

INTERNATIONAL LABOUR ORGANISATION

Convention limiting the hours of work in industrial undertakings to eight in the day and forty-eight in the week, adopted by the General Conference of the International Labour Organisation at its first session, Washington, 28 November 1919, as modified by the Final Articles Revision Convention, 1946

English and French official texts communicated by the Director-General of the International Labour Office. The registration took place on 15 September 1949.

ORGANISATION INTERNATIONALE DU TRAVAIL

Convention tendant à limiter à huit heures par jour et quarante-huit heures par semaine le nombre des heures de travail dans les établissements industriels, adoptée par la Conférence générale de l'Organisation internationale du Travail à sa première session, Washington, 28 novembre 1919, telle qu'elle a été modifiée par la Convention portant revision des articles finals, 1946

Textes officiels anglais et français communiqués par le Directeur général de l'Organisation internationale du Travail. L'enregistrement a eu lieu le 15 septembre 1949.

No. 584. CONVENTION¹ LIMITING THE HOURS OF WORK
IN INDUSTRIAL UNDERTAKINGS TO EIGHT IN THE
DAY AND FORTY-EIGHT IN THE WEEK, AS MODI-
FIED BY THE FINAL ARTICLES REVISION CONVEN-
TION, 1946²

The General Conference of the International Labour Organisation,
Having been convened at Washington by the Government of the
United States of America on the 29th day of October 1919, and
Having decided upon the adoption of certain proposals with regard to
the "application of the principle of the 8-hours day or of the
48-hours week", which is the first item in the agenda for the
Washington meeting of the Conference, and
Having determined that these proposals shall take the form of an
international Convention,

adopts the following Convention, which may be cited as the Hours of Work
(Industry) Convention, 1919, for ratification by the Members of the Inter-
national Labour Organisation, in accordance with the provisions of the
Constitution of the International Labour Organisation :

Article 1

1. For the purpose of this Convention, the term "industrial under-
taking" includes particularly—

- (a) mines, quarries, and other works for the extraction of minerals from
the earth;
- (b) industries in which articles are manufactured, altered, cleaned, repaired,
ornamented, finished, adapted for sale, broken up or demolished, or in
which materials are transformed; including shipbuilding and the gene-
ration, transformation, and transmission of electricity or motive power
of any kind;
- (c) construction, reconstruction, maintenance, repair, alteration, or demo-
lition of any building, railway, tramway, harbour, dock, pier, canal,

¹ For the date of entry into force of the Convention and the list of ratifications
see Certified Statement on page 36.

² See page 3.

inland waterway, road, tunnel, bridge, viaduct, sewer, drain, well, telegraphic or telephonic installation, electrical undertaking, gas work, waterwork or other work of construction, as well as the preparation for or laying the foundations of any such work or structure;

- (d) transport of passengers or goods by road, rail, sea or inland waterway, including the handling of goods at docks, quays, wharves or warehouses, but excluding transport by hand.

2. The provisions relative to transport by sea and on inland waterways shall be determined by a special conference dealing with employment at sea and on inland waterways.

3. The competent authority in each country shall define the line of division which separates industry from commerce and agriculture.

Article 2

The working hours of persons employed in any public or private industrial undertaking or in any branch thereof, other than an undertaking in which only members of the same family are employed, shall not exceed eight in the day and forty-eight in the week, with the exceptions hereinafter provided for :

- (a) the provisions of this Convention shall not apply to persons holding positions of supervision or management, nor to persons employed in a confidential capacity;
- (b) where by law, custom, or agreement between employers' and workers' organisations, or, where no such organisations exist, between employers' and workers' representatives, the hours of work on one or more days of the week are less than eight, the limit of eight hours may be exceeded on the remaining days of the week by the sanction of the competent public authority, or by agreement between such organisations or representatives; provided, however, that in no case under the provisions of this paragraph shall the daily limit of eight hours be exceeded by more than one hour;
- (c) where persons are employed in shifts it shall be permissible to employ persons in excess of eight hours in any one day and forty-eight hours in any one week, if the average number of hours over a period of three weeks or less does not exceed eight per day and forty-eight per week.

Article 3

The limit of hours of work prescribed in Article 2 may be exceeded in case of accident, actual or threatened, or in case of urgent work to be done to machinery or plant, or in case of "force majeure", but only so far as may be necessary to avoid serious interference with the ordinary working of the undertaking.

Article 4

The limit of hours of work prescribed in Article 2 may also be exceeded in those processes which are required by reason of the nature of the process to be carried on continuously by a succession of shifts, subject to the condition that the working hours shall not exceed fifty-six in the week on the average. Such regulation of the hours of work shall in no case affect any rest days which may be secured by the national law to the workers in such processes in compensation for the weekly rest day.

Article 5

1. In exceptional cases where it is recognized that the provisions of Article 2 cannot be applied, but only in such cases, agreements between workers' and employers' organisations concerning the daily limit of work over a longer period of time may be given the force of regulations, if the Government, to which these agreements shall be submitted, so decides.

2. The average number of hours worked per week, over the number of weeks covered by any such agreement, shall not exceed forty-eight.

Article 6

1. Regulations made by public authority shall determine for industrial undertakings—

- (a) the permanent exceptions that may be allowed in preparatory or complementary work which must necessarily be carried on outside the limits laid down for the general working of an establishment, or for certain classes of workers whose work is essentially intermittent;
- (b) the temporary exceptions that may be allowed, so that establishments may deal with exceptional cases of pressure of work.

2. These regulations shall be made only after consultation with the organisations of employers and workers concerned, if any such organisations exist. These regulations shall fix the maximum of additional hours in each instance, and the rate of pay for overtime shall not be less than one and one-quarter times the regular rate.

Article 7

1. Each Government shall communicate to the International Labour Office—

- (a) a list of the processes which are classed as being necessarily continuous in character under Article 4;
- (b) full information as to working of the agreements mentioned in Article 5; and
- (c) full information concerning the regulations made under Article 6 and their application.

2. The International Labour Office shall make an annual report thereon to the General Conference of the International Labour Organisation.

Article 8

1. In order to facilitate the enforcement of the provisions of this Convention, every employer shall be required—

- (a) to notify by means of the posting of notices in conspicuous places in the works or other suitable place, or by such other method as may be approved by the Government, the hours at which work begins and ends, and where work is carried on by shifts, the hours at which each shift begins and ends; these hours shall be so fixed that the duration of the work shall not exceed the limits prescribed by this Convention, and when so notified they shall not be changed except with such notice and in such manner as may be approved by the Government;
- (b) to notify in the same way such rest intervals accorded during the period of work as are not reckoned as part of the working hours;
- (c) to keep a record in the form prescribed by law or regulation in each country of all additional hours worked in pursuance of Articles 3 and 6 of this Convention.

2. It shall be made an offence against the law to employ any person outside the hours fixed in accordance with paragraph (a), or during the intervals fixed in accordance with paragraph (b).