should also provide guidance on adapting to night work.

¹⁴ ILO: [2018 General Survey](#), para. 440.

¹⁵ ILO: [2018 General Survey](#), para. 442: “As a result, the Convention could first be applied to specific industries or sectors, or to larger enterprises, or on the basis of other criteria, on condition that some measures are applied under each of Articles 4–10. Progress is required in the measures adopted and the workers covered, but may be gradual. Moreover, the progressive application referred to in Article 3(2) applies to measures referred to in paragraph 1, and not to other conditions set out in the Convention.”

¹⁶ ILO: [2018 General Survey](#), para. 443.

¹⁷ ILO: [2018 General Survey](#), paras 442 and 499.

	○ R.178: Encourages employers and the worker representatives to consult occupational health services regarding the implications of different organizational arrangements for night work, especially when undertaken by rotating crews. • <i>Comparison with other relevant instruments:</i> While C.161 and R.171 on occupational health services address the general surveillance of workers' health, including periodic health assessments (see Art. 5(f) of C.161 and Paras 11-18 of R.171), Art. 4 of C.171 specifically targets the unique health challenges posed by night work.¹⁸ • <i>Current relevance:</i> Health assessments before and during night work assignments are important to evaluate a worker's physiological tolerance and identify potential difficulties in adapting to night work. These assessments help detect adjustment issues that may arise months after starting night work and provide opportunities to inform and advise workers on best practices for managing sleep, diet, and non-work activities. National legislation and practice in many countries provide for health assessments before or during night work assignments, although the scope and frequency of such assessments vary.¹⁹
Paras 11-12 of R.178	• <i>Objective:</i> The tasks assigned should consider the specific nature of night work, effects of environmental factors, and forms of work organisation. Special attention is needed for hazards like toxic substances, noise, vibrations, lighting, and physically or mentally demanding tasks. Employers should ensure that night workers have the same level of occupational hazard protection as daytime workers, with a specific focus on reducing worker isolation during night shifts. • <i>Comparison with other relevant instruments:</i> No other ILO instruments specifically address task organization or hazard protection for night workers. • <i>Current relevance:</i> Protecting the health of workers from the effects of night work remains a relevant objective. The national legislation in some countries contains provisions that take into account the nature of night work in relation to environmental factors and forms of work organization.²⁰
Art. 5 of C.171	• <i>Objective:</i> Ensure the availability of suitable first-aid facilities for workers performing night work, including arrangements to quickly transport workers to a place where appropriate treatment can be provided when necessary. • <i>Comparison with other relevant instruments:</i> C.161 and R.171 on occupational health services also address the organisation of first aid and emergency treatment (see Art. 5(j) of C.161 and Paras 23-27 of R.171). • <i>Current relevance:</i> Suitable first-aid facilities being made available for workers engaged in night work remains important, including arrangements whereby such workers, where necessary, can be taken quickly to a place where appropriate treatment can be provided, in order to improve the health and safety conditions of night workers.²¹
Art. 6 of C.171	• <i>Objective:</i> Transfer of workers found unfit for night work, whenever practicable, to work of the same level and nature as their previous position. If unpracticable, they should receive the same benefits as others unable to work or to secure employment. Temporarily unfit night workers should also have equal protection against dismissal

¹⁸ A health assessment should cover the main health problems that could be caused or exacerbated by night work. See ILO: [Record of Proceedings No. 30](#), Report of the Committee on Night Work, International Labour Conference, 76th Session, Geneva, 1989, p. 30/13.

¹⁹ ILO: [2018 General Survey](#), paras 445 - 451.

²⁰ ILO: [2018 General Survey](#), p. 172 and para. 466.

²¹ ILO: [2018 General Survey](#), para. 464.

	or notice of dismissal as other workers who are prevented from working for reasons of health. • <i>Comparison with other relevant instruments:</i> This provision aligns with Art. 6 of the C.158 on termination of employment, which provides that temporary absence from work because of illness or injury shall not constitute a valid reason for termination of employment.²² • <i>Current relevance:</i> Recognizing that age and length of service can exacerbate the chronic disruption of circadian rhythms and its impact on health, this provision remains relevant to support the transition of workers, who can no longer work at night for health reasons, to normal daytime hours while maintaining their rights and protections.²³
Maternity protection	
Art. 7 of C.171 Para. 19 of R.178	• <i>Objective:</i> ○ C.171: Requires measures to provide pregnant night workers with alternative work for at least 16 weeks around childbirth (minimum 8 weeks before) and for additional periods upon a medical certificate. Options include transfer to day work, extended maternity leave, or social security benefits. Additional protections include protection from dismissal due to pregnancy, income maintenance for a suitable standard of living, and safeguarding benefits related to status, seniority, and promotion. ○ R.178: At any point during pregnancy women night workers who so request should be assigned to day work, as far as practicable. • <i>Comparison with other relevant instruments:</i> Maternity protection is addressed in other ILO instruments, such as C.183 and R.191 on maternity protection. R.191 provides that pregnant or nursing women should not be obliged to do night work if a medical certificate declares such work to be incompatible with her pregnancy or nursing. Such protection is available under C.171, either at the request of the pregnant woman for at least 16 weeks around childbirth or upon a medical certificate for additional periods.²⁴ C.171 offers further and specific protection concerning the effect of night work on pregnancy and is intended to protect women from the additional strain of night work during the latter stages of pregnancy and after childbirth. • <i>Current relevance:</i> These provisions remain relevant as they provide comprehensive protection for women in relation to the additional strain of night work during pregnancy and after childbirth.²⁵
Compensation	
Art. 8 of C.171 Paras 8-9 of R.178	• <i>Objective:</i> ○ C.171: Compensation for night workers in the form of working time, pay or similar benefits should recognise the nature of night work. ○ R.178: Night work should result in appropriate financial compensation, additional to daytime remuneration, respecting equal pay principles. Compensation may be converted into reduced working hours by agreement, and reductions in hours can be considered when determining compensation. Financial compensation should also be included in the calculation of the

²² ILO: [Record of Proceedings No. 26](#), Report of the Committee on Night Work, International Labour Conference, 77th Session, Geneva, 1990, p. 26/9.

²³ ILO: [2018 General Survey](#), para. 452.

²⁴ See ILO: [Record of Proceedings No. 30](#), 1989, p. 30/17; ILO: [2018 General Survey](#), para. 467 and footnote n°189.

²⁵ ILO: [2018 General Survey](#), para. 467.

	remuneration of paid leave, public holidays, other paid absences, and in fixing social security contributions and benefits. • <i>Comparison with other relevant instruments:</i> No similar provisions in other ILO instruments specifically addressing compensation for night workers. • <i>Current relevance:</i> These provisions remain relevant. A majority of countries have specific legal provisions recognizing the nature of night work through some kind of compensation for night workers.²⁶
Social services	
Art. 9 of C.171 Paras 13-18 of R.178	• <i>Objective:</i> ○ C.171: Appropriate social services should be provided for night workers and, where necessary, for workers performing night work. ○ R.178: Specifies measures to ensure adequate social services for night workers, focusing on six key areas: i) transportation; ii) rest facilities; iii) food and beverages; iv) childcare; v) training; and (vi) cultural, sporting, and recreational activities. • <i>Comparison with other relevant instruments:</i> No similar provisions in other ILO instruments specifically addressing social services for night workers. • <i>Current relevance:</i> These provisions remain relevant. Article 3 of C.171 allows the progressive application of many of the Convention provisions, including the introduction of appropriate social services which could be progressively improved, and remains flexible in the face of differing circumstances at the national or enterprise levels,²⁷ while R. 178 provides detailed guidance to support its implementation.
Consultation	
Art. 10 of C.171 Para. 25 of R.178	• <i>Objective:</i> ○ C.171: Requires the employer to consult worker representatives before introducing work schedules involving night work covering schedule details, organization, occupational health, and social services. Regular consultations are required in establishments employing night workers. ○ R.178: Night workers with trade union or worker representation roles should be able to perform their duties under appropriate conditions, with their roles considered in night work assignments. • <i>Comparison with other relevant instruments:</i> No similar provisions exist in other ILO instruments specifically addressing night work. • <i>Current relevance:</i> Regular enterprise-level consultations between employers and worker representatives can contribute to addressing night work challenges, ensuring schedules, health measures, and social services meet worker and employer needs.
Other measures	
Para. 20 of R.178	• <i>Objective:</i> In shift work, special consideration should be given to workers with family responsibilities, those undergoing training, and older workers when determining the composition of night crews. • <i>Comparison with other relevant instruments:</i> Paragraph 19 of the Workers with Family Responsibilities Recommendation, 1981 (No. 165) provides that whenever practicable and appropriate, the special needs of workers, including those arising from family responsibilities, should be taken into account in shift-work arrangements and assignments to night work.

²⁶ ILO: [2018 General Survey](#), paras 488-494.

²⁷ ILO: [2018 General Survey](#), paras 496-497.

	• <i>Current relevance:</i> This provision aligns with modern efforts to enhance work-life balance and accommodate the varying needs of the workforce.²⁸
Para. 21 of R.178	• <i>Objective:</i> Workers should be given reasonable notice before being required to perform night work, except in cases of force majeure or actual or imminent accidents. • <i>Comparison with other relevant instruments:</i> No other ILO instruments specifically address advance notice requirements for night work. • <i>Current relevance:</i> This provision aims to enable workers to plan and balance their personal and professional lives.
Para. 22 of R.178	• <i>Objective:</i> Measures should be taken to ensure that night workers, like other workers, have access to training opportunities, including paid educational leave. • <i>Comparison with other relevant instruments:</i> No similar provisions specifically address training opportunities for night workers in other ILO instruments. • <i>Current relevance:</i> This provision provides guidance regarding support to skill development and career advancement for night workers, addressing potential disparities between night and day workers in access to educational opportunities.
Para. 23 of R.178	• <i>Objective:</i> Night workers who have spent a specific number of years in night work should receive special consideration for vacancies in day work for which they are qualified. Training should be provided where necessary to facilitate such transitions. • <i>Comparison with other relevant instruments:</i> No similar provisions exist in other ILO instruments addressing the prioritization of night workers for day work. • <i>Current relevance:</i> This provision recognizes the challenges of long-term night work and aims to facilitate career transitions.
Para. 24 of R.178	• <i>Objective:</i> Workers with significant years of night work experience should receive special consideration for voluntary early or phased retirement opportunities where such options are available. • <i>Comparison with other relevant instruments:</i> No similar provisions exist in other ILO instruments addressing retirement options specifically for night workers. • <i>Current relevance:</i> This provision remains relevant as it acknowledges the impact of night work, aiming to provide retirement opportunities for long-serving night workers.
Para. 26 of R.178	• <i>Objective:</i> Efforts should be made to improve statistics on night work and intensify studies on the effects of different night work systems, particularly in shift work arrangements. • <i>Comparison with other relevant instruments:</i> No other ILO instruments emphasize the collection of night work statistics or related studies. • <i>Current relevance:</i> Relevant statistics and studies can contribute to informed policy-making and the development of evidence-based strategies to mitigate the challenges associated with night work.
Para. 27 of R.178	• <i>Objective:</i> Scientific and technical progress, as well as innovations in work organization, should be used to limit reliance on night work wherever possible. • <i>Comparison with other relevant instruments:</i> No similar provisions exist in other ILO instruments concerning the reduction of night work through innovation.

²⁸ ILO: [Achieving gender equality at work](#) (2023), para. 735.

	• <i>Current relevance:</i> This provision encourages the use of advancements in technology and work organization to minimize night work, to limit reliance on night work wherever possible.
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The instruments in 2026

A Policy context

In a number of countries, a rising share of the workforce is engaged in night work, particularly in sectors requiring continuous operations, such as healthcare, transport, and manufacturing.²⁹ Outsourcing has also been associated with the growth in night work, particularly in industries like call centres and business process outsourcing services.³⁰ While some countries report an upward trend in night work and others report stable trends, a few noted a decline in night work.³¹

Night work contributes to the continuity of essential services and addresses technical requirements in industries that rely on uninterrupted processes. In certain sectors, such as public health and security, its necessity is well recognized, whereas in others, such as in the information and leisure sectors, its justification is less clear. Night work can offer economic advantages for employers by enabling more efficient use of equipment, infrastructure, and resources, making it cost-effective in some industries.³² However, it also poses significant health risks, including disrupted circadian rhythms, increased cardiovascular diseases, and metabolic disorders like diabetes and obesity.³³ Prolonged night work has been linked to chronic insomnia, gastrointestinal problems, reduced life expectancy, depression and chronic anxiety.³⁴ Night work disrupts work–life balance, creating "social desynchronization" as workers struggle to align their schedules with family and societal routines.³⁵ Research shows that spouses and children often adapt to altered rhythms, compounding family strain.³⁶

These challenges underscore the need for targeted policies to mitigate the adverse impacts of night work on health, well-being, and social integration while maintaining its critical economic and operational role.³⁷

B International labour standards context

²⁹ ILO: [2018 General Survey](#), para. 386.

³⁰ ILO: [2018 General Survey](#), para. 387.

³¹ ILO: [2018 General Survey](#), paras 388-389.

³² ILO: [2018 General Survey](#), paras 391-392.

³³ ILO: [Working Time and Work-Life Balance Around the World](#), International labour Office, Geneva, 2022, p. 55; ILO: [2018 General Survey](#), paras 394-395.

³⁴ ILO: [Working Time and Work-Life Balance Around the World](#), p. 55.

³⁵ ILO: [Working Time and Work-Life Balance Around the World](#), p.55; ILO: [2018 General Survey](#), para. 396.

³⁶ ILO: [Working Time and Work-Life Balance Around the World](#), 2022, p.55.

³⁷ ILO: [2018 General Survey](#), paras. 391-393 and 397-399.

(1) Information relating to the ratification of Conventions Nos 20 and 171

Convention	Effective ratifications:	Further information
Convention No. 20	9 effective ratifications (8 denunciations)	• <u>Last ratification</u>: 1973 - Plurinational State of Bolivia. • <u>Ratification by region</u>: Europe and Central Asia: 8 ratifications;³⁸ Africa: 0 ratifications; Americas: 9 ratifications;³⁹ Asia and the Pacific: 0 ratifications; Arab States: 0 ratifications. • In addition, there is no declaration of applicability to non-metropolitan territories.
Convention No. 171	17 effective ratifications	• <u>Last ratification</u>: 2018 – North Macedonia and Uruguay • <u>Ratification by region</u>: Europe and Central Asia: 11 ratifications;⁴⁰ Africa: 2 ratifications;⁴¹ Americas: 3 ratifications;⁴² Asia and the Pacific: 1 ratification;⁴³ Arab States: 0 ratifications. • In addition, there is no declaration of applicability to non-metropolitan territories.

Since the Governing Body's decision to shelve Convention No. 20 in 1996, two countries have denounced the Convention.⁴⁴ Since 1996, thirteen countries have ratified Convention No. 171, including three after October 2016,⁴⁵ when the SRM TWG examined the follow-up taken to Convention No. 20. None of the Member States where Convention No. 20 remains in force have ratified Convention No. 171.

The 2018 General Survey on working time recorded that several Member States reported challenges with ratification. The Government of *Sweden* found the Convention to be inconsistent with the general prohibition of night work. Other Governments reported challenges in aligning national legislation with the Convention. *New Zealand* noted that its laws did not differentiate work times except for workers under 16, while *Poland* did not recognize night workers as a separate category. *Mauritius* lacked a definition of night worker and provisions for health assessments or transfers to day work in the event of incapacity to perform night work; *Spain* identified gaps in the definition of night work, first-aid facilities, maternity provisions, remuneration, and social services for night workers; and *Denmark* viewed requirements for night work and maternity protection as overly rigid.⁴⁶

³⁸ *Bulgaria, Estonia, Finland* (denounced in 1983), *Ireland* (denounced in 1980), *Israel, Luxembourg* (denounced in 1998), *Spain, Sweden* (denounced in 1970).

³⁹ *Argentina* (denounced in 1981), *Bolivia, Chile, Colombia, Cuba, Nicaragua* (denounced in 1950), *Panama, Peru* (denounced in 1996), *Uruguay* (denounced in 1978).

⁴⁰ *Albania, Belgium, Cyprus, Czechia, Lithuania, Luxembourg, Montenegro, North Macedonia, Portugal, Slovakia, Slovenia.*

⁴¹ *Côte d'Ivoire, Madagascar.*

⁴² *Brazil, Dominican Republic, Uruguay.*

⁴³ *Lao People's Democratic Republic.*

⁴⁴ Convention No. 20 was denounced by *Peru* in 1996 and *Luxembourg* in 1998.

⁴⁵ *Montenegro* (2016); *North Macedonia* (2018), *Uruguay* (2018).

⁴⁶ ILO: [2018 General Survey](#), para. 890.

(2) Information concerning the implementation of Conventions Nos 20 and 171

Convention No. 20 is no longer subject to regular supervision by the Committee of Experts. In this context, there are no pending comments and the latest comments, from 2008, stressed the desirability of its denunciation at the same time as the ratification of Convention No. 171.⁴⁷

There are 11 pending comments in relation to Convention No. 171. The Committee noted the exclusion of certain workers (domestic, naval, and airline personnel)⁴⁸ and the absence of a legal definition of "night worker" in national legislation.⁴⁹ Concerns were raised about the lack of guaranteed free medical examinations for night workers⁵⁰ and the confidentiality of health assessments.⁵¹ The Committee noted concerns raised by social partners regarding unpaid wage supplements,⁵² insufficient support services such as transportation and meal breaks,⁵³ and the impact of proposed legislative reforms seeking to redefine night work and its hours in certain sectors.⁵⁴

The Committee requested information on the measures taken, in law or in practice, to give effect to provisions concerning a minimum level of protection for night workers,⁵⁵ including in relation to occupational safety and health,⁵⁶ and appropriate social services.⁵⁷ It observed that legislation does not ensure equivalent benefits for workers medically unfit for night work when transfer to day work is impracticable, recalling the obligation to protect them from dismissal. It also requested clarification on employer consultations with workers' representatives before introducing night work schedules, including provisions for work organization, occupational health, and social services.⁵⁸

The Committee took note of national legislation containing protective measures applicable to women's employment at night, that go beyond maternity protection and are based on stereotyped perceptions, and reiterated that such measures violate the principle of equality of opportunity and treatment between men and women.⁵⁹ It requested governments to review such legislation in light of the principle of non-discrimination, in consultation with social partners. It also highlighted gaps in maternity protection, including the lack of dismissal prohibitions and benefit maintenance for pregnant, postpartum, and lactating workers.⁶⁰

⁴⁷ See *Plurinational State of Bolivia*, [observation](#), adopted in 2008; *Chile*, [observation](#), adopted in 2009.

⁴⁸ *North Macedonia*, [direct request](#), adopted in 2023; *Lao People's Democratic Republic*, [direct request](#), adopted in 2021.

⁴⁹ *Lao People's Democratic Republic*, [direct request](#), adopted in 2021.

⁵⁰ *Portugal*, [direct request](#), adopted in 2023.

⁵¹ *Czechia*, [direct request](#), adopted in 2024; *Côte d'Ivoire*, [direct request](#), adopted in 2022; *North Macedonia*, [direct request](#), adopted in 2023; *Lao People's Democratic Republic*, [direct request](#), adopted in 2021.

⁵² *Madagascar*, [direct request](#), adopted in 2022.

⁵³ *Portugal*, [direct request](#), adopted in 2023; *Madagascar*, [direct request](#), adopted in 2022.

⁵⁴ *Belgium*, [direct request](#), adopted in 2025.

⁵⁵ *Dominican Republic*, [observation](#), adopted in 2023.

⁵⁶ *Montenegro*, [direct request](#), adopted in 2021.

⁵⁷ *Slovakia*, [direct request](#), adopted in 2024.

⁵⁸ *Madagascar*, [direct request](#), adopted in 2022.

⁵⁹ *Montenegro*, [direct request](#), adopted in 2021; *North Macedonia*, [direct request](#), adopted in 2023.

⁶⁰ *Portugal*, [direct request](#), adopted in 2023; *Lao People's Democratic Republic*, [direct request](#), adopted in 2021; *Uruguay*, [direct request](#), adopted in 2021; *Côte d'Ivoire*, [direct request](#), adopted in 2022.

Key considerations

In examining Convention No. 171 and Recommendation No. 178 for the purpose of determining their status, the following considerations are particularly relevant:

- Convention No. 171 and Recommendation No. 178 are the most recently adopted and comprehensive instruments on night work. Convention No. 171 focuses on the protection of all night workers, evidencing an evolving rationale in the international regulation of night work from regulating a specific category of workers and sector of economic activity to the regulatory protection of night workers in almost all branches and occupations.⁶¹
- The Committee of Experts has emphasized the importance of the principle of protection in relation to night work, as enshrined in Convention No. 171 and Recommendation No. 178.⁶² This principle remains important given the health risks associated with night work, as well as its negative impact on work-life balance.⁶³
- Convention No. 171 is in force in 17 Member States and is supervised by the Committee of Experts.
- The 2018 Conference Committee on the Application of Standards discussion of the General Survey on working time considered that the adoption of an appropriate regulatory framework on working time was important both to protect workers and to ensure a level playing field for employers; and that the General Survey, together with the report and outcome of the Committee on the Application of Standards' discussion, should contribute to the work of the SRM TWG on this matter.⁶⁴

In examining Convention No. 20, for the purpose of determining the follow-up to be taken to this outdated instrument, the following considerations are particularly relevant:

- Convention No. 20 is in force in nine countries. It has been dormant since 1985 and is no longer regularly supervised by the Committee of Experts. As it was adopted before the standard inclusion of final provisions concerning denunciation, Member States may denounce it at any time.
- There has been a change in regulatory approach since the adoption of Convention No. 20 in 1925. While Convention No. 20 has not been formally revised by a later instrument, the more recently adopted Convention No. 171 is of general application and aims to address the impact of night work on occupational safety and health, rather than prohibit it.
- Since 2016, four Member States have ratified Convention No. 171.
- In addition, the SRM TWG may wish to consider whether the Agreed framework for selected outdated Conventions is applicable in these circumstances.⁶⁵

⁶¹ ILO: [2018 General Survey](#), p. 148 and para. 418.

⁶² ILO: [2018 General Survey](#), para. 542.

⁶³ See ILO: [Working Time and Work-Life Balance Around the World](#), p.55; ILO: [2018 General Survey](#), paras 394-396.

⁶⁴ See: ILO: [Conference Committee on the Application of Standards](#), Outcome of the discussion of the General Survey concerning the instruments on working time, Record of Proceedings, International Labour Conference, 107th Session, Geneva, 2018, p. 36, paras 4 and 7

⁶⁵ [Agreed framework for selected outdated Conventions](#) (GB.356/LILS/2, Appendix II).

Possible action to be considered in relation to Conventions Nos 20 and 171 and Recommendation No. 178

The subject matter of night work, as regulated by Conventions Nos 20 and 171 and Recommendation No. 178, remains relevant. The regulatory approach has, however, changed significantly, confirming the Governing Body's earlier decision to consider Convention No. 20 to be outdated. Convention No. 171 and Recommendation No. 178, which concern the protection of all night workers, are the most recently adopted and comprehensive international instruments on the subject matter. They provide specific protections for reproductive health; consideration of the needs of workers with family and social responsibilities; opportunities for occupational advancement; appropriate compensation; and the provision of adequate social services, including transportation and improved safety when travelling at night, rest facilities and childcare.

Following its review of Convention No. 171 and Recommendation No. 178 and its consideration of the follow up to be taken to outdated Convention No. 20, the SRM TWG will tailor lessons learnt through the SRM TWG process to the specificities of this review.

If the SRM TWG were to decide to recommend the adoption of a comprehensive instrument concerning working time, it may wish to indicate that this would include the night work instruments and make appropriate recommendations in that regard. This could include recommending consideration of the abrogation or withdrawal of Conventions Nos 20 and 171, and Recommendation No. 178, following the adoption of a new comprehensive instrument, should such an instrument be adopted, that ensures the enhanced protection of the rights of workers in relation to night work.

Alternatively, the SRM TWG may wish to consider the review of these instruments separately as set out below.

Based on the preceding information, and ensuring consistency with past SRM TWG recommendations, **the Office proposes consideration of:**

- the classification of Convention No. 171 and Recommendation No. 178 as *up-to-date* instruments, while acknowledging the status of Convention No. 20 as an *outdated* instrument;
- the identification of *no regulatory gap in coverage* in relation to the international regulation of night work; and
- *practical and time-bound follow-up action* composed of the non-normative measures set out below.

In this regard, the Office has taken particular account of the existence of the most recently adopted and comprehensive Convention No. 171 and Recommendation No. 178, which are considered an international reference point and take a new regulatory approach.

The SRM TWG will take decisions concerning the three elements within its mandate and make corresponding recommendations to the Governing Body concerning Conventions Nos 20 and 171 and Recommendation No. 178.

1. STATUS OF INSTRUMENTS UNDER REVIEW:

The SRM TWG will consider whether, within their current legal status as active instruments, Convention No. 171 and Recommendation No. 178 should be classified as *up-to-date* instruments, instruments *requiring further action to ensure their continued and future relevance*, or *outdated* instruments, while acknowledging the status of Convention No. 20 as an *outdated* instrument. In deciding the status of Convention No. 171 and Recommendation No. 178, the SRM TWG will consider whether they are fit for purpose.

2. IDENTIFICATION OF GAPS IN COVERAGE:

In determining whether or not a regulatory gap in coverage exists in relation to night work, the SRM TWG should consider all relevant elements, including that the subject matter is regulated by two instruments currently considered to be up-to-date: Convention No. 171 and Recommendation No. 178.

3. FOLLOW-UP ACTION AS APPROPRIATE:

Considering past practices of the SRM TWG and the specificities of the instruments under review, the SRM TWG will consider what follow-up action should be taken:

- i. If the SRM TWG considers that Convention No. 171 and Recommendation No. 178 are up-to-date instruments,** it could recognize that the aim of avoiding gaps in legal protection in Member States, as well as ensuring the ratification and application of the most up-to-date international standards on night work, requires the *promotion of the ratification of Convention No. 171 generally and in the 9 countries in which the related outdated Convention No. 20 is still in force*. Accordingly, the SRM TWG could stress that this involves concerted and committed attention by governments and the social partners. The SRM TWG could recommend that:
 - (a) The tripartite constituents should collaborate to take active steps towards ratification and effective implementation of Convention No. 171 and Recommendation No. 178 by Member States in which Convention No. 20 is currently in force; and
 - (b) The Office should support the tripartite constituents in taking steps towards ratification and effective implementation of Convention No. 171 and Recommendation No. 178 by Member States in which Convention No. 20 is currently in force by implementing a proactive plan of action tailored to the 9 Member States concerned.
- ii. Alternatively, if the SRM TWG considers that Convention No. 171 and Recommendation No. 178 have the status of instruments requiring further action to ensure their continuing and future relevance,** it could recommend that the Office take necessary further actions that could include:

- (a) Continuing to provide guidance and technical support, including capacity building, to Member States on application of the instruments;
- (b) Developing tools for the provision of Office advice to Member States considering ratification and implementation of Convention No. 171 and Recommendation No. 178 to ensure application in law and practice; and
- (c) Conducting research to identify the key challenges and opportunities in relation to the application of Convention No. 171 and Recommendation No. 178, with a view to assessing with tripartite involvement options for possible follow-up action.

iii. If the SRM TWG considers that the outdated status of Convention No. 20 warrants a decision to abrogate the instrument by the Conference, it could decide to recommend that abrogation by the Conference be considered either:

- (a) In accordance with the Agreed framework for selected outdated Conventions (applicable in limited circumstances), recommending a practical and time-bound package of follow-up action, including a fixed date for consideration of abrogation by the International Labour Conference and a date for a mid-term evaluation;⁶⁶ or
- (b) As soon as possible or at a particular session of the Conference as it determines; or
- (c) At a later stage, to allow it to take into account any research, surveys or tripartite meetings that it may determine should be held to consider opportunities for the ratification of the related up-to-date instruments on night work.

⁶⁶ [Agreed framework for selected outdated Conventions](#) (GB.356/LILS/2, Appendix II).

Annex of Technical Note 1.3 - Comparative ratification information

Indicator	Comparative measure / explanation
Ratifications of Night Work (Bakeries) Convention, 1925 (No. 20) (<i>outdated</i>)	9 effective ratifications (17 total ratifications with 8 denunciations)
Ratifications of Night Work Convention, 1990 (No. 171)	17 effective ratifications
Ratio of ratifications of Convention No. 20 to Convention No. 171	9 effective ratifications : 17 effective ratifications 17 total ratifications : 17 total ratifications
Effective ratifications of Convention No. 171 by Member States still bound by Convention No. 20	None
Ratifications of Convention No. 171 by Member States that have not ratified Convention No. 20	17 ⁶⁷
Other ratification information	
Average ratifications of all technical Conventions	36.5 ratifications
Average ratifications of working time instruments	32.5 ratifications

⁶⁷ This figure includes two Member States previously bound by C.20 that have ratified C171: Luxembourg and Peru. 15 Member States that have ratified C171 had never been bound by C.20.