

The ILO's tripartite work in the railways sector

Railways compendium (1939-2021)

Sectoral Policies Department

Maritime and Transport Unit

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► Introductory Note

This document presents a compendium of the International Labour Organization (ILO)'s tripartite work in the railways sector from 1947 to present. It includes conclusions and resolutions adopted by the Inland Transport Committee, and outcomes of technical meetings and preparatory meetings.

Part 1 includes general work of the ILO Inland Transport Committee (1945-1992) applicable to all inland transport sectors.

Part 2 includes specific railways work of the ILO Inland Transport Committee, as the Committee had the railways sector under its purview.

Part 3 includes the conclusions adopted by sector-specific/cross-sectoral ILO meetings convened for the railways sector.

There has not been a tripartite sector-specific meeting in the railways sector since 1994. The transport Symposium convened in 1999 (informally the 13th Session of the Inland Transport Committee) covered the railways sector among other transport sector's discussions. In 2015, the ILO published a [Manual on Social Dialogue](#) in the railways sector.

► PART 1. CROSS-SECTORAL: INLAND TRANSPORT COMMITTEE RESOLUTIONS

Resolution (No. 9) on industrial relations in inland transport

The Inland Transport Committee of the International Labour Organisation,

Having been convened by the Governing Body of the International Labour Office, and having met at Geneva for its second session from 7 to 16 May 1947, and

Having considered the problems of industrial relations in the various branches of the inland transport industry, and

Being convinced that the provision of efficient transport services and of satisfactory conditions of employment for transport workers necessitates the promotion of good relations between management and labour,

Adopts this sixteenth day of May 1947 the following resolution concerning the principles, methods and machinery by which the relations between management and labour in the inland transport industry should be conducted:

1. Freedom of Association

1. Employers and workers, whether in public or private inland transport undertakings, should be entitled to form, without previous authorisation and without restriction of occupation, sex, colour, race, creed or nationality, organisations of their own choosing.
2. Such organisations should be granted full autonomy in drawing up their constitution and administrative rules, in organising their administration and activity, and in framing their policies.
3. Where full and effective protection is not already afforded, appropriate legislation should be enacted to protect the individual worker—
 - a. from discriminatory or punitive measures directed against him at the time of engagement or during tenure of employment for the reason that he is a member, agent or official of a trade union;
 - b. against coercion with respect to his right to join a trade union.
4. Where full and effective protection is not already afforded, appropriate legislation should be enacted to prohibit on the part of the employer or of the employers' organisations or their agents, all acts designed to
 - a. promote the formation of trade unions controlled by the employer;
 - b. interfere in the formation or administration of a trade union, or support it by financial means or otherwise interfere in its control;
 - c. refuse to give practical effect to the principles of trade union recognition and collective bargaining.

2. Determination of conditions of employment

5. The negotiation of collective agreements should be developed both in private and publicly owned transport undertakings.
6. (1) The State should, through the appropriate agencies, make available to the parties facilities for the development of collective bargaining.
(2) These agencies should be entrusted with the authority where necessary to determine the representative workers' organisations entitled to enter into collective agreements with employers or employers' organisations.
7. (1) Collective agreements freely entered into should be observed in good faith, and employers' and workers' organisations should do all in their power to ensure the observance by their members of the agreements to which they are parties.

(2) All individual or collective disputes arising out of the interpretation or application of collective agreements should be referred for settlement to a procedure accepted by the parties. There should be effective and expeditious means for reaching a final determination of all such issues.

(3) Employers, employers' organisations and trade unions which are parties to collective agreements should be entitled to institute legal proceedings to secure the observance of such agreements enforceable at law.

8. Immediate attention should be paid to the practice obtaining in certain countries whereby the provisions of collective agreements covering substantial proportions of employers and workers in a trade or industry are extended to include other such employers and workers who would not otherwise be covered by such agreements, in view of the fact that, in the conditions obtaining in the countries in question, arrangements of this nature have had the effect of strengthening the authority of the collective bargaining system.

Minimum working standards.

9. Governments should set up machinery whereby minimum wage rates, hours of work and other conditions of employment can be fixed in branches or sections of the inland transport services where there are no arrangements for the effective regulation of such matters by collective agreements or otherwise.
10. For this purpose account should be taken of the necessity of enabling the workers to maintain a suitable standard of living.
11. Whatever method is applied for fixing such minimum wages and conditions of employment, employers' and workers' organisations concerned should be directly associated in the framing of all necessary provisions.
12. An adequate system of inspection should be provided with power to make investigations with a view to ascertaining whether such wages and conditions of employment are in fact being applied and to take such steps as may be authorised to deal with infringements.

3. Adjustment of Labour Disputes

13. (1) A free society cannot coerce any section of its population into working under conditions which are not freely and generally acceptable.

(2) Having regard to the vital position which transport occupies in the national economy, employers and workers, with due regard to their responsibility to society, should consider lockouts and strikes as an extreme and ultimate means of bringing pressure to bear upon one another. Consequently, they should undertake to utilise to the full extent all existing facilities for the expeditious and effective settlement of disputes before considering recourse to a lockout or a strike.

Voluntary Conciliation and Arbitration.

14. (1) The State should place at the disposal of the parties conciliation machinery with a view to helping them to adjust differences arising out of the negotiation and application of collective agreements.
 (2) Once a dispute has been submitted to a conciliation agency by consent of all the parties concerned, the parties should agree to refrain from strike or lockout while conciliation is in progress.
 (3) Agreements arrived at by the parties in the course of the proceedings as well as recommendations of the conciliation agencies that are accepted by the parties should have the same validity as normal collective agreements.
15. There should be instituted machinery for voluntary arbitration and, when a dispute has been submitted to arbitration by consent of the parties concerned this should imply acceptance of the award and the intention to abstain from strikes and lockouts while arbitration is in progress.
16. In the event of a serious labour dispute threatening to cause a stoppage of work in any essential transport service, and if there is no more effective and appropriate means of securing a settlement, the Government should be able

to cause a public investigation to be made into the origin and terms of the controversy. The results of the investigation, together with the recommendations of the investigating agency as to the just solution of the dispute, should be made public without delay.

Right to Lockout and Strike.

17. While the right to lockout and strike applies in inland transport as in other industries, in the event of a dispute arising during the operation of temporary restrictions placed by legislation upon the normal exercise of the right to lockout or strike, effective guarantees should be provided for the maintenance of wages and conditions of employment while negotiations are in progress.

4. Labour-Management Co-operative Machinery

18. Suitable machinery should be established at all appropriate levels for promoting the application and observance of collective agreements in particular establishments and the prompt handling of grievances affecting individuals or small groups of workers.
19. Suitable machinery should be established at all appropriate levels for promoting joint consultation between accredited representatives of employers and workers on all matters in which they have a common interest, with a view to improving both the wellbeing of the workers and the prosperity of the industry. All necessary information should be placed at the disposal of joint committees established for the above purposes.
20. Committee members should be compensated at normal wage rates for loss of working time incurred in attending committee meetings and other necessary activities authorised by their committee. This compensation should be paid by the employer or by the trade unions as the case may be.
21. Employers' and workers' organisations should, so far as it is reasonable and practicable, having regard to national practice, be associated with the framing and application of any special official schemes, as for example training schemes, instituted for the benefit of the inland transport industry.
22. In the appointment of members of policy-making bodies of publicly owned inland transport undertakings regard should be paid to the opinion of the trade unions as to the need to include persons with knowledge and experience of trade union organisation and the needs and interests of the worker.

Resolution (No. 37) concerning labour problems arising out of the coordination of transport

The Inland Transport Committee of the International Labour Organization,

Having been convened by the Governing Body of the International Labour Office,

Having met at Nervi, Genoa, in its Fourth Session from 4 to 15 December 1951,

Having noted that governments, in an attempt to ensure the best use of national resources, are promoting policies designed to achieve an effective coordination of transport and to establish conditions in which the different branches of transport can contribute efficiently and economically to the needs of the community,

Having noted that the United Nations is considering, through its regional commissions, the measures needed to promote such coordination, including the question of whether undertakings engaging in international transport operations should be subject to a permit, licence or concession to operate,

Having noted that labour costs constitute an important element in the cost of transport,

Considering that competition between transport undertakings should not be permitted to seek to take advantage of a lowering of conditions of labour and thus undermine attempts to establish a fair basis for coordination of transport, and

Considering that it is desirable to apply in the transport field the principle of equal pay for equal work;

Adopts this fifteenth day of December 1951 the following resolution:

I.

Conditions of employment in relation to coordination of transport

1. The employers' and workers' organisations concerned and the governments - in so far as the latter determine, or influence the determination of, wages and other conditions of work and employment - should make every effort to promote a greater equivalence in the conditions of work and employment of workers engaged in the various branches of transport. This policy should aim at eliminating, or at least at mitigating progressively, the differences which exist or may exist between various branches of transport or between transport undertakings in respect of wages, social charges and the conditions of employment relating to work involving similar degrees of skill and responsibility. The best conditions of employment should be used as a guide, in so far as the particular circumstances in each country or in each branch of transport permit.
2. Regulations concerning the operation of transport undertakings in each country should ensure the observance of fair labour standards.
3. For this purpose steps should be taken to ensure to the workers engaged in transport for hire or reward, wages (including allowances), hours of work and other conditions of labour which are not less favourable than those established for work of the same character in the branch of transport concerned in the district where the work is carried on -
 - a. by collective agreement or other recognised machinery of negotiation between the most representative organisations of employers and workers in the branch of transport concerned; or
 - b. by arbitration award; or
 - c. by national laws or regulations.
4. Where the conditions of labour referred to in the preceding paragraph are not regulated in the manner referred to therein in the district where the work is carried on, steps should be taken to ensure to the workers concerned wages (including allowances), hours of work and other conditions of labour which are not less favourable than -
 - a. those established by collective agreements or other recognised machinery of negotiation, by arbitration, or by national laws or regulations, for work of the same character in the branch of transport concerned in the nearest appropriate districts; or

- b. the general level observed in the branch of transport concerned by employers whose general circumstances are similar.
5. In cases in which operators are subject to the grant of a permit, licence or concession to undertake the transport of passengers or of goods, the observance of the provisions relating to wages (including allowances), hours of work and other conditions of labour specified in paragraphs 3 and 4 above should be a condition of the grant or retention of the permit, licence or concession, where other regulations do not already exist for ensuring the observance of these standards.

Transport on own account

6. The competent authority in each country, after consulting the employers' and workers' organisations concerned, should consider the possibility of applying the provisions of paragraphs 3, 4 and 5 above to those persons whose major occupation is in transport and who are employed by undertakings carrying out transport on own account, bearing in mind the special regulations or collective agreements applicable to the various Industries to which these workers may belong.

Social consequences of coordination

7. No measures for coordination should be adopted without taking into account their social consequences.
8. In cases in which measures aiming at the coordination of transport are liable adversely to affect the workers concerned, measures should be taken either by the competent authority, after consultation with the employers' and workers' organisations concerned, or by agreement between these organisations, regarding either –
- (a) transfer within the same occupation or, where necessary, to another occupation, in particular by assisting those workers who are obliged to change their occupation or place of work and by providing vocational training for workers compelled to change their occupation; or
 - (b) material and occupational assistance to workers whose discharge is unavoidable.

During the negotiations which will lead to adoption of one of the measures referred to above, attention should be specially drawn to the advantage there would be in considering whether special measures concerning the maintenance of certain acquired rights could not be adopted.

Cooperation of employers' and workers' organisations concerned

9. The employers' and workers' organisations concerned should be closely associated on an equitable basis with the work of bodies dealing with the coordination of transport either through participation in them or by means of consultation.

Supervision

10. The appropriate authorities or the contracting parties should organise labour inspection in transport undertakings in an efficient manner with a view to ensuring observance of the legal or other regulations concerning conditions of work and the protection of transport workers.
11. For the purpose of ensuring proper control of the enforcement of fair labour standards, the appropriate authorities or the contracting parties should, whenever necessary, cause to be kept, preserved and placed at their disposal records concerning in particular wages, allowances, social charges, hours of work, weekly rest, rest on public holidays and overtime. These records should not, however, involve undue formalities or administrative costs.

Sanctions

12. Adequate sanctions should be applied for failure to observe the provisions relating to wages (including allowances), hours of work and other conditions of labour. Such sanctions should include, where appropriate, the cancellation of the permit, licence or concession.

II.

13. The Governing Body of the International Labour Office is invited:
 - a. to authorise the Director-General to communicate to the United Nations the report of the Subcommittee on Labour Problems Arising Out of the Coordination of Transport and the conclusions of the Committee on the subject; and
 - b. to instruct the Director-General to continue to follow the discussions in the United Nations and in other international organisations relating to the coordination of transport with a view, whenever necessary, to bringing the social aspects of the question to the attention of those concerned.

Resolution (No. 44) concerning the transport and handling of dangerous goods

The Inland Transport Committee of the International Labour Organization,

Having been convened by the Governing Body of the International Labour Office,

Having met at Nervi, Genoa, in its Fourth Session from 4 to 15 December 1951,

Having noted with interest the information provided in the General Report on the transport and handling of dangerous goods in the various branches of the inland transport industry and the action taken in this field, both in Europe and in the wider international field,

Having noted with satisfaction the initiative taken on various occasions by the International Labour Office at meetings of various organs of the United Nations with a view to assuring more particularly the protection of workers against occupational accidents and illness resulting from the handling of dangerous goods;

Adopts this fourteenth day of December 1951 the following resolution:

The Governing Body of the International Labour Office is invited to ask the Office to continue to follow attentively the discussions in the various international bodies concerned with the transport of dangerous goods and to take whatever steps may be necessary to draw the attention of such bodies to the need for assuring protection for the workers engaged in such transport

Conclusions (No. 74) concerning social consequences of changing methods and techniques in railways and road transport

The Inland Transport Committee,

Having examined the report prepared by the Office on the social consequences of changing methods and techniques in railways and road transport,

Desiring to contribute to the creation of a harmonious social balance in railways and road transport at a time of profound technological transformation;

Adopts the following conclusions:

Technological change in rail and road transport

1. During recent decades, far-reaching technological changes have occurred in many countries in all forms of transport. These changes have been caused in many cases by competition and the necessity of satisfying a constantly growing need for transport services arising both from the raising of standards of living and from the rapid economic development of countries. To obtain their share of this increased demand for transport, the various branches of the transport industry endeavour to improve services to the customer, reduce costs and increase operating efficiency. Great changes have occurred in methods and techniques used, changes which in turn have been rendered possible by new technological developments in a number of fields.
2. As regards railways, among the most important changes, mention may be made of the following:
 - the change from steam to electric and diesel traction;
 - the improvement in the capacity and specialisation of rolling stock;
 - the use of automatic coupling, and the introduction of combined road and rail transport equipment; improvements in signalling and in particular the development of centralised traffic control;
 - the elimination or curtailment of services, lines or tracks;
 - the suppression of level crossings or the automatic operation of gates and signals at such crossings;
 - the improved operation of marshalling yards, often with the automatic sorting of the wagons;
 - mechanical equipment for the handling of goods, the more widespread use of pallets and containers, and the operation of piggy-back services;
 - the mechanisation of track laying and maintenance; and
 - the introduction of electronic or other equipment for statistical, accounting, computing and other office work.
3. As regards road transport, the main changes have arisen through the use of improved methods and procedures, the development and use of improved equipment, and improvements in the roads themselves.

Social implications of technological change

4. In the light of the views expressed by Government, Worker and Employer groups members of the Subcommittee, it is recognised that, in certain circumstances, technological changes in the rail and road transport industries involve problems for affected workers. These problems vary in degree according to circumstances but relate primarily to loss of earnings due to downgrading or layoffs and to removal expenses and possible monetary loss from the sale of homes where transfers are involved. Further problems relate to the need for vocational training or retraining in order to qualify for other positions, either in the same or other industry.

Measures to deal with these problems

5. It is evident that the solution of these social problems arising from technological changes will call for a measure of cooperation on the part of representatives of Government, Employers and the Workers themselves. This

obviously entails a full appreciation on the part of all concerned of the nature and extent of the problems involved and a willingness to seek a solution to these difficulties.

6. The solution is complicated by the fact that there are marked differences in forms of transport, in the scale of operations, and the economic and social conditions prevailing in the different countries.
7. It is desirable, in the interest of the workers, for representatives of government, employers and workers to endeavour to work out reasonable arrangements for the protection of the interests of workers whose posts become redundant as a result of technological change. This would include the measures referred to below, as well as such additional measures as may appear appropriate under the circumstances.

Advance planning

8. When plans are being made for the introduction of changes in equipment or operating practice, in the same way as the possible consequences to operating safety are studied, the social effects upon the workers should be carefully analysed.
9. While the technical changes are being planned, the probable staff requirements, the distribution of skills, the possible removal of staff from one place to another, should be worked out in detail, together with the measures needed to facilitate any required adjustments in order to minimise dislocation and inconvenience. In particular, consideration should be given to any necessary changes in recruitment arrangements so that they can be immediately brought into effect as needed.
10. Transfers of workers from one job to another or reductions of the labour force may involve social problems when viewed from the standpoint of the workers concerned. Depending on the circumstances and possibilities, the limits of such problems should be reduced to the minimum, by endeavouring: (i) to transfer workers to other suitable jobs within the same undertaking; or (ii) to secure, with the collaboration of other undertakings, the public authorities and, where appropriate, the trade unions concerned, alternative employment outside the undertaking for redundant workers, with a minimum of financial hardship to the workers concerned.
11. This coherent social policy implies that, in the light of the circumstances of each case, it is highly desirable that measures should be taken for new vocational training, or partial or total retraining in preparation for the proposed changes, and that consideration should be given to providing necessary assistance to the worker in adapting to the new job.

Information and consultation

12. There should be consultation between management and the representatives of the workers and/or their organisations on the measures to be taken. Where no suitable machinery exists for such consultation, it should be established. The workers concerned should be kept fully informed, as far in advance as possible, of intended changes and of their probable effects on jobs.

Security of employment

13. Security of employment is a major factor in ensuring interest in the job and positive attitude by the workers to the effective performance of their work. Every practical effort should therefore be made to provide railwaymen and road transport workers with a reasonable degree of security of employment.

Reductions in staff

14. When overall reductions in staff become necessary, in connection with changes in equipment or operating methods, termination of employment should be avoided by every means possible, and reductions should be met, as far as practicable, by internal wastage, curtailment of recruitment and transfers, including, if practicable, adjustment of the time schedule for the introduction of technological change, taking into account general economic conditions and consideration of other measures which may be within the control of management.
15. In special cases, and after all other measures have been explored, arrangements may also be made for the early retirement of older workers, subject to their acceptance of the retirement conditions.

Termination of employment

16. In case termination of employment or lay off becomes necessary, there should be consultation with the interested employment services with a view to assisting the worker concerned to find new employment. In some cases, for instance where the transport undertaking is a public service, it may be possible for arrangements to be made for placing the worker in a comparable job in some other public service.

Training and promotion

17. Because the railways and the road transport industries are in a period of rapid technological change, special attention should be devoted, by government authorities, and employers' and workers' organisations, to the provision of suitable training facilities for all grades of employees in order to help them adjust to the changes which are likely to take place periodically in their work assignments. In many cases, supplementary training may be required to adapt a worker's skills where the requirements of the job have changed.
18. In addition, arrangements should be made by the employer, both from the point of view of ensuring a supply of properly qualified staff and as part of an established promotion policy for providing workers of all categories and grades with opportunities for further professional advancement through study courses and apprenticeship programmes.
19. Technical change should also be used to grant adequate opportunity for promotion by pursuing sound policies of selection of workers for advancement and possible suitable training facilities.

Health and safety

20. Technical change should not be carried out at the expense of the health or safety of the workers, which should continue to be a matter of primary concern to the employer; rather such change should make it possible to introduce improvements in respect of health and safety.

Resolution (No. 75) concerning technical assistance in the field of inland transport

The Inland Transport Committee,

Having examined Chapter VI of the General Report submitted by the International Labour Office dealing with technical assistance in the field of inland transport,

Recalling its resolution No. 45 (1951) concerning technical assistance in inland transport, and while

Commending the work done and the results achieved by the International Labour Organisation in the field of vocational, supervisory or instructor training and in productivity projects,

Feels that in accordance with the aims and purposes of the International Labour Organisation as laid down in the Declaration of Philadelphia, more recognition should be given to the social aspects of technical assistance; and therefore:

Invites the Governing Body of the International Labour Office to request the Director-General, in developing the operational activities of the Organisation:

- (a) to take into account the need to assist developing countries in building up suitable machinery for promoting joint consultation between representatives of employers and workers with a view to improving the well-being of the workers, the prosperity of the industry and of the community in general;
- (b) to use the available means for the improvement of poor conditions of work which so often lead to industrial conflicts, thus hampering the harmonious development of the economy in general and of the transport industry in particular;
- (c) to invite governments, in appropriate cases, to consult the national organisations of employers and workers concerned when formulating requests for technical assistance;
- (d) to encourage requests for assistance from the International Labour Organisation in elaborating machinery for the proper settlement of industrial problems in essential transport industries.

Resolution (No. 76) concerning coordination of transport

The Inland Transport Committee,

Having examined the chapter of the General Report submitted by the International Labour Office dealing with Transport Coordination and having compared the views expressed therein with those contained in the ILO Report on Labour Problems arising out of the Coordination of Transport submitted to the Fourth Session of the Inland Transport Committee and resolution No. 37 thereon;

Invites the Governing Body of the International Labour Office to instruct the Director-General to continue to follow developments in transport coordination as they arise in discussions by the competent agencies of the United Nations and other international organizations, with a view to influencing decisions to be taken in the spirit of the Declaration concerning the Aims and Purposes of the International Labour Organisation and of the principles contained in the resolution (No. 37) concerning the labour problems arising out of the coordination of transport.

Resolution (No. 78) concerning freedom of association in essential transport services

The Inland Transport Committee,

Considering that trade union freedom and full bargaining rights are the prerequisites of good industrial relations in the transport industry,

Recalling the provisions of its resolution No. 9 on industrial relations in inland transport adopted at the Second Session in 1947, and

Recognising the paramount importance to transport workers of a full implementation of Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), and of the Right to Organise and Collective Bargaining Convention, 1949 (No. 98);

Invites the Governing Body of the International Labour Office to request the Director-General:

- (a) to intensify his efforts to increase the number of ratifications of Conventions Nos. 87 and 98;
- (b) to urge that the principles contained both in the above-mentioned Conventions and in the resolution on industrial relations in inland transport adopted by the Committee in 1947 are applied, without any discrimination in all countries to what are styled essential services in the transport industry.

Resolution (No. 98) concerning the convening of regional meetings for inland transport

The Inland Transport Committee of the International Labour Organisation,

Having been convened by the Governing Body of the International Labour Office, and

Having met at Geneva in its Ninth Session from 24 April to 3 May 1972,

Considering that the subjects relating to inland transport include aspects of fundamental importance which call for the establishment or improvement of standards to protect labour in the field of conditions of work and of safety,

Taking into account the fact that both of these aspects should be accorded special attention in those countries that have not reached a full level of development, not only as regards social and economic possibilities but also in the fulfilment of technological requirements,

In virtue of the absolute necessity of considering at the regional level the problems to be dealt with in the transport industry, and in order to suit the proposed solutions more exactly to the real situation in each country, on the basis of all the information on technical questions, standards and practice in this matter,

Recalling the decision taken by the Governing Body at its 174th Session (March 1969) which provides that the industrial activities of the International Labour Organisation should be strengthened, that for this purpose all ILO activities for specific branches of economic activity should be integrated in a major "ILO Programme of Industrial Activities", and that, under this programme, provision should be made for holding, during each biennium, seven full meetings of the Industrial Committee type and a number of small meetings equal in cost to one full meeting;

Adopts this third day of May 1972 the following resolution:

The Governing Body of the International Labour Office is invited to arrange for the convening of regional meetings, such as those that have been held for the maritime sector, which, taking into account the special characteristics of inland transport in countries that have not reached full development, would deal with the application of the resolutions or recommendations adopted at this session.

Resolution (No. 102) concerning the improvement of the working environment and the protection of workers' health in the various sectors of transport

The Inland Transport Committee of the International Labour Organisation,

Having been convened by the Governing Body of the International Labour Office, and

Having met at Geneva in its Ninth Session from 24 April to 3 May 1972,

Considering that the International Labour Organisation should support, in the various nations of the world, programmes to bring about "adequate protection for the life and health of workers in all occupations" and "the provision of adequate nutrition, housing and facilities for recreation and culture",

Noting that, despite the existence of several international instruments dealing with the protection of the working environment, transport workers are often exposed to the harmful effects of various factors of pollution and to excessive strains, without effective protection and prevention,

Considering that in many countries the adverse conditions prevailing in the working environment are spreading to the places in which people live and enjoy their recreation and leisure, this being due to the absence of coherent town planning, and that a deterioration in the living environment is the result,

Considering that new techniques, the use of new methods of storage and new materials require a reassessment of standards relating to occupational health and safety;

Adopts this third day of May 1972 the following resolution:

The Governing Body of the International Labour Office is invited to:

1. address a pressing appeal to the governments of States Members of the International Labour Organisation to adopt and enforce, in cooperation with employers' and workers' organisations, measures concerning the health and safety of transport workers, in particular
 - a. the strengthening of labour inspection and provision for sanctions against those guilty of infringing regulations or of causing pollution;
 - b. town planning based on consideration of the over-all planning of the land area and of the environment;
 - c. provision for sanctions in the case of occupational accidents caused by inadequate working and safety conditions;
 - d. the reduction of permissible levels of exposure at work to harmful factors (harmful substances, noise, etc.) and the definition of these levels in effective consultation with employers' and workers' organisations;
2. instruct the Director-General to carry out thorough studies on the deterioration of the working environment and its relation to the increase in occupational diseases (including nervous diseases) and occupational accidents in the various sectors of transport;
3. taking into account these studies, include in the agenda of an early session of the International Labour Conference the question of occupational safety and the prevention of occupational accidents in the field of transport, with a view to the adoption of appropriate international instruments.

Resolution (No. 108) concerning working time in the transport industry

The Inland Transport Committee of the International Labour Organisation,

Having met in Geneva, in its Tenth Session, from 15 to 24 January 1980,

Concerned about the effects of new technologies being applied to transport systems throughout the world and their impact on employment and conditions of work;

Adopts this twenty-fourth day of January 1980 the following resolution:

The Inland Transport Committee requests the Governing Body of the International Labour Office, when considering the possibility of setting standards for improvements in the matter of working time, to take account of the transport industry.

Resolution (No. 118) concerning the right of workers in transport undertakings to organise and bargain collectively

The Inland Transport Committee of the International Labour Organisation,

Having met in Geneva, in its Eleventh Session, from 23 to 31 January 1985,

Taking note of the fact that certain transport activities are considered to be essential services and that therefore the right to strike of the workers concerned is restricted;

Adopts this thirty-first day of January 1985 the following resolution:

The Inland Transport Committee requests the Governing Body of the International Labour Office to instruct the Director-General to arrange for a study about the laws, regulations and practices in this regard in the various countries in order to ascertain whether workers of transport undertakings enjoy the rights and guarantees which are essential for the normal exercise of freedom of association under Conventions Nos. 87, 98 and 151.

Conclusions (No. 126) concerning the social and legal protection (including repatriation) of inland transport workers engaged in international transport during their temporary periods abroad

The Inland Transport Committee of the International Labour Organisation,

Having met in Geneva, in its Twelfth Session, from 22 to 30 January 1992,

Having examined the report (Report II) prepared by the International Labour Office on The social and legal protection (including repatriation) of inland transport workers engaged in international transport during their temporary periods abroad;

Adopts this thirtieth day of January 1992 the following conclusions:

General considerations

1. The globalisation of markets, internationalisation of trade and opening of frontiers have led to the continuous growth of international inland transport and consequently to the increase in the number of workers engaged therein. Appropriate measures should be taken to provide inland transport workers with the protection adequate to the problems they may encounter during their temporary work abroad. Such measures should be provided for by legislation, collective agreements or by bilateral or multilateral agreements including treaties, as may be appropriate.
2. Inland transport workers abroad may face a number of problems relating to their legal and social protection. Some of these problems are common throughout the inland transport sector, others stem from specifics of each individual mode of transport. In the areas where workers face similar problems irrespective of the mode of transport, consideration should be given to measures that can be applied across the international inland transport sector. In addition, appropriate solutions should be sought to the specific problems of social and legal protection which workers of each mode of inland transport encounter abroad.
3. The social and legal protection of inland transport workers abroad may be the subject of regional and subregional agreements. Employers' and workers' organisations representing the inland transport sector in each country concerned should be consulted during the formulation of such agreements. The implementation of procedures and terms laid down should include tripartite consultations and take account of the conditions in each country.
4. Legal and social protection of inland transport workers abroad should be provided irrespective of the location of the undertaking employing them. Such protection may be afforded by different means such as legislation, collective agreements, bilateral or multilateral agreements including treaties, as appropriate, which should also be used as a means of defining responsibilities of employers and workers as regards the conditions under which such protection should be provided.

Conditions of employment

5. Conditions of employment of workers engaged in international inland transport, including their social and legal protection abroad, are those stipulated by legislation, bilateral and multilateral agreements including treaties and collective agreements of the countries where the undertakings employing them are registered. Agreed conditions of employment should remain in force and not be changed to the disadvantage of the worker during temporary stays abroad.
6. Where the employer terminates the contracts of employment with inland transport workers during their stay abroad, workers should be repatriated and provided an opportunity to defend themselves in accordance with national practice. The time taken for dismissed workers to be returned to their countries should not be included in any time limit they may have to contest the termination of their contracts.
7. In the event of insolvency of their employer during their stay abroad, inland transport workers should be entitled to repatriation arranged by the employer. Governments should ensure that their consulates provide prompt assistance to workers affected by an employer's insolvency, including arrangements for repatriation. If the

employer fails to make arrangements for repatriation because of financial problems related to insolvency, such repatriation should be arranged by the competent public authorities, at no cost to the worker.

Conditions of work

8. Working conditions of inland transport workers that are established by national laws, regulations and collective agreements vary considerably from one country to another. This may cause problems for workers during their work abroad since, when crossing borders, they may have to comply with different legal requirements, especially as regards driving periods, duty time and rest periods. In this respect, adequate information should be provided to the workers concerned and consideration should be given in this regard to the advisability of harmonisation of national standards through bilateral or multilateral, regional or subregional agreements. For safety and economic reasons, these agreements should cover not only employees of transport undertakings but also self-employed carriers. In view of the need for flexibility required by various types of transport activities, special attention should be paid to driving periods, duty time and minimum rest periods as well as to procedures for their enforcement.
9. Transport workers and self-employed carriers engaged in cabotage, in countries where this is allowed, should comply with the relevant national regulations concerning duty time and minimum rest periods of the country in which the cabotage is being performed.
10. Self-employed carriers should be considered as autonomous undertakings responsible for their own social and legal protection abroad. However, in cases of contracts between carriers working as subcontractors and main contractors, conditions under which international transport operations are to be carried out should be specified, including those related to social and legal protection of such carriers.
11. The potential hazards arising from the international inland transport of dangerous goods require that it should be performed in accordance with regional agreements and/or international regulations, in particular those laid down by the United Nations and its specialised agencies. Furthermore, measures should be taken to ensure that such standards cover not only the transport of dangerous goods but also their loading and unloading.
12. Employers should ensure that their workers engaged in the transport, loading and unloading of dangerous goods are properly trained, instructed and informed. Appropriate measures should be taken at the international level with a view to establishing an international training and certification system that could enable national authorities to make sure of the necessary level of competence of workers engaged in the transport of dangerous goods.
13. Employers engaged in international inland transport operations should guarantee their workers legal protection for problems in connection with their work abroad. The workers concerned should be provided with a copy of the legal insurance certificate which should be translated in the appropriate languages.
14. Before going abroad, inland transport workers should be provided sufficient written information and instructions by their employers to be able to comply with the relevant national legislation, bilateral and multilateral agreements, including treaties, and practices in the countries in which they have to carry out their transport operations. Workers should be given information concerning the contents of the load and schedule of delivery.
15. The competent national authorities should take account of the specific situation of inland transport workers when they are accused of infringing laws or regulations in connection with their work in a foreign country. Such workers should be given sufficient time to prepare their defence in cases where they are subject to prosecution. They should also be provided with qualified interpreters and legal representation before and during formal proceedings.
16. In countries where the alleged offence does not normally entail a custodial sentence, the inability of an inland transport worker to produce bail money or pay fines within a reasonable time should not be used as a reason for detaining the worker.
17. Governments, employers' and workers' organisations should closely cooperate at both the national and international levels with a view to ensuring, where needed, the protection of and prompt provision of legal assistance to inland transport workers abroad. The public authorities should provide all employers engaged in international inland transport operations with information on national legal assistance schemes.

Transport conditions

18. Inland transport workers may be particularly vulnerable to criminal acts abroad. In this regard, adequate measures should be taken by public authorities, with the assistance, where appropriate, of the employers' and workers' organisations concerned, to protect workers while in transit and to ensure the security of parking places where crews have to spend their rest periods on board their vehicles or vessels. When inland transport workers are the victims of criminal acts abroad, the public authorities should make every effort to assist them and to help them contact promptly their employers and consular representatives.
19. Expeditious border crossing is one of the main factors which may not only reduce costs of waiting time but also improve working conditions of the workers engaged in international inland transport. National immigration and visa procedures should be adjusted as much as possible to the specific conditions of international inland transport. Efforts should be continued through bilateral, regional or subregional agreements to harmonise national transit policies with a view to making international inland transport more effective and thus improve working conditions of those engaged in it.
20. New communication technologies recently introduced in the inland transport sector have had a positive effect on the efficiency of transport operations, have often improved working conditions and reduced the isolation of operators. However, appropriate measures should be taken through legislation, collective or other agreements to ensure that such information and equipment is not used illegally, that the legal rights of employers and workers are respected and that data concerning any worker thus generated are made available to that worker.

Social protection

21. Inland transport workers should be fully covered to meet all necessary expenses that may arise in the event of sickness or occupational accident while they are abroad. Repatriation due to medical reasons, as well as repatriation of a deceased worker, should also be guaranteed by legislation, collective agreements, bilateral or multilateral agreements, including treaties, as appropriate.
22. Where appropriate, measures should be taken at the international level to ensure reciprocity of national medical insurance schemes through bilateral, regional or subregional agreements to ensure that inland transport workers receive necessary medical treatment abroad.
23. Appropriate measures should be taken through legislation, collective agreements, bilateral or multilateral agreements, including treaties, to guarantee inland transport workers the right to unconditional emergency medical treatment, including transportation to the nearest proper medical facilities, which might be required during their work abroad.

Action by the ILO

24. To promote legal and social protection of inland transport workers abroad, the ILO should assist its tripartite constituents by collecting and disseminating information, and providing technical assistance, workers' education and training.
25. The ILO should strengthen its cooperation with other United Nations agencies and other regional and international organisations to provide necessary assistance to the countries seeking to establish effective systems of social and legal protection of inland transport workers abroad through national legislation, collective agreements, bilateral and multilateral agreements or treaties, including regional and subregional agreements.
26. The ILO should continue to assist governments, employers' and workers' organisations in their efforts to set up or develop tripartite machinery necessary to provide adequate social and legal protection to workers engaged in international inland transport during their temporary periods abroad.

► PART 2. SECTOR-SPECIFIC: INLAND TRANSPORT COMMITTEE RESOLUTIONS AND CONCLUSIONS

Resolution (No. 73) concerning general conditions of work of railwaymen (Seventh session, 1961)

The Inland Transport Committee,

Having studied the problems raised by the general conditions of work of railwaymen, and

Desiring to contribute to ensuring the successful future of railways;

Adopts the following conclusions:

General remarks

1. Railway undertakings are in the forefront of economic and social life and of national defence.
2. The development of technical progress on the one hand, and the concept of public service on the other, require, for the satisfactory operation of railway systems, an increasingly specialised staff motivated by a profound sense of responsibility towards undertakings and users.
3. The general conditions of work of railwaymen should ensure for them a reasonable standard of living, should correspond to the nature of the work performed by the different categories of staff, and should ensure for them stability of employment, satisfactory conditions of welfare, and social security for themselves and their families.
4. Many railway systems are in financial difficulties, frequently as a result of public service commitments, such as the need to maintain services on certain uneconomic lines or the obligation of transporting all kinds of freight. This should not be a reason for maintaining general conditions of work below a reasonable standard.
5. In order to ensure the future of railways and the availability of capital for their operation and expansion, it is essential that there should be understanding between railway administrations and workers' organisations and that all joint efforts should be undertaken to compensate for the cost of improvements in conditions of work by higher output and efficiency.
6. It is essential that industrial relations between railway administrations and workers' organisations should be created, maintained or developed and that procedures of negotiation, conciliation or arbitration should be promoted within the appropriate bodies in a spirit of cooperation in keeping with ILO standards.
7. Owing to the great variety between national methods for the development of permanent standards to determine the conditions of work of railwaymen, it is difficult to establish precise formulas governing conditions of work in all countries; however, it is useful to follow the general principles below in the development of such standards at the national level:

Hours of work

8. General standards of hours of work should be established in each country according to customary practices.
9. The application of these general standards should be determined by the normal methods used in the country, i.e. by means of collective agreement, conciliation, award or according to other forms of regulation.
10. Overtime, when it is indispensable to have recourse to it, should be limited within a given period; compensation should be granted for it according to the usual practice in railway undertakings.
11. Rest pauses during the workday should be adequate for the purpose intended and should be determined in accordance with the provisions of paragraph 9 above.
12. Work performed outside normal hours of work, night work and work on Sundays and holidays should entitle workers to compensation to be determined in accordance with the provisions of paragraph 9 above.

Rest periods and holidays

13. In the interest of health and safety, each working day should be followed by as long a continuous rest period as possible, to be determined in accordance with the provisions of paragraph 9 above.
14. Duty rosters should be established and applied so as to limit to a minimum rest periods which have to be taken away from home.

15. Periodic rest periods should, in principle, follow the previous daily rest period.
16. The number of public holidays on which railwaymen are entitled to rest with pay should correspond to the number generally recognised in the country. Holidays on which work is performed owing to service requirements should be compensated.
17. Employees should enjoy an annual holiday with pay, the length of which should not be below two weeks. This duration should be increased with length of service where this is in accordance with the practices of the country.
18. The granting of additional leave for family purposes, such as bereavements, should be dealt with in accordance with the provisions of paragraph 9 above.
19. As the purpose of holidays is to grant workers an effective period of rest, appropriate measures should be taken in each country to ensure respect of this principle.
20. Every employee on holiday should receive, in respect of the full period of the holiday, either his usual remuneration, calculated in a manner prescribed by national laws or regulations, including the cash equivalent of his remuneration in kind, if any, or a remuneration determined in accordance with the provisions of paragraph 9 above.

Staff welfare

21. Railway undertakings should take an active interest in the welfare of their staff.
22. It is recommended to establish consultative welfare bodies composed of representatives of the railway administrations and of the workers' organisations, and advised by officials competent in this field.
23. Special attention should be given to welfare in general while on duty and to facilities such as canteens, rest rooms, restaurants and sanitary installations. Particular attention should be given to the requirements of modern industrial health.
24. When employees are required by the service to take rest away from their homes, the accommodation furnished should be free of charge or at a reasonable price determined in keeping with allowances granted to this effect.
25. Railway undertakings should devote an active interest to the problem of housing of their staff, by constructing houses or apartments, or by participating in public or cooperative housing programmes, or by giving technical or financial assistance to individual workers.
26. Medical services, complementing, where necessary, existing private and public health services, should be an important element in the welfare activity of railway undertakings.
27. In addition, provisions should be made to allow cultural and sports activities and to provide opportunities for general education, in particular for the younger generation.

Consultation, safeguard

28. It is recommended to establish consultation between railway administrations and workers' organisations concerning the implementation of the above-mentioned provisions, in so far as these are not determined by collective agreements or awards.
29. It should be understood that the implementation of the above-mentioned provisions should not adversely affect steps already taken to ensure more favourable conditions for railwaymen.

Conclusions (No. 85) concerning methods of collective bargaining and settlement of labour disputes in rail transport (Eighth Session, 1966)

The Inland Transport Committee of the International Labour Organisation,

Having met at its Eighth Session in Geneva from 21 November to 2 December 1966,

Recalling the resolution (No. 9) on industrial relations adopted at its Second Session (1947),

Recalling the Conclusions (No. 73) concerning general conditions of work of railwaymen adopted at its Seventh Session (1961),

Recalling the resolution (No. 78) concerning freedom of association in essential transport services adopted at its Seventh Session (1961),

Noting the standards set out in the Collective Agreements Recommendation (No. 91) and the Voluntary Conciliation and Arbitration Recommendation (No. 92), adopted by the International Labour Conference at its 34th (1951) Session,

Having discussed principles, practices and procedures relating to the methods of collective bargaining and the settlement of labour disputes in rail transport,

Considering that the methods of determining wages and working conditions of the staff of rail transport undertakings as well as the methods of settling labour disputes in this sector should take account of the special character of this activity,

Considering that an efficiently functioning railway network is of great importance to the industrialised countries as well as to developing countries,

Considering that systems of rail transport must above all be safe, efficient, economical and in continuous operation, having regard to the obligations of public interest which they must fulfil,

Considering that safeguarding the interests of the workers in this sector should be a basic objective of railway managements, trade unions and governments,

Recalling the development and extension of the principle and practice of collective bargaining throughout the world during the past 20 years;

Adopts this first day of December 1966 the following conclusions:

1. The features of this branch of the economy derive in particular from the highly important position of rail transport undertakings in the country, the need to safeguard the interests of workers in this sector, their total or partial subordination to the public authorities, their obligations of public interest and their often precarious financial situation.
2. A method should be sought whereby trade unions are associated as closely as possible in the determination of wages and working conditions of the workers employed in rail transport undertakings.
3. The most desirable form of such association is collective bargaining, which has the advantage of bringing together for the purpose of reaching agreement parties who are particularly competent.
4. Collective bargaining should be used to adapt working conditions to the structural and technological developments in rail transport.
5. Furthermore, collective bargaining promotes co-operation between management and workers and develops the mutual respect and understanding and the responsibility of everyone concerned.
6. Finally, collective bargaining, by replacing unilateral decisions with attempts to reach agreement, helps to promote industrial peace.
7. In countries where legislation does not yet permit collective bargaining to apply to rail transport undertakings or to certain categories of railway staff, appropriate methods of negotiation between managements or the public authorities and the trade unions should be instituted to determine wages and working conditions.
8. An essential prerequisite for the functioning and development of collective bargaining is the existence of trade unions recognised as representative of the workers in rail transport undertakings. The principles set forth in the

Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), and the Right to Organise and Collective Bargaining Convention, 1949 (No. 98), should therefore be applied.

9. The parties to collective bargaining, whether in private or public undertakings, should keep in mind their responsibilities to the public interest.
10. Wages and working conditions of railway workers should not on the whole compare unfavourably with those of other workers.
11. The financial difficulties of rail transport undertakings should not be used as a reason for maintaining general working conditions below a fair standard.
12. Whatever methods of collective bargaining are used, it is highly desirable that procedures should be such as to encourage close contacts between the parties concerned.
13. In order to be able to engage in discussion in full knowledge of the facts, the trade unions participating in collective bargaining should have access to all available information which is necessary for such bargaining. For their part, the unions should be in a position to analyse the economic, social and technical data which concern them.
14. In countries where separate collective bargaining takes place at the national level, on the one hand, and at the regional or local level on the other, the parties should ensure fullest coordination between the various bargaining processes.
15. Because of the crucial importance to the country of the regular functioning of the railways, it is highly desirable that procedures be sought to provide against interruptions of service due to labour disputes without thereby impairing the processes of collective bargaining.
16. These procedures should include in the first place methods of conciliation in which representatives of management and workers should participate.
17. It is desirable that the parties agree to refrain from any unilateral action during the pendency of the conciliation proceedings which might compromise those proceedings.
18. That workers belong to a rail transport undertaking should not deprive them of the right which other workers have to go on strike in defence of their occupational interests.
19. The right to strike of workers in rail transport undertakings should not exclude certain provisions concerning the exercise of this right, such as prior notice of strike or the maintenance, while it is taking place, of certain transport services essential to the life of the country. It is desirable that such restrictions on the exercise of the right to strike should be the subject of a prior exchange of views between the managements or public authorities and the trade unions.
20. In countries where certain categories of railway workers have the status of civil servants, national laws and regulations should determine the rights of these workers, taking into account the above-mentioned considerations.

Conclusions (No. 86) concerning pay structure in rail transport (Eighth Session 1966)

The Inland Transport Committee of the International Labour Organisation,

Having met at Geneva in its Eighth Session from 21 November to 2 December 1966;

Adopts this second day of December 1966 the following conclusions:

Principles

1. In the interest of both employers and employees of the railways, there should be a balanced pay structure covering the various branches in the undertaking, the working out and the application of which should, at all stages, be the result of collective bargaining within the conditions laid down by national practice and regulations, and on the understanding that the inclusion of certain categories of management is subject to agreement.
2. To work out this structure, the parties should take as their starting point the following basic principles:
 - (a) a guaranteed minimum wage which must be sufficient to ensure to the worker a reasonable standard of living above the subsistence level; in determining this standard, account shall be taken of family needs of the workers, including, among others, food and its nutritive value, housing, clothing, medical care and education;
 - (b) the elimination of any discrimination made on the basis of race, colour, sex, religion, political opinion, national extraction, nationality or social origin, or such other distinction, exclusion or preference which has the effect of nullifying or impairing equality of opportunity or treatment in employment or occupation.
3. The parties concerned should have at their disposal systematic, current and accurate information on all the elements relating to the establishment and application of the pay structure. This may entail the provision, by government services, of detailed statistics on the cost of living and on the level of wages and earnings in other jobs requiring comparable qualifications and responsibility.
4. It might be useful if the parties concerned were to set up qualified bodies that could undertake the preliminary studies and assemble the data which would make it possible to take appropriate decisions.

Methods

5. The working out or the revision of the job classification used as a basis for pay structure may follow, among others, one of the following methods or a combination of them:
 - (a) job evaluation, which is a process of analysis and assessment of jobs to ascertain reliably their relative worth;
 - (b) classification of jobs based upon practice and experience.
6. Amongst the criteria to be taken into account for job classification, the most important are:
 - (a) the nature of the work;
 - (b) the knowledge and training, both theoretical and practical, required;
 - (c) the experience required;
 - (d) the working conditions inherent in the job, such as environment, physical and mental effort, fatigue and risk;
 - (e) the degree of responsibility.
7. All the criteria used in drawing up the pay structure should be defined as clearly and precisely as possible by common agreement between the parties concerned.

8. The method of job evaluation should be set out in enough detail so that it will be well understood by all parties concerned. Those concerned should, when required by circumstances, have at their disposal persons competent to apply this method. Appropriate steps should be taken to train these specialists in advance.
9. Whatever the method used, a procedure should be established by common agreement for correcting any anomalies and inequities that might result from its application; and it should be flexible enough to meet change.

The consequences of technical progress

10. The workers should share in the benefit which technical progress brings to the undertaking; and measures should be taken to minimise the adverse effects which technical changes might have on their job classification and on their pay.
11. Workers should be informed and there should be an exchange of views between management and workers concerning technical changes planned as soon as possible before final decisions are taken by management. Negotiations should be undertaken between the representatives of the railways and those of the workers concerning the repercussions of those changes on pay structure.
12. If technical progress results in higher job requirements, calling, for instance, for increased responsibilities, physical or mental effort or nervous tension, or in the technical skills required of workers holding certain jobs, those jobs should be upgraded, taking these new factors into account.
13. Every effort should be made to provide the vocational training necessary to permit the transfer of the workers concerned to other jobs with equivalent pay.
14. If technological changes bring about a reduction in the relative importance of certain jobs and consequently a lowering of their position in the scale, or even their abolition, measures should be taken to maintain, at least for a period to be negotiated, the remuneration of workers affected by such changes, provided that, remaining in the service, they are willing to undertake other jobs.
15. Equivalent levels should be worked out for job classification in order to facilitate transfers from one railway branch to another.

Criteria for fixing remuneration

16. When negotiations are undertaken for the purpose of determining pay scales, the following considerations, among others, should be taken into account:
 - (a) increases in cost of living;
 - (b) pay scales should be adequate not only to meet essential needs, but should as far as possible also allow for progressive improvements in the workers' standard of living in line with national trends;
 - (c) the pay scales should bear a reasonable comparison with those for jobs in other industries calling for similar skills and similar degrees of responsibility, due regard being had to conditions of service and fringe benefits;
 - (d) the desirability of encouraging the entry of skilled workers into railways and encouraging those interested to take full advantage of training or retraining schemes leading to improved qualifications and pay;
 - (e) pay scales and other elements in remuneration, including fringe benefits, should be such as to enable the worker to receive a fair share of the benefits of increased productivity in railways.
17. The pay structure in railways is likely to be substantially influenced by factors external to railways and these may have to be taken into account in the light of conditions prevailing in each country. These factors may include, amongst others:
 - (a) the possible impact of national development plans on remuneration;
 - (b) general policies on incomes and prices, which may in certain cases have an overriding impact on the pay structure;
 - (c) the real national product;

- (d) the need for workers in a special category, and in particular for skilled workers, which could affect the differentials within the pay structure;
 - (e) any national regulations fixing minimum wages on a broader basis;
 - (f) the practice followed for taking into account changes in the cost of living.
18. Payments in addition to basic pay, which vary according to national practice, should
- (a) not be on such a scale or be so varied that they seriously affect the basic scale or give rise to anomalies;
 - (b) be as fair as possible;
 - (c) be as simple as possible to assess and administer.
19. Among the various forms of additional payments consideration might usefully be given to the following:
- (a) Premiums or bonuses may be paid related to the productivity or efficiency of a worker or of a limited group of workers; in such cases it is desirable that a sufficiently direct relationship be maintained between the efforts of the worker or of the group of workers to ensure that the premium or bonus constitutes a real incentive to productivity or efficiency. It is desirable to review such schemes at intervals to make sure that they continue to serve the purposes for which they were instituted. In certain cases it may be found expedient to incorporate them into basic pay.
 - (b) Increases in pay may be granted on the basis of good service records.
 - (c) Increments may be granted, irrespective of promotion, on the basis of seniority.
 - (d) Additional compensation may be granted to offset certain costs incurred by the worker, such as living in areas where the cost of living is above national average.
 - (e) The inconvenience of certain work may be compensated by supplements in so far as compensation therefor is not already embodied in the basic pay. Such cases may include supplementary compensation for working on the customary weekly rest day or on public holidays, or for working outside a previously established roster, for working at night or under arduous conditions, including exposure to extreme climate conditions and compensation for dirty work. Traditional practices may call for special bonuses, such as end-of-year or holiday bonuses.

Promotion

20. The establishment of a progressive scheme to facilitate the promotion of all railway personnel to higher posts is of the greatest importance. Any railway pay structure should therefore provide reasonable opportunities to satisfy their legitimate aspirations.
21. Such promotion should offer to those who can meet the requirements possibilities of progressive advancement over a lifetime's career in railway service.
22. In order to widen the range of promotion opportunities, career structures should, where it is possible or desirable, be designed to make it possible for qualified applicants to transfer from one branch to another.
23. Training and retraining schemes should be designed to facilitate promotion, with transfer from one branch to another, where feasible, or from one grade to another, in accordance with national practice.
24. The schemes for promotion and career structures should, in accordance with national regulations and practices, and on the understanding that the inclusion of certain categories of management is subject to agreement-
- (a) be negotiated between the parties concerned;
 - (b) be fair, clear and precise;
 - (c) apply to all railway personnel;
 - (d) be made clear to all concerned.
25. Promotion should take into account such factors as the following, but not necessarily in the order named:
- (a) seniority;

- (b) past performance;
 - (c) ability to fill the job for which the candidate is being considered;
 - (d) capacity at a later stage, and with additional training if necessary, to fill jobs further up the line of promotion.
26. The representatives of the workers should participate in agreeing the procedures of selection for promotion.
27. Steps should be taken to safeguard the rights of those seeking promotion. These steps might include:
- (a) appropriate means of bringing posts to be filled to the attention of all potential applicants, whether by advertising, posting of notices of vacancy, or by other means;
 - (b) the organisation of methods of selection agreed between the railway administrations and the representatives of the workers, including interviewing techniques, selection tests and competitive examinations;
 - (c) the establishment of procedures by which unsuccessful candidates may lodge an appeal.

Measures to be taken by the International Labour Office

28. The Governing Body is invited to request the Director-General of the International Labour Office to develop the action of the Organisation concerning pay structure in railways, in the fields of study and practical activities.
29. The International Labour Office should continue, in particular, its study of the consequences of technical progress.
30. The International Labour Office should also strive to comply as fully as possible with the requests for technical cooperation which are submitted to it by the developing countries. This action should be carried out either by special projects or by the use of resources which may be at the disposal of institutions or experts at regional or other levels already working within the framework of International Labour Office projects related to management development, productivity, industrial relations and labour legislation or administration.

Resolution (No. 91) concerning railway modernisation and rationalisation (Eighth Session, 1966)

The Inland Transport Committee of the International Labour Organisation,

Having met at Geneva in its Eighth Session from 21 November to 2 December 1966,

Having taken note of those sections of the General Report which deal with the social consequences of changing methods and techniques in rail transport, including the introduction of automatic coupling which will shortly be brought into effect in many countries, the development of automation and the application of cybernetics,

Considering that the benefits resulting from modernisation and rationalisation in the railway industry should be shared fairly among all concerned, including the workers,

Considering that, in cases where such changing methods result in hardship or even in termination of employment of railway workers, every measure should be taken to avoid as far as possible adverse social and economic consequences for the affected workers and their families,

Considering that these measures should only be taken after consultation, negotiation or agreement, depending on national practice, with the trade unions representing the workers concerned,

Noting that technological changes in railways give rise to special problems in developing countries because of the great difficulties in re-employing redundant workers, and the fact that re-employment possibilities are minimal;

Adopts this first day of December 1966 the following resolution:

The Governing Body of the International Labour Office is invited-

- (1) to address an appeal to governments of ILO member States to make every effort to ensure that the benefits of modernisation and nationalisation be shared fairly among all concerned including the workers, as well as to ensure that any hardships to the workers that could result from such modernisation and rationalisation be avoided by the adoption of appropriate national manpower, social security and social welfare policies;
- (2) to request the Director-General to continue studies dealing with the social consequences of changing methods of techniques in the railway industry.

Conclusions (No. 104) concerning vocational training and retraining of railwaymen (Tenth Session, 1980)

The Inland Transport Committee of the International Labour Organisation,

Having met in Geneva, in its Tenth Session, from 15 to 24 January 1980;

Adopts this twenty-fourth day of January 1980 the following conclusions:

1. The accelerating speed of change in railway work at all levels and in all fields of activity within railways makes it necessary for railways to give particularly careful attention to the initial and further training of railwaymen and to make arrangements as appropriate for their retraining. Consideration should be given to remunerating equitably those workers who, having undergone specific training, are then called upon to occupy jobs requiring new skills or knowledge mainly because of technical change or laws or regulations.
2. The principal elements of change which may have an impact on the occupational requirements are the changing role of railways in the total inland transport industry, the wide range of technical and organisational innovations being introduced in railway systems and new patterns of employer-worker relationships. The main effects of these changes are that the scope for employment of unskilled workers is narrowing in many fields of railway employment while job requirements as regards skill and knowledge are being raised at practically all levels of responsibility and in all fields of railway employment.
3. With special reference to training, the effects of these changes may be summarised as follows:
 - (a) different and often higher levels of general education and of specific vocational training or technical-commercial education and training are needed in most railway occupations;
 - (b) a wide range of occupations, which previously could be carried out by essentially unskilled workers, now require systematic initial training to be provided;
 - (c) special attention needs to be given to the training of craftsmen in the various fields of railway activity and in particular the repair and maintenance of complex mechanical, electrical and electronic equipment and its use in traffic operations;
 - (d) there is increased emphasis on the commercial aspects of railway services and more widespread use in all fields of activity of data-processing equipment and other modern communications media;
 - (e) intermediate-level technical and commercial staff have in many cases had to take on new tasks or have seen their functions substantially modified, requiring special efforts for their further training;
 - (f) the supervisory and management functions of intermediate and higher-level employees have been further emphasised.
4. Training and retraining of railwaymen should be the subject of continuous planning relating both to the initial and further training of railway personnel at all levels and, as appropriate, to their retraining.
5. Attention should be given in planning training and retraining to the potential needs for further general and technical education of particular categories of railwaymen and to the new skills and knowledge required for coping with new or modified tasks. Information on such needs may then be communicated to the appropriate bodies and steps taken to enlist their cooperation in meeting them.
6. Plans and programmes for the training and retraining of railwaymen should be formulated and implemented in cooperation with employers' and workers' organisations and, as appropriate, and in accordance with national law and practice, with other interested bodies. Such cooperative action should be taken as early as possible in the programme planning process.
7. While each railway administration will have to determine, in the light of the particular needs of the railways concerned, the scope and character of its training and retraining plans and programmes, special attention should in all cases be given to:

- fields in which procedural or technological change are being introduced which may considerably affect job requirements and employment;
 - the effects of change on the opportunities for promotion of railwaymen at all levels of responsibility;
 - transport safety and occupational health and safety of the various groups of railwaymen;
 - the application of principles of equal opportunity to all categories of personnel, both men and women;
 - the special needs of handicapped personnel.
8. Training programmes and standards applied in training of railwaymen at the various levels of responsibility and in the various lines of activity within railways should, as appropriate, take into consideration the programmes and standards applying in training for other fields of activity and, in particular, national standards of vocational and technical education and training.
 9. Training programmes should be broadly conceived and provide an adequate basis for further training given for upgrading or updating purposes or, as applicable, for retraining.
 10. Special attention should be given to the choice of the most adequate methods of training for each particular programme. This should include consideration of the various ways of acquiring skill and communicating knowledge used in modern training and education activities and, in particular, emphasise the active participation of the trainees in the learning process. Of particular importance in the training of railwaymen are the appropriate choice of training location - especially when a considerable part of the training should take place on the job - the provision of adequate simulation methods in off-the-job training and the careful selection and continuing training of both part-time and full-time teaching and instructing staff.
 11. Railways should as appropriate cooperate in the provision of training for their staff with the appropriate public and private training institutions with a view to ensuring economy in training action and high standards of training.
 12. There should be cooperation among railways at all levels, including the international ones, in such matters as the identification of change in training requirements, the preparation of adequate training materials, particularly in fields undergoing rapid change, and the provision of adequate opportunities for practical experience for railwaymen from other systems and countries. The practice of the more highly developed railway systems to receive trainees from railways in less developed countries and regions of the world and to second expert staff for assisting them in home-based training of their personnel should be further extended. In this context railway administrations in less developed countries should give special attention to the adequate preparation of the trainees before they go abroad.
 13. The International Labour Office should, in its regular activities relating to the collection and dissemination of information on training policies and programmes, give special attention to the needs for information of such industries in rapid change as the railways, in particular by setting up a study group to prepare guidelines for a system of vocational training for the various categories of railwaymen. Railway-related occupations should also, as far as possible, be covered in the development of learning materials based on a concept of modules of employable skill (MES), currently undertaken by the Office. Consideration may also be given to the organisation, at international or regional levels and in cooperation, as appropriate, with the relevant international and regional bodies representing railways and railwaymen respectively, of seminars or symposia on the organisation and programming of training. The ILO Centre for Advanced Technical and Vocational Training at Turin, Italy, should, if requested to do so by the national bodies concerned, include training for railwaymen in its programmes, to the extent that this is appropriate and possible.

Conclusions (No. 105) concerning working conditions in rail transport (Tenth Session, 1980)

The Inland Transport Committee of the International Labour Organisation,

Having met in Geneva, in its Tenth Session, from 15 to 24 January 1980,

Having examined the report prepared by the Office on working conditions in rail transport,

Recalling that at its previous sessions it had adopted various conclusions or resolutions with a view to contributing to the improvement of working conditions in the railways, and in particular its Conclusions (No. 73) concerning general working conditions of railwaymen (Seventh Session, 1961) and its Conclusions (No. 86) concerning the structure of wages in rail transport (Eighth Session, 1966),

Desirous of making a further contribution to the improvement of the quality of employment in rail transport;

Adopts this twenty-fourth day of January 1980 the following conclusions:

General considerations

1. The improvement of working conditions and of the working environment in rail transport in each country should be the constant concern and joint responsibility of governments, employers and workers' organisations. Such improvement should be sought by them in conjunction with the achievement of two other important objectives, namely enhancing the efficiency and the quality of the services that rail transport renders to its clients, whether individuals or enterprises, and to the national community as a whole, and ensuring its profitability. This effort at improvement should be based on a sufficiently wide approach to the problems taking into account the various factors likely to affect the physical or mental health and well-being of the workers concerned.
2. The Committee recognises that the conditions under which railwaymen carry out their work and the ways and means available for improving these conditions vary considerably from country to country depending on their stage of economic and social development and the diversity of national contexts within which railways operate, particularly from the legal, administrative, financial, geographic and climatic points of view. It considers, for this reason, that it is for each country to determine, in keeping with its specific characteristics and the resources at its disposal, the extent to which it is possible to improve the standards of railway employment, the aspects of working conditions and of the working environment calling for improvements and the categories of workers requiring priority attention. It accordingly invites the member States to use all the means at their disposal for the achievement of this objective.
3. The Committee notes that in promoting the improvement of working conditions and of the working environment in rail transport, countries have used various means such as legislation or administrative regulations, collective agreements or arbitration awards, or a combination of these. It recognises the need to allow full freedom to each member State to decide upon the most appropriate procedures for this purpose. It considers, furthermore, that the public authorities have a part to play in the decisions relating to some of these questions to the extent that railways constitute an essential public utility for the national community as a whole. It considers nevertheless that, on a large number of the questions relating to the improvement of working conditions of railwaymen in general, the best decisions are those resulting from freely negotiated agreements between the employers and the workers' organisations concerned, the competent government authorities preferably limiting themselves, on these questions, to providing an appropriate framework for negotiations and acting, upon request, as Conciliators or arbitrators. It is also of the opinion that, in respect of other questions, the decisions of the competent national authorities should, as far as possible, take into account the points of view expressed by the employers and the workers' organisations concerned, which should be consulted for this purpose.
4. The Committee considers that working conditions and the working environment can also be improved locally, taking into account the specific characteristics of the workplaces as well as the particular needs of the various categories of workers engaged in these workplaces. It recommends that these types of improvement, which would be additional to those achieved on the wider plane, should be encouraged and promoted through joint

discussion or negotiation between the representatives of the employers and those of the workers in each workplace.

5. The Committee notes that, in many countries, an overall transport policy for the coordination of various means of transport and for harmonising the terms of competition between them, while respecting the interests of the public at large and thereby the freedom of choice of the users, has led to positive results from the point of view of the profitability of railway companies and the conditions of work of their staff. It encourages member States who have not already done so to frame, adopt and implement such a policy, after consultation with the employers and the workers' organisations concerned.
6. The Committee also notes that, in a number of countries, the less favourable working conditions which may prevail in other transportation sectors, particularly road transport, obstruct the normal process of competition in the transport industry and, as a result, can slow down improvement in the working conditions of railwaymen. In this connection, the Committee urges member States to strive, within the framework of the overall transport policy referred to in the preceding paragraph or by any other appropriate means, to reduce to the utmost the distortions which characterise working conditions in the various sectors of the transport industry. It considers moreover that the pursuit of this objective should not be at the expense of the present working conditions of railwaymen which should be safeguarded and, where national conditions permit, continue to be improved.

Working hours, rest periods and leave

7. After noting the progress achieved over the past two decades in the field of hours of work, rest periods and leave in rail transport of a number of countries, the Committee notes that the reduction in working time and the accompanying increase in leisure time continue to be basic demands of the majority of national railwaymen's organisations. While recognising that this objective constitutes an important element in any policy for the improvement of the quality of life of the workers concerned, it notes that the scope for its achievement varies from country to country. It therefore considers that it should limit itself to recommending that this scope should be carefully reviewed in each member State by the competent government authorities, the employers and the workers' organisations. Such an examination should seek to determine to what extent and in what manner a reduction in working time can be achieved, taking into account all appropriate factors, including productivity. In this context, the Committee wishes to call attention to the fact that standards, which are also applicable to rail transport, have been adopted on these questions by the International Labour Conference, in particular the Reduction of Hours of Work Recommendation, 1962 (No. 116), which recommends the progressive reduction of the normal working week to 40 hours, and the Holidays with Pay Convention (Revised), 1970 (No. 132), which fixes the minimum duration of such leave at three weeks. It urges member States who have not already done so to apply these standards as soon as possible. These standards should not constitute an obstacle to further improvements relating to working time in the various member States, through collective bargaining or other means, where the technical, economic and social conditions permit.
8. The Committee notes that other demands relating to the organisation of hours of work and rest periods in rail transport have been formulated by a number of national workers' organisations and that, depending on the country involved, such demands relate to one or more of the following questions: a greater assimilation to actual working hours of the various periods during which certain categories of workers, while not actually working, have to remain at the disposal of the employer; the reduction of the period used as a basis for the calculation of the average duration of the normal working week as well as the number of hours of work which can be demanded in the course of any single week; limitation of the permanent exemptions allowed to normal hours of work, reduction in the maximum number of hours of overtime authorised and improved compensation for overtime either in the form of higher rates of pay and/or time off for compensatory rest; a reduction in the daily spreadover, that is the number of hours which may separate the beginning and end of the working day; the reduction, to the extent possible, of the number of workers required to work irregular hours, involving night work or work over the weekends, the grant of compensatory time off to those who continue to be subject to such hours and a stricter limitation of the number of night shifts which may be worked over a determined period or consecutively; the grant of compensatory time off for workers assigned to tasks that are arduous, unhealthy or involving high nervous strain; increase in the minimum duration of daily rest periods and limitation of the number of such periods required to be taken away from home, particularly by train crews; the grant of more favourable conditions with regard to periodical rest periods, particularly with respect to frequency, duration, spacing and overlapping with weekends; and, finally, the grant of paid educational leave.

9. The Committee considers that the ways and means of responding to the demands referred to in the preceding paragraph and the nature of this response are essentially a matter for national action because of the great variety of national contexts within which railways operate. It therefore calls on the employers and the workers' organisations to examine jointly the ways and means of arriving, whenever possible, at satisfactory arrangements bearing in mind the twin needs for improving the quality of life of workers and for maintaining the efficient functioning of the railways and the standard of services they provide. It also calls attention to the importance, in seeking the solution to some of the problems raised by these union demands, of improving the planning and organisation of rail transport operations and of closely associating the workers' representatives in the search for appropriate solutions at each workplace.

Remuneration

10. The Committee notes that levels in wages in rail transport were affected, to a greater or lesser extent, depending on the country concerned, by a combination of factors such as: the diversity of wage-fixing machinery, ranging from acts of parliament or governmental decisions to freely negotiated agreements between employers and workers' organisations, with other systems, involving more or less strong government intervention, in between; the size of the railways, which are among the biggest employers in their respective countries, and the high incidence of labour costs in the total running costs of the railways; the railway deficits in a number of countries, which usually have to be met by state subsidies; the limitations imposed, by governments or by competition with other means of transport, to the raising of rail fares and charges; and, finally, economic uncertainties and the inflation affecting most countries.
11. The Committee considers that, as in other branches of economic activity, free collective bargaining between the employers and workers' organisations concerned is the most desirable method of wage determination. It calls upon governments to adopt or develop this method wherever possible. In countries where the legal status of the railways and of their personnel does not permit free collective bargaining, appropriate methods of consultation or joint discussion between competent national authorities, the employers and the workers' organisations should be introduced and constantly improved so that appropriate wage decisions may be reached.
12. In countries where wage levels are fixed through freely negotiated collective agreements, the intervention of third parties or of the public authorities, in the form of conciliation, mediation or, where needed, arbitration, may prove necessary when serious deadlocks arise in the wage negotiations. In any case, such intervention should only occur where strictly necessary, respond to the wish of the parties concerned and aim primarily at narrowing the differences.
13. The remuneration applied to various jobs should be fixed after careful study of the specifications of each of these jobs and, subject to the terms of paragraph 11 above, following negotiations between the representatives of the employers and the workers' organisations. The hierarchical structure of wages should be constantly adapted to changes in content of jobs and the skills required.
14. In order to ensure that workers benefit from a reasonable progression in income in the course of their careers, wage systems should be established and regularly reviewed with a view to permitting steady advancement within the grade and possibility of promotion to a higher grade. The career development of each worker should be based on objective assessment of his entitlement to promotion - an assessment with which the union representatives should be closely associated - and it should be facilitated through vocational and further training.
15. In adjusting wages, the major criteria which must be taken into account are increases in the cost of living, the economic situation of the country, labour productivity and the economic performance of the railway companies. With regard to this last criterion, it is important to distinguish between the normal running costs of the railways and the costs imposed on them by the fact that they are a public utility. The deficit arising from this second category of costs should be borne by the community as a whole and should not adversely affect the conditions of work and remuneration of railway workers.
16. The introduction of rationalisation measures and technological innovations aimed at increasing the profitability of railway operations, particularly in the face of competition from other means of transport, should be accompanied by a constant concern for safeguarding, to the greatest possible extent, the employment and income security of the workers. Where jobs are eliminated or modified, the employers should take all possible steps to prevent loss of income to the workers concerned, including transfer to other jobs situated as near as possible to their present place of residence, if such is their desire, and corresponding to their occupational

qualifications and experience, and the provision, without delay, of opportunities for retraining or for acquiring the additional skills required.

17. Where reduction in staff is unavoidable, such reductions should be achieved, first of all, through the normal process of wastage through retirement and through appropriate financial incentives to encourage workers to accept early retirement or seek employment elsewhere. Recourse to redundancy should only be had as a last resort. In this regard, workers for whom it may be difficult to find, or be retrained for, another job, such as those who have attained a certain age and degree of seniority, should receive very particular attention.

Welfare

18. Employers should make every possible effort to ensure the continued improvement, both quantitative and qualitative, of welfare services for workers, at the workplace or in the course of their duties and, in particular, catering services for all workers and accommodation for train crews.
19. Where there is a real need, particularly where public transport is non-existent or inadequate at the hours when workers start or end their working day, the governments and the employers should, to the greatest extent possible, help the workers to solve the transport problems they face in travelling to and from work, taking into account, in so doing, the relevant provisions of Part VIII of the Welfare Facilities Recommendation, 1956 (No. 102).
20. In countries or localities where the social welfare services available for the population as a whole are inadequate or not easily accessible to railway workers and their families, the governments and the employers should, to the greatest extent possible, take appropriate measures to ensure that they have satisfactory living conditions, particularly as regards medical care, housing, the supply of food and other basic commodities, schooling and cultural and recreational activities.
21. Workers' organisations should be closely associated with the formulation and the supervision of the implementation of the employers' policies with regard to the welfare of their workers, at the workplace or in the course of their duties, and to the improvement of living conditions in the areas where they live.
22. The Committee notes that in some countries the workers' organisations have encouraged union members to set up and run institutions (cooperatives, mutual-aid societies, etc.) based on the principle of solidarity, which undertake various activities aimed at improving the living conditions of their membership. The Committee regards such initiatives as interesting and considers that employers and the competent government services should, if requested, lend financial and other appropriate support to them as long as they maintain their usefulness.

Occupational safety and health

23. The Committee notes that great progress has been achieved in occupational safety and health in the railways thanks to the efforts deployed by all the parties concerned. It is of the opinion that the rapid technological changes which mark railroad operations call for the continuation and intensification of these efforts.
24. All the interested parties, that is, not only the governments, the employers, the workers and their organisations but also the research institutions, should strengthen their collaboration in the field of research and the collection and dissemination of information concerning occupational hazards and their prevention. Within the enterprise, employers and workers should be encouraged to meet to study occupational hazards and to consider methods for their elimination or their reduction through technical or administrative measures. Collaboration with occupational health physicians should be strengthened.
25. The protection of the various categories of workers against the effects of noise and vibration should be improved. Governments, in collaboration with employers and workers and their organisations, should undertake research on the best ways of achieving this. The employers should assist, in this regard, in the design of workstations, equipment and machinery.
26. All factors likely to increase the nervous tension and fatigue of train crews, particularly locomotive drivers, such as technological changes, the organisation of working time and climatic factors, should be studied in particular detail by employers and research institutions. The workstations of such staff should be designed in such a manner as to reduce the effect of these factors. Where this has not been done, the employers should, wherever possible, redesign the existing workstations or have them fitted with equipment of improved design.

27. In order to reduce the number of coupling and shunting accidents, governments and employers should take the necessary steps to speed up the introduction of automatic coupling devices or to introduce all other practical measures to reduce the need for workers to be between wagons.
28. Within the framework of measures aimed at improving machinery from an ergonomic point of view, workers' representatives should be consulted on questions relating to the design of new machinery.
29. Employers should pursue and, where necessary, intensify their efforts to improve training, education and information of workers in the field of occupational safety and health, not only during their initial training but also whenever they are assigned to new tasks or called upon to handle new equipment. Employers should also organise periodic refresher courses on these questions for all personnel as well as safety campaigns.

Action within the framework of the ILO

30. The Committee recommends that, like workers and enterprises in other economic sectors, railwaymen and their companies should benefit from the support of the International Programme for the Improvement of Working Conditions and Environment (PIACT) launched by the International Labour Organisation in 1976 with a view to strengthening its action, as well as that of its member States, in this field. The Committee stresses, in this connection, the importance attached by the railway companies and their workers to the regular dissemination through this Programme - in particular by the International Occupational Safety and Health Information Centre (CIS) and the ILO clearing-house on the quality of working life - of statistics and information on the frequency and nature of occupational accidents and diseases registered in this sector, the preventive measures applied, questions of ergonomics and other questions relating to the quality of working life. All the parties concerned in the member States should transmit to the International Labour Office all relevant information, particularly that referred to in paragraph 26 above, as and when it becomes available.
31. The Committee considers that the International Labour Organisation should continue to be associated with the activities carried out by the United Nations Economic Commission for Europe with a view to the generalised utilisation of automatic coupling devices.

► PART 3. SECTORAL MEETINGS, PREPARATORY MEETINGS

1939: Preparatory technical conference on rail transport

The Preparatory Technical Conference on the Reduction of Hours of Work in Rail Transport, was convened on 20 March 1939.

Background documents:

[Conference report](#) (ILC – 24, Report V, Part ii, Section A)

[Background report](#)

[GB adoption](#) of the outcome report

Note:

The conference did not adopt an outcome – there was no tripartite consensus on moving forward to further discuss an international instrument for the railways sector. The points for discussion in terms of scoping a possible railways instrument are included in the Appendix of this document.

1994: Conclusions concerning the consequences for management and personnel of the restructuring of railways

The Tripartite Meeting on the Consequences for Management and Personnel of the Restructuring of Railways of the International Labour Organization,

Having met in Geneva from 12 to 20 April 1994,

Adopts this twentieth day of April 1994 the following conclusions:

General considerations

1. The railways have historically played, and continue to play, a key role in the pursuit of economic, social and political objectives which vary from one country to another. The assessment of restructuring needs and options should, therefore, take into consideration the role of the railways in national development and the contexts in which their problems have emerged.
2. Most of the world's railways — in developed and developing countries alike — have been adversely affected by losses of market share, government policies favouring the railways' competitors, inadequate financial compensation for public service obligations, rising deficits and declining investments and, as a result, continued deterioration of competitiveness. These problems worsened in the 1980s — especially, though not exclusively, in developing countries — as governments tended to reduce their own deficits through processes of structural adjustment.
3. A reversal of these trends has been more recently emerging in some industrialized countries, as a result of limitations on road and air transport growth; the rising social costs of road congestion, accidents and pollution; and the emergence of combined transport and other new technologies. Despite these favourable factors, most railways still face financial and related problems which continue to pose adjustment challenges for governments, employers and workers.
4. The financial difficulties of most railways have been caused not only by competition between transport modes, but also by deep-seated deficiencies in government policy and State-railway relations. As a result, for railway reorganizations to succeed in improving performance, they should form part of coherent long-term plans between the State and the railways. These plans should establish the roles and obligations of the railways and the State within a framework of integrated transport policy and related policies and measures outlined in paragraph 6 below. Within such a framework, the advantages of the railways should be weighed on the basis of sound economic evaluation and clear government social objectives. Governments of countries undergoing radical economic reforms, in drawing up long-term programmes, should be mindful of the lessons to be learned from the transport policies of other countries.
5. In many countries, the railways provide indispensable public transport services that, for lack of alternative transport systems and because of the needs of society, need to be maintained even if their revenues cannot cover their costs. In principle, railway restructuring programmes should shift the revenue deficit resulting from such public service obligations from the railways to the State, so that railways can be managed with greater transparency and financial autonomy. Such public service obligations should not impair the railways' ability to compete with other transport modes. Furthermore, the railway deficit resulting from such social obligations should be clearly identified in the railways' accounts.

Improvements in railway performance

6. Railway managers and workers, as well as governments, recognize that sustainable gains in competitiveness can improve performance, quality of service, job security and working conditions. To fulfil these objectives, employers and workers' organizations should have consultations on railway restructuring plans. Such plans should include adequate provisions for establishing:
 - integrated policies (for transport, energy and environment, including land use) that define both the complementarity of the different modes of transport and the rules of fair competition;

- government policies that reflect the comparative social costs and benefits of the modes of transport (including their external costs);
 - equality of modal treatment regarding infrastructure costs, safety, finance and working conditions to ensure that each mode bears its real costs;
 - government contracts to compensate adequately for public service obligations;
 - means for monitoring and complying with occupational safety and health standards and railway safety standards;
 - transitional assistance to financial recovery, including the settlement of debts where these have resulted from either past distortions in competition and/or insufficient capitalization for meeting public service obligations; and
 - legislation and/or special collective bargaining mechanisms, as appropriate, to cope with labour adjustment problems that may result from restructuring.
7. Employers and workers' organizations should work to achieve an equitable balance between cost efficiency and improved service. While such a balance will vary from one situation to another, in most cases improved service, which is essential for sustainable gains in performance, cannot be achieved without new investments. Loans for investment needs should therefore be a component of the transitional financial assistance to be agreed in restructuring plans between the State and the railways.
 8. To reduce debts and operating costs and/or to raise capital for modernization, railways are increasingly resorting to partial privatization strategies, such as selling redundant and non-core assets, and selling and/or subcontracting ancillary activities and some social services that can be carried out at lower cost by specialized firms. In certain conditions, however, some of these measures may be prompted by short-term financial difficulties and may not be sound from a long-term perspective. If excessive or inadequately planned, such measures may cause not only severe adjustments for workers, but also losses in manpower and skills which can adversely affect future performance. Privatization/commercialization options should, therefore, be examined in consultation with workers' organizations in accordance with national law and practice. Furthermore, they should be thoroughly evaluated, taking into consideration their short- and long-term costs and benefits and their effects on the level of skills and working conditions. The preferred option should be the rehabilitation of the existing business such that job loss is avoided to the maximum extent. Where joint ventures or any of the above partial privatization measures are found to be suitable, they should be facilitated by legislation and/or regulatory policy, as appropriate.
 9. In cases where privatization/commercialization — which may involve franchises, fixed-term concessions or the sale of railway infrastructure or operations, or segments thereof — is judged to be desirable or inevitable, such measures should incorporate labour adjustment programmes as for other types of railway reorganization and technological change (see paragraph 6 above and paragraphs 13-22 below). Recourse to redundancy will be had only as a last resort. Governments should promote consultation and effective negotiations between all relevant parties involved.
 10. To improve the railways' ability to respond to market and other changing needs, employers and workers' representatives should explore and assess the suitability of efficiency-enhancing innovations in work organization. When considering such measures, priority should be given to those that do not have an adverse effect on working conditions and those which serve to promote job security. Those measures should evolve through consultations/collective bargaining in accordance with national law and practice.
 11. To respond to customer needs while preventing job losses and deterioration in working conditions, efficiency- and flexibility-enhancing measures should aim not only at reducing costs, but also at improving services that can increase railway revenue. Current transport market structures, and rules governing multi-modal competition, tend to make it difficult for the railways to explore new business opportunities. Railway employers and workers' organizations should jointly examine and, when appropriate, lobby against structural constraints to competitiveness. They should also assess internal impediments to business growth; identify innovations in marketing, service and technology; and adjust work methods in line with such innovations.
 12. New technologies introduced in railway systems continue to change railways' manpower needs. The productive use of a workforce with increasingly high levels of knowledge and technical skills requires a high level of

vocational and other training. Changes in approach may be required on the part of managers and workers to lead to more efficient utilization of human resources. While retrenchment of staff resulting from technological and organizational changes should be avoided as far as possible, a sub-optimal use of human resources is not to be encouraged since it hurts efficiency and performance and reduces the long-term prospects for productive employment.

Redeployment and retraining

13. Technological and organizational changes may lead to a reduction in employment requirements. In such cases it is necessary to give priority to the use of available resources in the enterprise to retrain and redeploy existing employees. The roles of the social partners in minimizing job losses should conform with established agreements, conventions or recommendations, as appropriate. Conclusions (No. 74) concerning the social consequences of changing methods and techniques in railways and road transport adopted at the Seventh Session (1961) of the Inland Transport Committee, provide guidelines concerning: the priority that should be given to redeployment, retraining, attrition, early retirement and dismissals and, inter alia, the procedures for carrying out these adjustments in ways that ease the strain on the workers.
14. In coping with the problem of redundant employees, the railways should — as a first step — make special efforts to redeploy them in consultation with workers and their organizations, and in accordance with applicable international labour standards and national laws or collective agreements, as appropriate. Depending on the circumstances and possibilities, the railways should endeavour:
 - (i) to transfer workers to other suitable jobs within the same undertaking; or
 - (ii) to secure, with the collaboration of other undertakings, the public authorities and, where appropriate, the trade unions concerned, alternative employment outside the undertaking for redundant workers, with a minimum of financial hardship to the workers concerned.¹
15. Special retraining schemes should be designed to meet the specific needs of redeployment. To the extent possible, the retraining should be based on the profile of each worker affected and the new job requirements; it should also include "assistance to the worker in adapting to the new job".² Employers and workers' organizations should promote policy and legislation that facilitate retraining for redeployment.
16. Governments, as well as employers and workers' organizations, have special roles to play in determining and meeting the training needs arising from the restructuring of the railways. Governments should provide the basic education and technical foundation. Employers should provide the necessary, job-specific training based on assessments of skills required for new technologies and work methods. Workers' organizations should inform employers about workers' needs, and participate in the planning, implementation, evaluation and improvement of training programmes. Tripartite training programmes should, to the extent possible and depending on national circumstances, be related to competency standards and the awarding of broad-based qualifications, as these can improve the workers' job prospects, facilitate their redeployment and prevent their redundancy in their current jobs. Conclusions (No. 104) concerning vocational training and retraining of railwaymen, adopted by the Inland Transport Committee at its Tenth Session (1980), provides valuable guidelines for governments, employers and workers' organizations.
17. While training programmes need to be adapted to specific cases, there is a general need to promote technical skills and qualifications that can enhance efficiency and quality of service. Skills in the area of new technologies are becoming increasingly important. Furthermore, redeployment and redundancy measures adopted by many railways — such as attrition, hiring freeze and early retirement — have created additional needs for retraining. At the same time, however, training and retraining programmes should, to some extent, shift their emphasis from the acquisition of traditional management and craft-specific skills, which have become less important, to broader skills. In this context, training programmes should emphasize marketing and related information processing and customer relations aimed at improving existing services and developing new services to meet customer and user requirements. This is particularly important in transitional economies.

¹ Conclusions (No. 74) concerning the social consequences of changing methods and techniques in railways and road transport, adopted at the Seventh Session (1961) of the Inland Transport Committee, para. 10.

² *ibid.*, para. 11.

Separation from the industry

18. As noted in previous paragraphs, most of the world's railways have experienced continuing problems of loss of market share, and such problems have led to the restructuring of many railways. If redundancy results from restructuring plans and cannot be fully coped with through redeployment efforts, then employers and workers' organizations, within national law and practice, should work out with governments suitable redundancy schemes that can effectively prevent, or at least minimize, negative effects on workers. Since workers are not at the root of redundancy, the social cost of the necessary labour adjustments should be shared by society at large. Such schemes should give priority to measures that are least severe to the workers and least harmful to the human resource capacity of the railways, such as attrition, hiring freeze and early retirement. Separation should be a measure of last resort. If it cannot be avoided, it should involve financial compensation and other suitable forms of assistance that can ease the reintegration of workers in the labour market.
19. Redundancy and separation should be assessed, negotiated, and mitigated in the context of its causes. It should not be a result of unfair labour practices, nor of hasty restructuring programmes that can result from deficiencies in legislation or collective bargaining machinery, or from inadequate planning.
20. To ensure fairness, workers should have the right to have their redundancy payments negotiated through clear procedures established by legislation and/or collective agreements. In principle, such payments should be calculated through negotiated formulas.
21. Loss of jobs poses major problems for redundant railway workers even when acceptable severance payments are negotiated. To cope with these problems, retraining programmes should be organized to help railway workers who lose their jobs find alternative employment. Particularly for workers who are older, have low and/or non-transferable skills and/or live in remote areas with few employment opportunities, governments should provide special assistance measures to ease their adjustment. Small business loans and retraining loans at subsidized rates, as well as job-creation funds should be considered; if feasible, they should be supplemented with technical assistance.
22. In addition to training programmes to assist redeployment efforts and to enhance skills and work-related attitudes, government training programmes should be designed in consultation with employers and workers' organizations for workers who lose their jobs. In situations where lay-offs cannot be avoided, the governments should, where necessary, establish labour-market adjustment schemes whereby affected workers are provided an agreed amount of time off for participation in training courses.

Role of governments

23. Owing to the importance of railways in society and the nature of the problems and challenges facing the railways, governments have a major role to play in (a) promoting the long-term success of railway restructuring plans, and (b) easing the labour adjustment process resulting from such plans, while (c) fostering healthy labour-management relations.
24. To promote the success of restructuring plans, governments should, wherever necessary, create or revise an institutional framework required to carry out the measures outlined in paragraph 6. Because such a framework is subject to pressures from changing political priorities, it should include a capacity for evaluation and revision of policies and laws that are a part of the restructuring process. However, governments should also revise regulatory policies and legislation which indirectly affect the railways, with a view to facilitating new investments and market access, and to modernizing technology and work methods.
25. To ease the labour adjustment process and, at the same time, promote healthy labour-management relations, governments should, wherever necessary: (a) revise or establish a framework of legislation and collective bargaining to ensure that railway restructuring plans and their labour adjustment components reflect the concerns of railway employers and workers' organizations; (b) define the criteria and institutional machinery for worker separation settlements if these are an inevitable part of restructuring plans, so as to ensure fair and equitable treatment of workers concerned; (c) develop special job-placement and self-employment programmes that can explore, inter alia, opportunities for external redeployment of workers made redundant, and (d) ensure adequate planning of early retirement and separation schemes to enable timely payments. Governments should also ensure that labour adjustment components of negotiated railway restructuring plans include adequate financial provisions for the effective implementation of retraining, early retirement and other separation schemes.

26. Among additional measures that can foster cooperative labour-management relations, governments should: (a) ensure that labour adjustment programmes are carried out in ways which comply with collective agreements and labour laws, and (b) prevent unfair labour practices through enforcement of applicable international labour standards concerning, in particular, freedom of association and collective bargaining (see paragraph 27 below) and related nationally agreed standards.

Role of the ILO

27. In respect to the railway industry, the ILO should promote the application of the Freedom of Association and Protection of the Right to Organize Convention, 1948 (No. 87), the Right to Organize and Collective Bargaining Convention, 1949 (No. 98), the Human Resources Development Convention, 1975 (No. 142), and Recommendation, 1975 (No. 150), and the Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144).
28. The ILO should continue to monitor and analyse: (a) the labour and other social consequences of railway restructuring processes, (b) the experiences of different countries with redeployment and retraining, attrition, early retirement and other types of separation schemes, and (c) national experiences of social dialogue and collective bargaining concerning restructuring issues of mutual interest to employers and workers, including labour adjustment measures.
29. The ILO should collect and disseminate information on the above issues and carry out related training programmes and advisory services. Regional meetings on these issues should also be held.

1999: Conclusions on future activities of the ILO transport sector, i.e. air, rail and road

The Symposium on the Social and Labour Consequences of Technological Developments, Deregulation and Privatization of Transport,

Having met in Geneva from 20 to 24 September 1999,

Adopts this twenty-fourth day of September 1999 the following conclusions:

The ILO should:

1. ensure that its work in the transport sector is undertaken in accordance with its four strategic objectives and their related InFocus programmes promote and realize fundamental principles and rights at work; create greater opportunities for women and men to secure decent employment; enhance coverage and effectiveness of social protection for all; strengthen tripartism and social dialogue - and its two cross-cutting themes - development and gender. Particular emphasis should be placed on activities related to social dialogue in the transport sector;
2. hold meetings dealing with the transport sector which should be more focused, dealing either with the transport sector as a whole, or subsector by subsector, depending on the issues to be discussed;
3. promote social dialogue in the transport sector; strengthen the institutions, machinery and processes of social dialogue in the transport sector in the ILO's member States; and strengthen the representation, capacity and services of the parties to social dialogue in the transport sector. Such activity should take place at the regional and national level where appropriate;
4. carry out studies on the impact of change on the industrial relations systems and practices in the transport sector, with particular reference to developing countries, and publish the results;
5. collect and compare examples of evolution and change in the transport sector and describe whether and to what extent social, labour, economic development, environment and productivity improvement factors have been taken into account with a view to identifying and disseminating examples of successful practices and programmes, including an analysis of the employment effects, training, retraining and the impact on fundamental rights at work with the objective of, to the extent possible, promoting employment, productivity and improved working conditions and publish the results;
6. collect, analyse and disseminate data and information on measures relating to new working methods in the different branches of the transport sector, such as flexible, temporary, part-time and contract work, and on any occupational safety and health and environmental effects arising from them and measures taken to address these effects;
7. expand and enhance its cooperation and collaboration with multilateral financial institutions, and with relevant transportation safety agencies and organizations so that, in developing and undertaking their transport-related activities, including the development of policies and standards, the social and labour dimensions of transport are taken fully into account, including the importance of tripartite consultations and continuous social dialogue;
8. noting its standard-setting activity, revise, with a view to improving and modernizing, those standards affecting the transport sector that are considered to be obsolete;
9. assist ILO member States to meet their obligations under the ILO Declaration on Fundamental Principles and Rights at Work and its Follow-up with a view to having a positive impact on social and labour conditions in the transport sector;
10. devote available resources that will ensure its activities, in assisting its constituents in dealing, with the social and labour effects of change in the transport sector, are undertaken in a sufficient and sustained manner;
11. establish a small standing tripartite strategy forum to oversee its activities in the transport sector;

12. pay specific attention to the impact of change on women transport workers;
13. in conjunction with UNAIDS, develop initiatives to promote best practice in the workplace dimension of HIV/AIDS prevention and protection policies, with particular reference to regions with a high incidence of the disease;
14. undertake studies of the medium- and long-term positive or negative impact of changes in the transport sector, including: an analysis of employment of displaced workers; information exchange on labour-management practices across a range of countries to help developing countries obtain and share economic and other appropriate information on transport; collect and disseminate data concerning employment terms and conditions and other social and labour issues, including comparative data from other industries;
15. position itself as the international centre for expertise and data of interest to the constituents for research into the broad range of labour market issues and policies relating to the transport sector.

When reviewing the delivery of the ILO's sector-specific programmes, the Governing Body should examine how the needs of the transport sector can best be met and make recommendations accordingly.

Appendix

LIST OF POINTS FOR POSSIBLE ADOPTION AS A BASIS OF DISCUSSION BY THE PREPARATORY TECHNICAL CONFERENCE

This appendix contains the List of Points submitted to the Preparatory Technical Conference held on 20 March 1939, as a basis of discussion for a possible international instrument in the railways sector.

I. — CHARACTER OF THE REGULATIONS

1.
 1. General Draft Convention for the Transport Industry (possibly with special provisions for Rail Transport); or Special Draft Convention for Rail Transport.
 2. Application of the international regulations to all undertakings engaged in rail transport open to public traffic.

II. — SCOPE

§ 1. — SCOPE AS REGARDS UNDERTAKINGS

3. Application of the international regulations to all departments of the undertakings covered.
4. Exclusion from the international regulations of:
 - (a) work on the initial construction of permanent way and buildings;
 - (b) central and regional administrative departments;
 - (c) main workshops;
 - (d) electrical generating stations and gasworks;
 - (e) goods handling operations carried out by auxiliary undertakings;
 - (f) refreshment rooms, bars, and hotels;
 - (g) (g) station bookstalls, lavatories, sick-rooms, etc.;
 - (h) (h) shipping services by sea or inland waterway;
 - (i) other subsidiary departments.

§ 2. — SCOPE AS REGARDS PERSONS

5. Application of the international regulations to the whole staff of the undertakings and departments covered.
6. Possibility of excluding, by national laws or regulations, employees holding positions of management, inspection or supervision, whose duties do not require the establishment of a time-schedule.

III. — LIMITATION OF NORMAL HOURS OF WORK

§ 1. — DEFINITION OF HOURS OF WORK

7. (a) Principle of including a definition of hours of work in the international regulations.
- (b) Adoption of the following definition:

The term "hours of work" means the time during which the person employed is at the disposal of the employer and is not free to dispose of his own time and movements."

§ 2.— GENERAL LIMITATION OF NORMAL WEEKLY HOURS OF WORK

8. General limitation of normal hours of work to forty in the week.

§ 3. — LIMITATION OF NORMAL HOURS OF WORK FOR NECESSARILY CONTINUOUS PROCESSES

9. Principle of including in the international regulations provisions, analogous to those laid down for industry in general, concerning the limitation of normal hours of work to an average of 42 in the week for necessarily continuous processes in main workshops and other accessory establishments such as power stations, gasworks, etc., if the international regulations for rail transport cover such establishments.

§ 4. — SPECIAL LIMITATION OF NORMAL WEEKLY HOURS OF WORK FOR CERTAIN DEPARTMENTS OR GRADES

10. Principle that the competent authority may authorise normal weekly hours of work exceeding 40 in respect of any department or grade when the duties performed are of such a nature as to involve a considerable proportion of light work or of periods of mere attendance.

A. Methods of fixing such Special Limits

11. Principle of including in the international regulations the two principal methods which national regulations prescribe for determination of the special limits:
- (a) Establishment of a system of reduction coefficients for expressing time spent at light work and periods of mere attendance in terms of hours of actual work;
 - (b) Determination of the hours of duty that correspond to the total real duration of an employee's service and are deemed to be equivalent to normal hours of work.

B. First Method: Application of Reduction Coefficients

12. Determination of the departments or grades to which this method of calculating hours of work should be applied:
- (a) by the international regulations: Application in principle to all employees whose activity depends
 - (a) on traffic or on the demands of the public and whose service includes light work or periods of mere attendance, e.g. employees of the travelling, station, depot, signalling, level-crossing, and
 - (b) electricity departments.
 - (c) {b) by national regulations, after consultation of the parties concerned.
13. Determination of the reduction coefficients:
- (a) by the international regulations: For example:
 - i. Light work: Time spent travelling passenger, if the employee has no duties to perform; to count as actual work for 50 per cent. of its actual duration.
Time spent attending engines under steam; to count as actual work for 50 per cent, of its duration.
 - ii. Periods of mere attendance: Time spent in reserve at the station or depot, if the employee has no duties to perform; to count as actual work for 50 per cent, of its duration.
Time spent waiting; to count as actual work for 50 per cent. of its duration, excepting periods of less than 15 minutes.
Time spent at home available for duty; to count as actual work for 30 per cent, of its duration.
 - (b) by national regulations, after consultation of the parties concerned.

C. Second Method: Limitation of Hours of Duty

14. Determination of the departments or grades for which special limits may be fixed, and determination of such limits:
- (a) by the international regulations: for example:
 - (i) enginemmen of stationary pump engines: 46 hours a week;

- (ii) employees at halts and very small stations: 56 hours a week;
 - (iii) employees of automatic electrical substations: 60 hours a week, if the employee is housed in the immediate neighbourhood;
 - (iv) signalmen not housed: 48 hours a week;
 - (v) signalmen housed: according to the number of trains handled, with a maximum of 60 hours a week;
 - (vi) crossing keepers not housed: 48 hours a week;
 - (vii) crossing keepers housed: according to the number of gate operations needed for the passage of trains or by users of the crossing, with a maximum of 72 hours a week;
 - (viii) caretakers housed, provided their duties include no function not usually performed by caretakers: continuous service, with a weekly rest.
- (b) by national regulations, after consultation of the parties concerned.

§ 5. — CALCULATION OF HOURS OF WORK OR DUTY AS AN AVERAGE OVER A PERIOD LONGER THAN THE WEEK

15. (a) Possibility for the competent authority to make regulations allowing normal hours of work or duty to be calculated as an average over a period longer than the week.
- (b) Obligation on the competent authority, if hours of work or duty are averaged:
- to consult the parties concerned; to make regulations fixing the period over which hours of work may be averaged; to make regulations fixing maximum daily and weekly hours of work or duty for the different departments or grades.

§ 6. — MAKING UP LOST TIME

16. Possibility, in departments in which collective stoppages of work are materially possible, of making up time lost owing to such stoppages caused by:
- (a) accidental circumstances or force majeure;
 - (b) weather conditions;
 - (c) public holidays falling on weekdays.
17. Obligation on the competent authority, after consulting the parties concerned, to define:
- (a) the conditions under which lost time may be made up;
 - (b) the period within which lost time may be made up;
 - (c) the maximum extension of weekly hours permitted.

§ 7. — LIMITATION OF UNBROKEN SPELLS OF WORK

18. Fixing of a maximum limit for hours of uninterrupted work: for example, six hours if the daily turn exceeds eight hours.

§ 8. — SPREAD OF THE WORKING DAY

19. Fixing of the average and maximum spread of the working day, i.e. the number of hours between two consecutive daily rests or between a weekly rest and the daily rest preceding or following it: for example: average spread of ten hours, calculated over the period taken as basis for calculating average hours of work or duty; maximum spread of thirteen or fourteen hours, except in cases where longer hours of duty are provided for.

§ 9. — BREAKS

21. Principle of including in the international regulations provisions concerning breaks—i.e. rostered interruptions in duty during which the employee is free to dispose of his own time and movements. Fixing of:
- (a) the minimum duration for breaks; for example, 45 minutes;
 - (b) the maximum number of breaks: for example, three a day.

§ 10. — NIGHT DUTY

22. Principle of including in the international regulations provisions concerning night duty.
23. Determination of the duty to be considered as night duty: for example, duty all or part of which falls within the period between 12 midnight and 4 a.m.
24. Distribution of night and day duty: for example, in principle, during the period on which the rotation system is based the number of turns of night duty may not be greater than the number of turns of day duty; if this is proved to be impossible, fair distribution of turns of night duty.
25. Fixing of the maximum number of consecutive turns of night duty: for example, 6.

IV. — EXTENSION OF HOURS OF WORK

§ 1. — REGULAR EXTENSIONS

26. Possibility, for the competent authority, to permit extensions of normal hours of work of persons whose activity is not dependent on traffic and is analogous to that of persons employed in industry, commerce, and offices in general:
 - (a) in the case of persons employed in preparatory or complementary work which must necessarily be carried on outside the limits laid down for the general working of the undertaking, department, or shift;
 - (b) in the case of persons employed in essentially intermittent work, such as that of caretakers, night watchmen, doorkeepers, fire services and other staff, which by its nature comprises long periods of inaction, during which the persons concerned have to display neither physical activity nor sustained attention, or remain at their posts only to reply to possible calls;
 - (c) in other cases.
27. Determination of the conditions under which and the limits within which the extensions may be granted by the competent authority, after consultation of the parties concerned. (These provisions would lapse if the scope of the international regulations were to be limited to departments or grades the activity of which is dependent on traffic.)

§ 2. — EXTENSIONS ON ACCOUNT OF ACCIDENTAL CIRCUMSTANCES

28. Possibility of exceeding the limits laid down for normal hours of work:
 - (a) in the case of accidents, or of urgent work with a view to preventing or repairing accidents or organising rescue work;
 - (b) in case of bad weather;
 - (c) when it is impossible to arrange reliefs;
 - (d) in case of delays caused by the above-mentioned or other circumstances.
29. Limitation of extensions to the time needed to perform indispensable work or permit resumption of traffic.

§ 3. — EXTENSIONS DUE TO SHORTAGE OF SKILLED LABOUR

30. Possibility for the competent authority to permit extensions of normal hours of work in case of proven lack of skilled labour.
31. Determination of the conditions under which and the limits within which the extensions may be permitted by the competent authority after consultation of the parties concerned.

§ 4. — OVERTIME WITH INCREASED REMUNERATION

32. Possibility of introducing overtime on condition that increased rates are paid.
33. Limitation by the international regulations of the maximum annual allowance of overtime:
 - (a) for persons whose hours of work or duty are fixed by national regulations as an average calculated over a period longer than the week: for example, to 75 hours;

- (b) for persons whose hours of work or duty are fixed by national regulations on the basis of a period not exceeding the week: for example, to 150 hours.

- 34. Fixing of the overtime allowance by the competent authority after consultation of the parties concerned.
- 35. Fixing by the international regulations of the minimum rate of increased pay for overtime: for example, at time and a quarter.

V. — THE DAILY REST

- 36. Principle of an uninterrupted daily rest in every period of 24 hours for all employees excepting those whose duty is continuous, with the reservation that a weekly rest must be allowed (Point 14 (a) (viii)).
- 37. Fixing of the minimum length of the uninterrupted daily rest: for example, at ten or eleven hours, except for cases in which an extension of the normal spread of the working day is authorised (Point 19).
- 38. Special provisions relating to the staffs of travelling departments:
 - (a) fixing of a shorter period for the daily rest when this is spent away from home;
 - (b) fixing of the ratio of rests which may be spent away from home to the total number of rests: for example, ratio of 1 to 2.

VI. — GRADUAL APPLICATION OF THE REGULATIONS

- 39. Principle of reducing hours of work by stages.
- 40. Determination of the maximum length of the transitional period: for example, three years.
- 41. Determination of the general limit of normal hours of work during the transitional period at, for example, 44 hours per week.
- 42. Possibility for the competent authority to authorise during the transitional period after consultation with the organisations of employers and workers concerned, where such exist, special limits of normal weekly hours of work in excess of those indicated in Points 9 and 14.

VII. — SPECIAL PROVISIONS FOR CERTAIN COUNTRIES

- 43. Possibility of exempting from the application of the international regulations, in the case of certain countries, the areas in respect of which, by reason of the sparseness of their population or the stage of their economic development, it is impracticable to create the administrative organisation necessary to secure effective enforcement of the proposed regulations.
- 44. Possibility for the international regulations to authorise limits of normal hours of work in excess of those laid down in the international regulations (Points 8 to 14), in the case of certain countries:
 - (a) determination of the general limits of normal hours of work corresponding to those indicated in Points 8 and 9 at, for example, 48 per week;
 - (b) provision that the competent authority may, after consultation with the organisations of employers and workers concerned, where such exist, authorise special limits of normal weekly hours of work corresponding to those indicated in Point 14.

VIII. — SUSPENSION OF THE APPLICATION OF THE REGULATIONS

- 45. Principle of suspension:
 - (a) in case of necessity for meeting the requirements of national safety;
 - (b) in case of necessity for ensuring the working of a service of public utility;
 - (c) in case of necessity for protecting the national economic system.
- 46. Obligation to notify the International Labour Office immediately of the suspension of the regulations, with an indication of the reasons which have led to it.

IX. — SUPERVISION OF THE APPLICATION OF THE REGULATIONS

47. Drawing up by the railway administration of time-schedules and rosters to be communicated to the staff and to the supervisory authorities.
48. Issue, by the railway administration, of a control card or chart to members of the staff whose hours of work cannot be specified by means of a time-schedule.
49. Keeping by the railway administration of a register, or of an individual card or chart for each worker, showing the hours worked outside the normal time-table.

X. — SAFEGUARDING CLAUSE

50. Inclusion in the regulations of a safeguarding clause providing that, in accordance with Article 19, paragraph 11, of the Constitution of the International Labour Organisation, nothing in the international regulations shall affect any law, award, custom or agreement between employers and workers which ensures more favourable conditions to the workers than those provided for in such regulations.

XI. — ANNUAL REPORTS

51. Indication in the annual reports presented in execution of Article 22 of the Constitution of the International Labour Organisation of the measures taken for the supervision of the application of the international regulations, in particular:
 - (a) exemptions provided in the scope of the regulations and the conditions under which these exemptions are granted (Point 6);
 - (b) the determination of necessarily continuous work for which a 42-hour week is authorised (Point 9);
 - (c) regulations covering the cases in which average hours of work or duty are calculated over a period exceeding one week (Point 15);
 - (d) the determinations by the competent authority concerning the special limits to normal hours of work (Points 10 to 14);
 - (e) measures taken by the competent authority concerning the conditions under which the making up of lost time is permitted (Point 17);
 - (f) regulations covering the extension of hours of work (Points 26 to 34);
 - (g) any recourse to the special provisions authorising the gradual application of the international regulations (Points 39 to 42); and
 - (h) any recourse to the special provisions for certain countries (Points 43 to 44).

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