

No. 898

INTERNATIONAL LABOUR ORGANISATION

Convention (No. 88) concerning the organization of the employment service. Adopted by the General Conference of the International Labour Organisation at its thirty-first session, San Francisco, 9 July 1948

Official texts : English and French.

Registered by the International Labour Organisation on 22 August 1950.

ORGANISATION INTERNATIONALE DU TRAVAIL

Convention (n° 88) concernant l'organisation du service de l'emploi. Adoptée par la Conférence générale de l'Organisation internationale du Travail à sa trente et unième session, San-Francisco, le 9 juillet 1948

Textes officiels français et anglais.

Enregistrée par l'Organisation internationale du Travail le 22 août 1950.

No. 898. CONVENTION¹ (No. 88) CONCERNING THE ORGANIZATION OF THE EMPLOYMENT SERVICE. ADOPTED BY THE GENERAL CONFERENCE OF THE INTERNATIONAL LABOUR ORGANISATION AT ITS THIRTY-FIRST SESSION, SAN FRANCISCO, 9 JULY 1948

The General Conference of the International Labour Organisation, Having been convened at San Francisco by the Governing Body of the International Labour Office, and having met in its Thirty-first Session on 17 June 1948, and

Having decided upon the adoption of certain proposals concerning the organisation of the employment service, which is included in the fourth item on the agenda of the session, and

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

adopts this ninth day of July of the year one thousand nine hundred and forty-eight the following Convention, which may be cited as the Employment Service Convention, 1948 :

Article 1

1. Each Member of the International Labour Organisation for which this Convention is in force shall maintain or ensure the maintenance of a free public employment service.

¹ In accordance with article 16, the Convention came into force on 10 August 1950, twelve months after the date on which the ratifications of two members of the International Labour Organisation, i.e. Norway and the United Kingdom of Great Britain and Northern Ireland, had been registered with the Director-General of the International Labour Office. Thereafter the Convention comes into force for any member twelve months after the date on which its ratification has been so registered.

The ratifications by the following States have to date been registered with the Director-General of the International Labour Office on the dates indicated :

Australia	24 December 1949
Bulgaria	29 December 1949
Czechoslovakia	12 June 1950
Netherlands	7 March 1950
New Zealand	3 December 1949

The letter accompanying the instrument of ratification states that the Convention does not apply to the Cook Islands—including Niue—or to the Tokelau Islands. It further states that the Convention deals with questions which are within the competence of the authorities of the Trust Territory of Western Samoa.

Norway	4 July 1949
Sweden	25 November 1949
Turkey	18 July 1950
United Kingdom	10 August 1949

2. The essential duty of the employment service shall be to ensure, in co-operation where necessary with other public and private bodies concerned, the best possible organisation of the employment market as an integral part of the national programme for the achievement and maintenance of full employment and the development and use of productive resources.

Article 2

The employment service shall consist of a national system of employment offices under the direction of a national authority.

Article 3

1. The system shall comprise a network of local and, where appropriate, regional offices, sufficient in number to serve each geographical area of the country and conveniently located for employers and workers.

2. The organisation of the network shall—

(a) be reviewed—

- (i) whenever significant changes occur in the distribution of economic activity and of the working population, and
- (ii) whenever the competent authority considers a review desirable to assess the experience gained during a period of experimental operation, and

(b) be revised whenever such review shows revision to be necessary.

Article 4

1. Suitable arrangements shall be made through advisory committees for the co-operation of representatives of employers and workers in the organisation and operation of the employment service and in the development of employment service policy.

2. These arrangements shall provide for one or more national advisory committees and where necessary for regional and local committees.

3. The representatives of employers and workers on these committees shall be appointed in equal numbers after consultation with representative organisations of employers and workers, where such organisations exist.

Article 5

The general policy of the employment service in regard to referral of workers to available employment shall be developed after consultation of representatives of employers and workers through the advisory committees provided for in Article 4.

Article 6

The employment service shall be so organised as to ensure effective recruitment and placement, and for this purpose shall—

- (a) assist workers to find suitable employment and assist employers to find suitable workers, and more particularly shall, in accordance with rules framed on a national basis—
 - (i) register applicants for employment, take note of their occupational qualifications, experience and desires, interview them for employment, evaluate if necessary their physical and vocational capacity, and assist them where appropriate to obtain vocational guidance or vocational training or retraining,
 - (ii) obtain from employers precise information on vacancies notified by them to the service and the requirements to be met by the workers whom they are seeking,
 - (iii) refer to available employment applicants with suitable skills and physical capacity,
 - (iv) refer applicants and vacancies from one employment office to another, in cases in which the applicants cannot be suitably placed or the vacancies suitably filled by the original office or in which other circumstances warrant such action;
- (b) take appropriate measures to—
 - (i) facilitate occupational mobility with a view to adjusting the supply of labour to employment opportunities in the various occupations,
 - (ii) facilitate geographical mobility with a view to assisting the movement of workers to areas with suitable employment opportunities,
 - (iii) facilitate temporary transfers of workers from one area to another as a means of meeting temporary local maladjustments in the supply of or the demand for workers,
 - (iv) facilitate any movement of workers from one country to another which may have been approved by the governments concerned;

- (c) collect and analyse, in co-operation where appropriate with other authorities and with management and trade unions, the fullest available information on the situation of the employment market and its probable evolution, both in the country as a whole and in the different industries, occupations and areas, and make such information available systematically and promptly to the public authorities, the employers' and workers' organisations concerned, and the general public;
- (d) co-operate in the administration of unemployment insurance and assistance and of other measures for the relief of the unemployed; and
- (e) assist, as necessary, other public and private bodies in social and economic planning calculated to ensure a favourable employment situation.

Article 7

Measures shall be taken—

- (a) to facilitate within the various employment offices specialisation by occupations and by industries, such as agriculture and any other branch of activity in which such specialisation may be useful; and
- (b) to meet adequately the needs of particular categories of applicants for employment, such as disabled persons.

Article 8

Special arrangements for juveniles shall be initiated and developed within the framework of the employment and vocational guidance services.

Article 9

1. The staff of the employment service shall be composed of public officials whose status and conditions of service are such that they are independent of changes of government and of improper external influences and, subject to the needs of the service, are assured of stability of employment.

2. Subject to any conditions for recruitment to the public service which may be prescribed by national laws or regulations, the staff of the employment service shall be recruited with sole regard to their qualifications for the performance of their duties.

3. The means of ascertaining such qualifications shall be determined by the competent authority.

4. The staff of the employment service shall be adequately trained for the performance of their duties.