

No. 586

INTERNATIONAL LABOUR ORGANISATION

Convention concerning the employment of women before and after childbirth, adopted by the General Conference of the International Labour Organisation at its first session, Washington, 29 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 concernant l'emploi des femmes avant et après l'accouchement, adoptée par la Conférence générale de l'Organisation internationale du Travail à sa première session, Washington, 29 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. 586. CONVENTION¹ CONCERNING THE UNEMPLOYMENT OF WOMEN BEFORE AND AFTER CHILD-BIRTH, AS MODIFIED BY THE FINAL ARTICLES REVISION CONVENTION, 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 "women's employment, before and after childbirth, including the question of maternity benefit", which is part of the third 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 Maternity Protection Convention, 1919, for ratification by the Members of the International 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 undertaking" 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 generation, transformation, and transmission of electricity or motive power of any kind;
- (c) construction, reconstruction, maintenance, repair, alteration, or demolition 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 64.

² See page 3.

inland waterway, road, tunnel, bridge, viaduct, sewer, drain, well, telegraphic or telephonic installation, electrical undertaking, gas work, water work, or other work of construction, as well as the preparation for or laying the foundation 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, and warehouses, but excluding transport by hand.

2. For the purpose of this Convention, the term "commercial undertaking" includes any place where articles are sold or where commerce is carried on.

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

Article 2

For the purpose of this Convention, the term "woman" signifies any female person, irrespective of age or nationality, whether married or unmarried, and the term "child" signifies any child whether legitimate or illegitimate.

Article 3

In any public or private industrial or commercial undertaking, or in any branch thereof, other than an undertaking in which only members of the same family are employed, a woman—

- (a) shall not be permitted to work during the six weeks following her confinement;
- (b) shall have the right to leave her work if she produces a medical certificate stating that her confinement will probably take place within six weeks;
- (c) shall, while she is absent from her work in pursuance of paragraphs (a) and (b), be paid benefits sufficient for the full and healthy maintenance of herself and her child, provided either out of public funds or by means of a system of insurance, the exact amount of which shall be determined by the competent authority in each country, and as an additional benefit shall be entitled to free attendance by a doctor or certified midwife; no mistake of the medical adviser in estimating the date of confinement