

INTERNATIONAL LABOUR ORGANISATION

Convention ensuring benefit or allowances to the involuntarily unemployed, adopted by the General Conference of the International Labour Organisation at its eighteenth session, Geneva, 23 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 assurant aux chômeurs involontaires des indemnités ou des allocations, adoptée par la Conférence générale de l'Organisation internationale du Travail à sa dix-huitième session, Genève, 23 juin 1934, 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. 626. CONVENTION¹ ENSURING BENEFIT OR ALLOWANCES TO THE INVOLUNTARILY UNEMPLOYED, 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 unemployment insurance and various forms of relief for the unemployed, which is the second item on the agenda of the Session, and

Having determined that these proposals shall take the form of an international Convention,

adopts this twenty-third day of June of the year one thousand nine hundred and thirty-four the following Convention, which may be cited as the Unemployment Provision Convention, 1934 :

Article 1

1. Each Member of the International Labour Organisation which ratifies this Convention undertakes to maintain a scheme ensuring to persons who are involuntarily unemployed and to whom this Convention applies—

- (a) benefit, by which is meant a payment related to contributions paid in respect of the beneficiary's employment whether under a compulsory or a voluntary scheme; or
- (b) an allowance, by which is meant provision being neither benefit nor a grant under the ordinary arrangements for the relief of destitution, but which may be remuneration for employment on relief works organised in accordance with the conditions laid down in Article 9; or
- (c) a combination of benefit and an allowance.

2. Subject to this scheme ensuring to all persons to whom this Convention applies the benefit or allowance required by paragraph 1, the scheme may be—

- (a) a compulsory insurance scheme;

¹ For the date of entry into force of the Convention and the list of ratifications see Certified Statement on page 70.

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

- (b) a voluntary insurance scheme;
- (c) a combination of compulsory and voluntary insurance schemes; or
- (d) any of the above alternatives combined with a complementary assistance scheme.

3. The conditions under which unemployed persons shall pass from benefit to allowances, if the occasion arises, shall be determined by national laws or regulations.

Article 2

1. This Convention applies to all persons habitually employed for wages or salary.

2. Provided that any Member may in its national laws or regulations make such exceptions as it deems necessary in respect of—

- (a) persons employed in domestic service;
- (b) homeworkers;
- (c) workers whose employment is of a permanent character in the service of the government, a local authority or a public utility undertaking;
- (d) non-manual workers whose earnings are considered by the competent authority to be sufficiently high for them to ensure their own protection against the risk of unemployment;
- (e) workers whose employment is of a seasonal character, if the season is normally of less than six months' duration and they are not ordinarily employed during the remainder of the year in other employment covered by this Convention;
- (f) young workers under a prescribed age;
- (g) workers who exceed a prescribed age and are in receipt of a retiring or old-age pension;
- (h) persons engaged only occasionally or subsidiarily in employment covered by this Convention;
- (i) members of the employer's family;
- (j) exceptional classes of workers in whose cases there are special features which make it unnecessary or impracticable to apply to them the provisions of this Convention.

3. Members shall state in the annual reports submitted by them upon the application of this Convention the exceptions which they have made under the foregoing paragraph.

4. This Convention does not apply to seamen, sea fishermen, or agricultural workers as these categories may be defined by national laws or regulations.

Article 3

In cases of partial unemployment, benefit or an allowance shall be payable to unemployed persons whose employment has been reduced in a way to be determined by national laws or regulations.

Article 4

The right to receive benefit or an allowance may be made subject to compliance by the claimant with the following conditions :

- (a) that he is capable of and available for work;
- (b) that he has registered at a public employment exchange or at some other office approved by the competent authority and, subject to such exceptions and conditions as may be prescribed by national laws or regulations, attends there regularly; and
- (c) that he complies with such other requirements as may be prescribed by national laws or regulations for the purpose of showing whether he fulfils the conditions for the receipt of benefit or an allowance.

Article 5

The right to receive benefit or an allowance may be made subject to other conditions and disqualifications, in particular those provided for in Articles 6, 7, 8, 9, 10, 11 and 12. Any conditions or disqualifications other than those provided for in the said Articles shall be indicated in the annual reports submitted by Members upon the application of this Convention.

Article 6

The right to receive benefit or an allowance may be made conditional upon the completion of a qualifying period, involving—

- (a) the payment of a prescribed number of contributions within a prescribed period preceding the claim to benefit or preceding the commencement of the period of unemployment;
- (b) employment covered by this Convention for a prescribed period preceding the claim to benefit or an allowance or preceding the commencement of a period of unemployment; or
- (c) a combination of the above alternatives.

Article 7

The right to receive benefit or an allowance may be made conditional upon the completion of a waiting period the duration and conditions of application of which shall be prescribed by national laws or regulations.