```
C110 Plantations Convention, 1958
Description: Convention concerning Conditions of Employment of Plantation Workers (Note:
               Date of coming into force: 22:01:1960.)
                                                          Convention:C110
                                                          Place:Geneva
                                                          Session of the Conference:42
                                                          Date of adoption:24:06:1958
                                                          Subject classification: Plantation Workers
                                                          Subject: Specific Categories of Workers
                                                          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 Forty-second Session on 4 June 1958, and
                                                          Having considered the question of conditions of employment of plantation workers, which is
                                                          the fifth item on the agenda of the session, and
                                                          Having decided that, as an exceptional measure, in order to expedite the application to
                                                          plantations of certain provisions of existing Conventions, pending the more general ratification
                                                          of these Conventions and the application of their provisions to all persons within their scope.
                                                          and to provide for the application to plantations of certain Conventions not at present
                                                          applicable thereto, it is desirable to adopt an instrument for these purposes, and
                                                          Having determined that this instrument shall take the form of an international Convention,
                                                          adopts this twenty-fourth day of June of the year one thousand nine hundred and fifty-eight
                                                          the following Convention, which may be cited as the Plantations Convention, 1958:
                                                          PART I. GENERAL PROVISIONS
                                                          Article 1
                                                          1. For the purpose of this Convention, the term plantation includes any agricultural
                                                          undertaking regularly employing hired workers which is situated in the tropical or subtropical
                                                          regions and which is mainly concerned with the cultivation or production for commercial
                                                          purposes of coffee, tea, sugarcane, rubber, bananas, cocoa, coconuts, groundnuts, cotton.
                                                          tobacco, fibres (sisal, jute and hemp), citrus, palm oil, cinchona or pineapple
                                                          2. Each Member for which this Convention is in force may, after consultation with the most
                                                          representative organisations of employers and workers concerned, where such exist, make
                                                          the Convention applicable to other plantations by--
                                                          (a) adding to the list of crops referred to in paragraph 1 of this Article any one or more of the
                                                          following crops: rice, chicory, cardamom, geranium and pyrethrum, or any other crop
                                                          (b) adding to the plantations covered by paragraph 1 of this Article classes of undertakings not
                                                          referred to therein which, by national law or practice, are classified as plantations
                                                          and shall indicate the action taken in its annual reports upon the application of the Convention
                                                          submitted under article 22 of the Constitution of the International Labour Organisation.
                                                          3. For the purpose of this Article the term plantation shall ordinarily include services carrying
                                                          out the primary processing of the product or products of the plantation.
                                                          Article 2
                                                          Each Member which ratifies this Convention undertakes to apply its provisions equally to all
                                                          plantation workers without distinction as to race, colour, sex, religion, political opinion,
                                                          nationality, social origin, tribe or trade union membership.
                                                          Article 3
                                                          1. Each Member for which this Convention is in force--
                                                          (a) shall comply with--
                                                          (i) Part I
                                                          (ii) Parts IV. IX and XI
                                                          (iii) at least two of Parts II, III, V, VI, VII, VIII, X, XII and XIII
                                                          (iv) Part XIV
                                                          (b) shall, if it has excluded one or more Parts from its acceptance of the obligations of the
                                                          Convention, specify, in a declaration appended to its ratification, the Part or Parts so
                                                          excluded.
                                                          2. Each Member which has made a declaration under paragraph 1 (b) of this Article shall
                                                          indicate in its annual reports submitted under article 22 of the Constitution of the International
                                                          Labour Organisation any progress made towards the application of the excluded Part or Parts.
                                                          3. Each Member which has ratified the Convention, but has excluded any Part or Parts thereof
                                                          under the provisions of the preceding paragraphs, may subsequently notify the Director-
                                                          General of the International Labour Office that it accepts the obligations of the Convention in
                                                          respect of any Part or Parts so excluded
                                                          In accordance with Article 19, paragraph 8, of the Constitution of the International Labour
                                                          Organisation, nothing in this Convention shall affect any law, award, custom or agreement
                                                          which ensures more favourable conditions to the workers concerned than those provided for
                                                          by the Convention.
                                                          PART II. ENGAGEMENT AND RECRUITMENT OF MIGRANT WORKERS
                                                          Article 5
                                                          For the purposes of this Part of this Convention the term recruiting includes all operations
                                                          undertaken with the object of obtaining or supplying the labour of persons who do not
                                                          spontaneously offer their services at the place of employment or at a public emigration or
                                                          employment office or at an office conducted by an employers' organisation and supervised by
                                                          the competent authority.
                                                          Article 6
                                                          The recruiting of the head of a family shall not be deemed to involve the recruiting of any
                                                          member of his family.
                                                          Article 7
                                                          No person or association shall engage in professional recruiting unless the said person or
                                                          association has been licensed by the competent authority and is recruiting workers for a
                                                          public department or for one or more specific employers or organisations of employers.
                                                          Article 8
                                                          Employers, employers' agents, organisations of employers, organisations subsidised by
                                                          employers, and the agents of organisations of employers and of organisations subsidised by
                                                          employers shall only engage in recruiting if licensed by the competent authority.
                                                          Article 9
                                                          1. Recruited workers shall be brought before a public officer, who shall satisfy himself that the
                                                          law and regulations concerning recruiting have been observed and, in particular, that the
                                                          workers have not been subjected to illegal pressure or recruited by misrepresentation or
                                                          mistake.
                                                          2. Recruited workers shall be brought before such an officer as near as may be convenient to
                                                          the place of recruiting or, in the case of workers recruited in one territory for employment in a
                                                          territory under a different administration, at latest at the place of departure from the territory of
                                                          recruiting.
                                                          Article 10
                                                          Where the circumstances make the adoption of such a provision practicable and necessary,
                                                          the competent authority shall require the issue to each recruited worker who is not engaged at
                                                          or near the place of recruiting of a document in writing such as a memorandum of information,
                                                          a work book or a provisional contract containing such particulars as the authority may
                                                          prescribe, as for example particulars of the identity of the workers, the prospective conditions
                                                          of employment, and any advances of wages made to the workers.
                                                          Article 11
                                                          1. Every recruited worker shall be medically examined.
                                                          2. Where the worker has been recruited for employment at a distance from the place of
                                                          recruiting, or has been recruited in one territory for employment in a territory under a different
                                                          administration, the medical examination shall take place as near as may be convenient to the
                                                          place of recruiting or, in the case of workers recruited in one territory for employment in a
                                                          territory under a different administration, at latest at the place of departure from the territory of
                                                          recruiting.
                                                          3. The competent authority may empower public officers before whom workers are brought in
                                                          pursuance of Article 9 to authorise the departure prior to medical examination of workers in
                                                          whose case they are satisfied--
                                                          (a) that it was and is impossible for the medical examination to take place near to the place of
                                                          recruiting or at the place of departure
                                                          (b) that the worker is fit for the journey and the prospective employment
                                                          4. The competent authority may, particularly when the journey of the recruited workers is of
                                                          such duration and takes place under such conditions that the health of the workers is likely to
                                                          be affected, require recruited workers to be examined both before departure and after arrival
                                                          at the place of employment.
                                                          5. The competent authority shall ensure that all necessary measures are taken for the
                                                          acclimatisation and adaptation of recruited workers and for their immunisation against
                                                          disease.
                                                          Article 12
                                                          1. The recruiter or employer shall whenever possible provide transport to the place of
                                                          employment for recruited workers.
                                                          2. The competent authority shall take all necessary measures to ensure--
                                                          (a) that the vehicles or vessels used for the transport of workers are suitable for such
                                                          transport, are in good sanitary condition and are not overcrowded
                                                          (b) that when it is necessary to break the journey for the night suitable accommodation is
                                                          provided for the workers
                                                          (c) that in the case of long journeys all necessary arrangements are made for medical
                                                          assistance and for the welfare of the workers.
                                                          3. When recruited workers have to make long journeys on foot to the place of employment the
                                                          competent authority shall take all necessary measures to ensure--
                                                          (a) that the length of the daily journey is compatible with the maintenance of the health and
                                                          strength of the workers
                                                          (b) that, where the extent of the movement of labour makes this necessary, rest camps or rest
                                                          houses are provided at suitable points on main routes and are kept in proper sanitary
                                                          condition and have the necessary facilities for medical attention.
                                                          4. When recruited workers have to make long journeys in groups to the place of employment,
                                                          they shall be convoyed by a responsible person.
                                                          Article 13
                                                          1. The expenses of the journey of recruited workers to the place of employment, including all
                                                          expenses incurred for their protection during the journey, shall be borne by the recruiter or
                                                          employer.
                                                          2. The recruiter or employer shall furnish recruited workers with everything necessary for their
                                                          welfare during the journey to the place of employment, including particularly, as local
                                                          circumstances may require, adequate and suitable supplies of food, drinking water, fuel and
                                                          cooking utensils, clothing and blankets.
                                                          Article 14
                                                          Any recruited worker who--
                                                          (a) becomes incapacitated by sickness or accident during the journey to the place of
                                                          employment,
                                                          (b) is found on medical examination to be unfit for employment,
                                                          (c) is not engaged after recruiting for a reason for which he is not responsible, or
                                                          (d) is found by the competent authority to have been recruited by misrepresentation or
                                                          mistake.
                                                          shall be repatriated at the expense of the recruiter or employer.
                                                          Article 15
                                                          Where the families of recruited workers have been authorised to accompany the workers to
                                                          the place of employment the competent authority shall take all necessary measures for
                                                          safeguarding their health and welfare during the journey and more particularly--
                                                          (a) Articles 12 and 13 of this Convention shall apply to such families
                                                          (b) in the event of the worker being repatriated in virtue of Article 14, his family shall also be
                                                          (c) in the event of the death of the worker during the journey to the place of employment, his
                                                          family shall be repatriated.
                                                          Article 16
                                                          The competent authority shall limit the amount which may be paid to recruited workers in
                                                          respect of advances of wages and shall regulate the conditions under which such advances
                                                          may be made.
                                                          Article 17
                                                          1. Each Member for which this Part of this Convention is in force undertakes that it will, so far
                                                          as national laws and regulations permit, take all appropriate steps against misleading
                                                          propaganda relating to emigration and immigration.
                                                          2. For this purpose it will, where appropriate, act in co-operation with other Members
                                                          concerned.
                                                          Article 18
                                                          Measures shall be taken as appropriate by each Member, within its jurisdiction, to facilitate the
                                                          departure, journey and reception of migrants for employment on a plantation.
                                                          Article 19
                                                          Each Member for which this Part of this Convention is in force undertakes to maintain, within
                                                          its jurisdiction, appropriate medical services responsible for--
                                                          (a) ascertaining, where necessary, both at the time of departure and on arrival, that migrants
                                                          for employment on a plantation and the members of their families authorised to accompany or
                                                          join them are in reasonable health
                                                          (b) ensuring that migrants for employment on a plantation and members of their families enjoy
                                                          adequate medical attention and good hygienic conditions at the time of departure, during the
                                                          journey and on arrival in the territory of destination.
                                                          PART III. CONTRACTS OF EMPLOYMENT AND ABOLITION OF PENAL SANCTIONS
                                                          Article 20
                                                          1. The law and/or regulations in force in the territory concerned shall prescribe the maximum
                                                          period of service which may be stipulated or implied in any contract, whether written or oral.
                                                          2. The maximum period of service which may be stipulated or implied in any contract for
                                                          employment not involving a long and expensive journey shall in no case exceed 12 months if
                                                          the workers are not accompanied by their families or two years if the workers are
                                                          accompanied by their families.
                                                          3. The maximum period of service which may be stipulated or implied in any contract for
                                                          employment involving a long and expensive journey shall in no case exceed two years if the
                                                          workers are not accompanied by their families or three years if the workers are accompanied
                                                          by their families.
                                                          4. The competent authority may, after consultation with the employers' and workers'
                                                          organisations representative of the interests concerned, where such exist, exclude from the
                                                          application of this Part of this Convention contracts entered into between employers and non-
                                                          manual workers whose freedom of choice in employment is satisfactorily safeguarded
                                                          Article 21
                                                          The competent authority in each country where there exists any penal sanction for any breach
                                                          of a contract of employment by a plantation worker shall take action for the abolition of all
                                                          such penal sanctions.
                                                          Article 22
                                                          Such action shall provide for the abolition of all such penal sanctions by means of an
                                                          appropriate measure of immediate application.
                                                          Article 23
                                                          For the purpose of this Part of the Convention the term breach of contract means--
                                                          (a) any refusal or failure of the worker to commence or perform the service stipulated in the
                                                          contract
                                                          (b) any neglect of duty or lack of diligence on the part of the worker
                                                          (c) the absence of the worker without permission or valid reason
                                                          (d) the desertion of the worker.
                                                          PART IV. WAGES
                                                          Article 24
                                                          1. The fixing of minimum wages by collective agreements freely negotiated between trade
                                                          unions which are representative of the workers concerned and employers or employers'
                                                          organisations shall be encouraged.
                                                          2. Where no adequate arrangements exist for the fixing of minimum wages by collective
                                                          agreement, the necessary arrangements shall be made whereby minimum rates of wages can
                                                          be fixed, where appropriate by means of national laws or regulations, in consultation with
                                                          representatives of the employers and workers, including representatives of their respective
                                                          organisations, where such exist, such consultation to be on a basis of complete equality.
                                                          3. Minimum rates of wages which have been fixed in accordance with arrangements made in
                                                          pursuance of the preceding paragraph shall be binding on the employers and workers
                                                          concerned so as not to be subject to abatement.
                                                          Article 25
                                                          1. Each Member for which this Convention is in force shall take the necessary measures to
                                                          ensure that the employers and workers concerned are informed of the minimum rates of
                                                          wages in force and that wages are not paid at less than these rates in cases where they are
                                                          applicable
                                                          2. A worker to whom the minimum rates are applicable and who has been paid wages at less
                                                          than these rates shall be entitled to recover, by judicial or other appropriate proceedings, the
                                                          amount by which he has been underpaid, subject to such limitations of time as may be
                                                          determined by national laws or regulations.
                                                          Article 26
                                                          Wages payable in money shall be paid only in legal tender, and payment in the form of
                                                          promissory notes, vouchers or coupons, or in any other form alleged to represent legal tender,
                                                          shall be prohibited.
                                                          Article 27
                                                          1. National laws or regulations, collective agreements or arbitration awards may authorise the
                                                          partial payment of wages in the form of allowances in kind where payment in the form of such
                                                          allowances is customary or desirable
                                                          2. In cases in which partial payment of wages in the form of allowances in kind is authorised,
                                                          appropriate measures shall be taken to ensure that such allowances are appropriate for the
                                                          personal use and benefit of the worker and his family.
                                                          3. Where food, housing, clothing and other essential supplies and services form part of
                                                          remuneration, all practicable steps shall be taken to ensure that they are adequate and their
                                                          cash value properly assessed.
                                                          Article 28
                                                          Wages shall be paid directly to the worker concerned except as may be otherwise provided by
                                                          national laws or regulations, collective agreement or arbitration award or where the worker
                                                          concerned has agreed to the contrary.
                                                          Article 29
                                                          Employers shall be prohibited from limiting in any manner the freedom of the worker to
                                                          dispose of his wages.
                                                          Article 30
                                                          1. Where works stores for the sale of commodities to the workers are established or services
                                                          are operated in connection with an undertaking, the workers concerned shall be free from any
                                                          coercion to make use of such stores or services.
                                                          2. Where access to other stores or services is not possible, the competent authority shall take
                                                          appropriate measures with the object of ensuring that goods are sold and services provided at
                                                          fair and reasonable prices, or that stores established and services operated by the employer
                                                          are not operated for the purpose of securing a profit but for the benefit of the workers
                                                          concerned.
                                                          Article 31
                                                          1. Deductions from wages shall be permitted only under conditions and to the extent
                                                          prescribed by national laws or regulations or fixed by collective agreement or arbitration
                                                          award.
                                                          2. Workers shall be informed, in the manner deemed most appropriate by the competent
                                                          authority, of the conditions under which and the extent to which such deductions may be
                                                          made.
                                                          Article 32
                                                          Any deduction from wages with a view to ensuring a direct or indirect payment for the purpose
                                                          of obtaining or retaining employment, made by a worker to an employer or his representative
                                                          or to any intermediary (such as a labour contractor or recruiter), shall be prohibited.
                                                          Article 33
                                                          1. Wages shall be paid regularly. Except where other appropriate arrangements exist which
                                                          ensure the payment of wages at regular intervals, the intervals for the payment of wages shall
                                                          be prescribed by national laws or regulations or fixed by collective agreement or arbitration
                                                          2. Upon the termination of a contract of employment, a final settlement of all wages due shall
                                                          be effected in accordance with national laws or regulations, collective agreement or arbitration
                                                          award or, in the absence of any applicable law, regulation, agreement or award, within a
                                                          reasonable period of time having regard to the terms of the contract.
                                                          Article 34
                                                          Where necessary, effective measures shall be taken to ensure that workers are informed, in
                                                          an appropriate and easily understandable manner--
                                                          (a) before they enter employment and when any changes take place, of the conditions in
                                                          respect of wages under which they are employed
                                                          (b) at the time of each payment of wages, of the particulars of their wages for the pay period
                                                          concerned, in so far as such particulars may be subject to change.
                                                          Article 35
                                                          The laws or regulations giving effect to the provisions of Articles 26 to 34 of this Convention
                                                          (a) be made available for the information of persons concerned
                                                          (b) define the persons responsible for compliance therewith
                                                          (c) prescribe adequate penalties or other appropriate remedies for any violation thereof
                                                          (d) provide for the maintenance, in all appropriate cases, of adequate records in an approved
                                                          form and manner.
                                                          PART V. ANNUAL HOLIDAYS WITH PAY
                                                          Article 36
                                                          Workers employed on plantations shall be granted an annual holiday with pay after a period of
                                                          continuous service with the same employer.
                                                          Article 37
                                                          1. Each Member for which this Part of this Convention is in force shall be free to decide the
                                                          manner in which provision shall be made for holidays with pay on plantations.
                                                          2. Such provision may be made, where appropriate, by means of collective agreement or by
                                                          entrusting the regulation of holidays with pay on plantations to special bodies.
                                                          3. Wherever the manner in which provision is made for holidays with pay on plantations
                                                          (a) there shall be full preliminary consultation with the most representative organisations of
                                                          employers and workers concerned, where such exist, and with any other persons, specially
                                                          qualified by their trade or functions, whom the competent authority deems it useful to consult
                                                          (b) the employers and workers concerned shall participate in the regulation of holidays with
                                                          pay, or be consulted or have the right to be heard, in such manner and to such extent as may
                                                          be determined by national laws or regulations, but in any case on a basis of complete equality.
                                                          Article 38
                                                          The required minimum period of continuous service and the minimum duration of the annual
                                                          holiday with pay shall be determined by national laws or regulations, collective agreement or
                                                          arbitration award, or by special bodies entrusted with the regulation of holidays with pay on
                                                          plantations, or in any other manner approved by the competent authority.
                                                          Article 39
                                                          Where appropriate, provision shall be made, in accordance with the established procedure for
                                                          the regulation of holidays with pay on plantations, for--
                                                          (a) more favourable treatment for young workers, in cases in which the annual holiday with
                                                          pay granted to adult workers is not considered adequate for young workers
                                                          (b) an increase in the duration of the annual paid holiday with the length of service
                                                          (c) proportionate holidays or payment in lieu thereof, in cases where the period of continuous
                                                          service of a worker is not of sufficient duration to qualify him for an annual holiday with pay but
                                                          exceeds such minimum period as may be determined in accordance with the established
                                                          procedure
                                                          (d) the exclusion from the annual holiday with pay of public and customary holidays and
                                                          weekly rest periods, and, to such extent as may be determined in accordance with the
                                                          established procedure, temporary interruptions of attendance at work due to such causes as
                                                          sickness or accident.
                                                          Article 40
                                                          1. Every person taking a holiday in virtue of this Part of this Convention shall receive, in
                                                          respect of the full period of the holiday, not less than his usual remuneration, or such
                                                          remuneration as may be prescribed in accordance with paragraphs 2 and 3 of this Article.
                                                          2. The remuneration payable in respect of the holiday shall be calculated as prescribed by
                                                          national laws or regulations, collective agreement or arbitration award, or by special bodies
                                                          entrusted with the regulation of holidays with pay on plantations, or in any other manner
                                                          approved by the competent authority.
                                                          3. Where the remuneration of the person taking a holiday includes payments in kind, provision
                                                          may be made for the payment in respect of holidays of the cash equivalent of such payments
                                                          in kind.
                                                          Any agreement to relinquish the right to an annual holiday with pay, or to forgo such a holiday,
                                                          shall be void.
                                                          Article 42
                                                          A person who is dismissed or who has relinquished his employment before he has taken the
                                                          whole or any part of the holiday due to him shall receive in respect of every day of holiday due
                                                          to him in virtue of this Part of this Convention the remuneration provided for in Article 40.
                                                          PART VI. WEEKLY REST
                                                          Article 43
                                                          1. Plantation workers shall, except as otherwise provided for by the following Articles, enjoy in
                                                          every period of seven days a period of rest comprising at least 24 consecutive hours.
                                                          2. This period of rest shall, wherever possible, be granted simultaneously to all the workers of
                                                          each plantation.
                                                          3. It shall, wherever possible, be fixed so as to coincide with the days already established by
                                                          the traditions or customs of the country or district.
                                                          Article 44
                                                          1. Each Member may authorise total or partial exceptions (including suspensions or
                                                          diminutions) from the provisions of Article 43, special regard being had to all proper
                                                          humanitarian and economic considerations and after consultation with responsible
                                                          associations of employers and workers, wherever such exist.
                                                          2. Such consultation shall not be necessary in the case of exceptions which have already
                                                          been made under existing legislation.
                                                          Article 45
                                                          Each Member shall make, as far as possible, provision for compensatory periods of rest for
                                                          the suspensions or diminutions made in virtue of Article 44, except in cases where
                                                          agreements or customs already provide for such periods.
                                                          PART VII. MATERNITY PROTECTION
                                                          Article 46
                                                          For the purpose of this Part of this Convention, the term woman means any female person,
                                                          irrespective of age, nationality, race or creed whether married or unmarried, and the term child
                                                          means any child whether born of marriage or not.
                                                          Article 47
                                                          1. A woman to whom this Part of this Convention applies shall, on the production of
                                                          appropriate evidence of the presumed date of her confinement, be entitled to a period of
                                                          2. The competent authority may, after consultation with the most representative organisations
                                                          of employers and workers, where such exist, prescribe a qualifying period for maternity leave
                                                          which shall not exceed a total of 150 days of employment with the same employer during the
                                                          12 months preceding the confinement.
                                                          3. The period of maternity leave shall be at least 12 weeks, and shall include a period of
                                                          compulsory leave after confinement.
                                                          4. The period of compulsory leave after confinement shall be prescribed by national laws or
                                                          regulations, but shall in no case be less than six weeks
                                                          5. The leave before the presumed date of confinement shall be extended by any period
                                                          elapsing between the presumed date of confinement and the actual date of confinement, and
                                                          the period of compulsory leave to be taken after confinement shall not be reduced on that
                                                          account.
                                                          6. In case of illness suitably certified as arising out of pregnancy national laws or regulations
                                                          shall provide for additional leave before confinement, the maximum duration of which may be
                                                          fixed by the competent authority.
```

7. In case of illness suitably certified as arising out of confinement the woman shall be entitled to an extension of the leave after confinement, the maximum duration of which may be fixed

8. No pregnant woman shall be required to undertake any type of work harmful to her in the

1. While absent from work on maternity leave in accordance with the provisions of Article 47,

2. The rates of cash benefit shall be fixed by national laws or regulations so as to ensure benefits sufficient for the full and healthy maintenance of herself and her child in accordance

3. Medical benefits shall include prenatal, confinement and postnatal care by qualified midwives or medical practitioners as well as hospitalisation care where necessary: freedom of choice of doctor and freedom of choice between a public and private hospital shall be

4. Any contribution due under a compulsory social insurance scheme providing maternity benefits and any tax based upon payrolls which is raised for the purpose of providing such benefits shall, whether paid both by the employer and the employees or by the employer, be paid in respect of the total number of men and women employed by the undertakings

1. If a woman is nursing her child she shall be entitled to interrupt her work for this purpose,

2. Interruptions of work for the purpose of nursing are to be counted as working hours and remunerated accordingly in cases in which the matter is governed by or in accordance with

1. While a woman is absent from work on maternity leave in accordance with the provisions of Article 47, it shall not be lawful for her employer to give her notice of dismissal during such absence, or to give her notice of dismissal at such time that the notice would expire during

2. The dismissal of a woman solely because she is pregnant or a nursing mother shall be

Each Member of the International Labour Organisation for which this Part of this Convention is in force undertakes to extend to all plantation workers its laws and regulations which provide for the compensation of workers for personal injury by accident arising out of or in the course

1. Each Member for which this Part of this Convention is in force undertakes to grant to the nationals of any other Member for which this Part of this Convention is in force, who suffer personal injury due to industrial accidents happening in its territory, or to their dependants, the

2. This equality of treatment shall be guaranteed to foreign workers and their dependants without any condition as to residence. With regard to the payments which a Member or its nationals would have to make outside that Member's territory in the application of this principle, the measures to be adopted shall be regulated, if necessary, by special

Special agreements may be made between the Members concerned to provide that compensation for industrial accidents happening to workers whilst temporarily or intermittently employed in the territory of one Member on behalf of an undertaking situated in the territory of

The right of employers and employed alike to associate for all lawful purposes shall be

All procedures for the investigation of disputes between employers and workers shall be as

1. Employers and workers shall be encouraged to avoid disputes and, if they arise, to reach

2. For this purpose all practicable measures shall be taken to consult and associate the representatives of organisations of employers and workers in the establishment and working

3. Subject to the operation of such machinery, public officers shall be responsible for the investigation of disputes and shall endeavour to promote conciliation and to assist the parties

1. Machinery shall be created as rapidly as possible for the settlement of disputes between

2. Representatives of the employers and workers concerned, including representatives of their respective organisations, where such exist, shall be associated where practicable in the operation of the machinery, in such manner and to such extent, but in any case in equal

1. Workers shall enjoy adequate protection against acts of anti-union discrimination in respect

(a) make the employment of a worker subject to the condition that he shall not join a union or

(b) cause the dismissal of or otherwise prejudice a worker by reason of union membership or because of participation in union activities outside working hours or, with the consent of the

1. Workers' and employers' organisations shall enjoy adequate protection against any acts of interference by each other or each other's agents or members in their establishment,

2. In particular, acts which are designed to promote the establishment of workers' organisations under the domination of employers or employers' organisations, or to support workers' organisations by financial or other means, with the object of placing such organisations under the control of employers or employers' organisations, shall be deemed to

Machinery appropriate to national conditions shall be established, where necessary, for the

Measures appropriate to national conditions shall be taken, where necessary, to encourage and promote the full development and utilisation of machinery for voluntary negotiation between employers or employers' organisations and workers' organisations, with a view to the

Workers and employers, without distinction whatsoever, shall have the right to establish and, subject only to the rules of the organisation concerned, to join organisations of their own

1. Workers' and employers' organisations shall have the right to draw up their constitutions and rules, to elect their representatives in full freedom, to organise their administration and

2. The public authorities shall refrain from any interference which would restrict this right or

Workers' and employers' organisations shall not be liable to be dissolved or suspended by

Workers' and employers' organisations shall have the right to establish and join federations and confederations and any such organisation, federation or confederation shall have the right

The provisions of Articles 62, 63 and 64 apply to federations and confederations of workers'

The acquisition of legal personality by workers' and employers' organisations, federations and confederations shall not be made subject to conditions of such a character as to restrict the

1. In exercising the rights provided for in this Part of this Convention workers and employers and their respective organisations, like other persons or organised collectivities, shall respect

2. The law of the land shall not be such as to impair, nor shall it be so applied as to impair, the

In this Part of this Convention the term organisation means any organisation of workers or of

Each Member for which this Part of this Convention is in force undertakes to take all necessary and appropriate measures to ensure that workers and employers may exercise

Each Member for which this Convention is in force shall maintain a system of labour

Workers and their representatives shall be afforded every facility for communicating freely with

(a) to secure the enforcement of the legal provisions relating to conditions of work and the protection of workers while engaged in their work, such as provisions relating to hours, wages, safety, health and welfare, the employment of children and young persons, and other

(b) to supply technical information and advice to employers and workers concerning the most

(c) to bring to the notice of the competent authority defects or abuses not specifically covered

2. Any further duties which may be entrusted to labour inspectors shall not be such as to interfere with the effective discharge of their primary duties or to prejudice in any way the authority and impartiality which are necessary to inspectors in their relations with employers

(a) effective co-operation between the inspection services and other government services and

(b) collaboration between officials of the labour inspectorate and employers and workers or

The inspection staff shall be composed of public officials whose status and conditions of service are such that they are assured of stability of employment and are independent of

1. The competent authority shall make the necessary arrangements to furnish labour

(a) local offices, suitably equipped in accordance with the requirements of the service, and

(b) the transport facilities necessary for the performance of their duties in cases where

2. The competent authority shall make the necessary arrangements to reimburse to labour inspectors any travelling and incidental expenses which may be necessary for the

(a) to enter freely and without previous notice at any hour of the day or night any place of

(b) to enter by day any premises which they may have reasonable cause to believe to be

(c) to carry out any examination, test or inquiry which they may consider necessary in order to

(i) to interrogate, alone or in the presence of witnesses, the employer or the staff of the

(ii) to require the production of any books, registers or other documents the keeping of which is prescribed by national laws or regulations relating to conditions of work, in order to see that they are in conformity with the legal provisions and to copy such documents or make extracts

(iv) to take or remove for purposes of analysis samples of materials and substances used or handled, subject to the employer or his representative being notified of any samples or

2. On the occasion of an inspection visit inspectors shall notify the employer or his representative of their presence, unless they consider that such a notification may be

(a) shall be prohibited from having any direct or indirect interest in the undertakings under

(b) shall be bound on pain of appropriate penalties or disciplinary measures not to reveal, even after leaving the service, any manufacturing or commercial secrets or working processes

(c) shall treat as absolutely confidential the source of any complaint bringing to their notice a defect or breach of legal provisions and shall give no intimation to the employer or his representative that a visit of inspection was made in consequence of the receipt of such a

The labour inspectorate shall be notified of industrial accidents and cases of occupational disease in such cases and in such manner as may be prescribed by national laws or

Places of employment shall be inspected as often and as thoroughly as is necessary to

1. Persons who violate or neglect to observe legal provisions enforceable by labour inspectors shall be liable to prompt legal proceedings without previous warning: Provided that exceptions may be made by national laws or regulations in respect of cases in which previous notice to

2. It shall be left to the discretion of labour inspectors to give warning and advice instead of

Adequate penalties for violations of the legal provisions enforceable by labour inspectors and for obstructing labour inspectors in the performance of their duties shall be provided for by

1. Labour inspectors or local inspection offices, as the case may be, shall be required to submit to the central inspection authority periodical reports on the results of their inspection

2. These reports shall be drawn up in such manner and deal with such subjects as may from

The appropriate authorities shall, in consultation with the representatives of the employers' and workers' organisations concerned, where such exist, encourage the provision of adequate

1. The minimum standards and specifications of the accommodation to be provided in accordance with the preceding Article shall be laid down by the appropriate public authority. The latter shall, wherever practicable, constitute advisory boards consisting of representatives

Adequate penalties for violations of the legal provisions made in accordance with the

1. Where housing is provided by the employer the conditions under which plantation workers are entitled to occupancy shall be not less favourable than those established by national

2. Whenever a resident worker is discharged he shall be allowed a reasonable time in which to vacate the house. Where the time allowed is not fixed by law it shall be determined by recognised negotiating machinery, or, failing agreement on the subject, by recourse to the

The appropriate authorities shall, in consultation with the representatives of the employers' and workers' organisations concerned, where such exist, encourage the provision of adequate

1. Medical services shall be of a standard prescribed by the public authorities, shall be adequate having regard to the number of persons involved, and shall be operated by a

2. Such services where provided by the appropriate public authorities shall conform to the

The appropriate authority, in consultation with the representatives of the employers' and workers' organisations concerned, where such exist, shall take steps in plantation areas to

The formal ratifications of this Convention shall be communicated to the Director-General of

1. This Convention shall be binding only upon those Members of the International Labour

2. This Convention shall come into force six months after the date on which there have been registered ratifications, in conformity with Article 3, of two of the following countries: Argentina, Belgium, Bolivia, Brazil, Burma, Ceylon, China, Colombia, Costa Rica, Cuba, Dominican Republic, Ecuador, Ethiopia, France, Ghana, Guatemala, Haiti, Honduras, India, Indonesia, Italy, Liberia, Federation of Malaya, Mexico, Netherlands, Nicaragua, Pakistan, Panama, Peru, Philippines, Portugal, El Salvador, Spain, Sudan, Thailand, Union of Soviet Socialist Republics, United Arab Republic, United Kingdom of Great Britain and Northern Ireland,

3. Thereafter, this Convention shall come into force for any Member six months after the date

1. A Member which has ratified this Convention may denounce it after the expiration of ten years from the date on which the Convention first comes into force, by an act communicated to the Director-General of the International Labour Office for registration. Such denunciation

2. Each Member which has ratified this Convention and which does not, within the year following the expiration of the period of ten years mentioned in the preceding paragraph, exercise the right of denunciation provided for in this Article, will be bound for another period of ten years and, thereafter, may denounce this Convention at the expiration of each period of

1. The Director-General of the International Labour Office shall notify all Members of the International Labour Organisation of the registration of all ratifications and denunciations

2. When notifying the Members of the Organisation of the registration of the second ratification communicated to him, the Director-General shall draw the attention of the

The Director-General of the International Labour Office shall communicate to the Secretary-General of the United Nations for registration in accordance with Article 102 of the Charter of the United Nations full particulars of all ratifications and acts of denunciation registered by him

At such times as it may consider necessary the Governing Body of the International Labour Office shall present to the General Conference a report on the working of this Convention and shall examine the desirability of placing on the agenda of the Conference the question of its

1. Should the Conference adopt a new Convention revising this Convention in whole or in

a) the ratification by a Member of the new revising Convention shall ipso jure involve the immediate denunciation of this Convention, notwithstanding the provisions of Article 94 above,

b) as from the date when the new revising Convention comes into force this Convention shall

2. This Convention shall in any case remain in force in its actual form and content for those

The English and French versions of the text of this Convention are equally authoritative.

Members of the Organisation to the date upon which the Convention will come into force.

Organisation whose ratifications have been registered with the Director-General

shall not take effect until one year after the date on which it is registered.

of employers and workers for consultation in regard to matters connected with housing.

(b) the minimum size of accommodation, its layout, ventilation, and floor and air space (c) verandah space, cooking, washing, storage, water supply and sanitary facilities.

preceding Article shall be provided for by laws or regulations and effectively enforced.

2. Such minimum standards shall include specifications concerning--

medical services for plantation workers and members of their families.

standards, customs and practices of the authority concerned.

Subject to such exceptions as may be made by law or regulation, labour inspectors--

satisfy themselves that the legal provisions are being strictly observed and, in particular--

connected matters, in so far as such provisions are enforceable by labour inspectors

The competent authority shall make appropriate arrangements to promote--

Labour inspectors provided with proper credentials shall be empowered--

undertaking on any matters concerning the application of the legal provisions

(iii) to enforce the posting of notices required by the legal provisions

which may come to their knowledge in the course of their duties

ensure the effective application of the relevant legal provisions.

carry out remedial or preventive measures is to be given.

national laws or regulations and effectively enforced.

time to time be prescribed by the central authority

housing accommodation for plantation workers.

(a) the construction materials to be used

custom or national legislation.

PART XIII. MEDICAL CARE

normal procedure of the civil courts.

sufficient number of qualified personnel.

PART XIV. FINAL PROVISIONS

eradicate or control prevalent endemic diseases.

the International Labour Office for registration.

United States of America and Viet-Nam.

on which its ratification has been registered.

ten years under the terms provided for in this Article.

communicated to him by the Members of the Organisation.

in accordance with the provisions of the preceding Articles.

part, then, unless the new Convention otherwise provides:

cease to be open to ratification by the Members.

if and when the new revising Convention shall have come into force

Members which have ratified it but have not ratified the revising Convention.

instituting or recommending proceedings.

substances taken or removed for such purpose.

prejudicial to the performance of their duties.

employers for furthering and defending the interests of workers or of employers.

Labour inspection services shall consist of suitably trained inspectors.

1. The functions of the system of labour inspection shall be--

effective means of complying with the legal provisions

public or private institutions engaged in similar activities

changes of government and of improper external influences.

to affiliate with international organisations of workers and employers.

application of the provisions of Articles 62, 63 and 64.

guarantees provided for in this Part of this Convention.

purpose of ensuring respect for the right to organise as defined in the preceding Articles.

regulation of terms and conditions of employment by means of collective agreements.

4. Where practicable, these officers shall be officers specially assigned to such duties.

numbers and on equal terms, as may be determined by the competent authority.

2. Such protection shall apply more particularly in respect of acts calculated to-

constitute acts of interference within the meaning of this Article.

same treatment in respect of workmen's compensation as it grants to its own nationals.

another Member shall be governed by the laws and regulations of the latter Member.

PART IX. RIGHT TO ORGANISE AND COLLECTIVE BARGAINING

the woman shall be entitled to receive cash and medical benefits.

under conditions to be prescribed by national laws or regulations.

by the competent authority.

Article 48

Article 49

Article 50

such absence.

prohibited.

Article 51

Article 52

Article 53

Article 54

Article 56

Article 57

Article 59

Article 60

Article 61

Article 62

Article 63

Article 64

Article 65

Article 66

Article 67

Article 69

Article 70

Article 71

inspection. Article 72

Article 73

Article 74

the inspectors.

and workers.
Article 75

their organisations.

Article 76

Article 77

Article 78

from them

Article 79

complaint.
Article 80

regulations.
Article 81

Article 82

Article 83

Article 84

activities.

Article 85

Article 86

Article 87

Article 88

Article 89

Article 90

Article 91

Article 92

Article 93

Article 94

Article 95

Article 96

Article 97

Article 98

Article 99

revision in whole or in part.

PART XII. HOUSING

their supervision

liable to inspection

inspectors with--

accessible to all persons concerned

suitable public facilities do not exist.

performance of their duties.

employment liable to inspection

the law of the land.

freely the right to organise.

by existing legal provisions.

PART XI. LABOUR INSPECTION

laws and regulations

of their employment.

period prior to her maternity leave.

with a suitable standard of living.

respected as far as practicable.

concerned, without distinction of sex.

PART VIII. WORKMEN'S COMPENSATION

arrangements between the Members concerned.

guaranteed by appropriate measures.

simple and expeditious as possible.

of conciliation machinery.

employers and workers.

of their employment.

shall relinquish trade union membership

PART X. FREEDOM OF ASSOCIATION

choosing without previous authorisation.

activities and to formulate their programmes.

impede the lawful exercise thereof.

administrative authority.

and employers' organisations.

employer, within working hours.

functioning or administration.

in arriving at a fair settlement.

fair settlements by means of conciliation.