

INTERNATIONAL LABOUR ORGANISATION

Convention concerning employment of women during the night (revised 1934) adopted by the General Conference of the International Labour Organisation at its eighteenth session, Geneva, 19 June 1934, 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 le travail de nuit des femmes (révisée en 1934) adoptée par la Conférence générale de l'Organisation internationale du Travail à sa dix-huitième session, Genève, 19 juin 1934, telle qu'elle a été modifiée par la Convention portant révision 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. 628. CONVENTION¹ CONCERNING EMPLOYMENT OF WOMEN DURING THE NIGHT (REVISED 1934), AS MODIFIED BY THE FINAL ARTICLES REVISION CONVENTION, 1946²

The General Conference of the International Labour Organisation,
Having been convened at Geneva by the Governing Body of the
International Labour Office, and having met in its Eighteenth
Session on 4 June 1934, and

Having decided upon the adoption of certain proposals with regard
to the partial revision of the Convention concerning employment
of women during the night adopted by the Conference at its First
Session, which is the seventh item on the agenda of the Session, and

Considering that these proposals must take the form of an international
Convention,

adopts this nineteenth day of June of the year one thousand nine hundred
and thirty-four the following Convention, which may be cited as the Night
Work (Women) Convention (Revised), 1934 :

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 demo-
lition of any building, railway, tramway, harbour, dock, pier, canal,
inland waterway, road, tunnel, bridge, viaduct, sewer, drain, well,
telegraphic or telephonic installation, electrical undertaking, gas work,

¹ For the date of entry into force of the Convention and the list of ratifications
see Certified Statement on page 14.

² United Nations, *Treaty Series*, Volume 38, page 3.

water work, or other work of construction, as well as the preparation for or laying the foundations of any such work or structure.

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

Article 2

1. For the purpose of this Convention, the term "night" signifies a period of at least eleven consecutive hours, including the interval between ten o'clock in the evening and five o'clock in the morning.

2. Provided that, where there are exceptional circumstances affecting the workers employed in a particular industry or area, the competent authority may, after consultation with the employers' and workers' organisations concerned, decide that in the case of women employed in that industry or area, the interval between eleven o'clock in the evening and six o'clock in the morning may be substituted for the interval between ten o'clock in the evening and five o'clock in the morning.

3. In those countries where no Government regulation as yet applies to the employment of women in industrial undertakings during the night, the term "night" may provisionally, and for a maximum period of three years, be declared by the Government to signify a period of only ten hours, including the interval between ten o'clock in the evening and five o'clock in the morning.

Article 3

Women without distinction of age shall not be employed during the night 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.

Article 4

Article 3 shall not apply—

- (a) in cases of *force majeure*, when in any undertaking there occurs an interruption of work which it was impossible to foresee, and which is not of a recurring character;
- (b) in cases where the work has to do with raw materials or materials in course of treatment which are subject to rapid deterioration, when such night work is necessary to preserve the said materials from certain loss.

Article 5

In India and Siam, the application of Article 3 of this Convention may be suspended by the Government in respect to any industrial undertaking, except factories as defined by the national law. Notice of every such suspension shall be filed with the International Labour Office.

Article 6

In industrial undertakings which are influenced by the seasons and in all cases where exceptional circumstances demand it, the night period may be reduced to ten hours on sixty days of the year.

Article 7

In countries where the climate renders work by day particularly trying to the health, the night period may be shorter than prescribed in the above articles, provided that compensatory rest is accorded during the day.

Article 8

This Convention does not apply to women holding responsible positions of management who are not ordinarily engaged in manual work.

Article 9

The formal ratifications of this Convention shall be communicated to the Director-General of the International Labour Office for registration.

Article 10

1. This Convention shall be binding only upon those Members of the International Labour Organisation whose ratifications have been registered with the Director-General.

2. It shall come into force twelve months after the date on which the ratifications of two Members have been registered with the Director-General.

3. Thereafter, this Convention shall come into force for any Member twelve months after the date on which its ratification has been registered.