

Description: Convention concerning the Social Repercussions of New Methods of Cargo Handling in Docks (Note: Date of coming into force: 24:07:1975.)

Convention:C137

Place:Geneva

Session of the Conference:58

Date of adoption:25:06:1973

Subject classification: Dockworkers

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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 Fifty-eighth Session on 6 June 1973, and

Considering that important changes have taken place and are taking place in cargo-handling methods in docks--such as the adoption of unit loads, the introduction of roll-on roll-off techniques and the increase of mechanisation and automation--and in the pattern of movement of freight, and that such changes are expected to become more widespread in the future, and

Considering that such changes, by speeding up freight movements, reducing the time spent by ships in ports and lowering transport costs, may benefit the economy of the country concerned as a whole and contribute to the raising of the standard of living, and

Considering that such changes also involve considerable repercussions on the level of employment in ports and on the conditions of work and life of dockworkers, and that measures should be adopted to prevent or to reduce the problems consequent thereon, and

Considering that dockworkers should share in the benefit secured by the introduction of new methods of cargo handling and that, accordingly, action for the lasting improvement of their situation, by such means as regularisation of employment and stabilisation of income, and other measures relating to their conditions of work and life, as well as to safety and health aspects of dock work, should be planned and taken concurrently with the planning and introduction of new methods, and

Having decided upon the adoption of certain proposals with regard to social repercussions of new methods of cargo handling (docks), which is the fifth item on the agenda of the session, and

Having determined that these proposals shall take the form of an international Convention, adopts this twenty-fifth day of June of the year one thousand nine hundred and seventy-three the following Convention, which may be cited as the Dock Work Convention, 1973:

Article 1

1. This Convention applies to persons who are regularly available for work as dockworkers and who depend on their work as such for their main annual income.

2. For the purpose of this Convention the terms dockworkers and dock work mean persons and activities defined as such by national law or practice. The organisations of employers and workers concerned shall be consulted on or otherwise participate in the establishment and revision of such definitions. Account shall be taken in this connection of new methods of cargo handling and their effect on the various dockworker occupations.

Article 2

1. It shall be national policy to encourage all concerned to provide permanent or regular employment for dockworkers in so far as practicable.

2. In any case, dockworkers shall be assured minimum periods of employment or a minimum income, in a manner and to an extent depending on the economic and social situation of the country and port concerned.

Article 3

1. Registers shall be established and maintained for all occupational categories of dockworkers, in a manner to be determined by national law or practice.

2. Registered dockworkers shall have priority of engagement for dock work.

3. Registered dockworkers shall be required to be available for work in a manner to be determined by national law or practice.

Article 4

1. The strength of the registers shall be periodically reviewed, so as to achieve levels adapted to the needs of the port.

2. Any necessary reduction in the strength of a register shall be accompanied by measures designed to prevent or minimise detrimental effects on dockworkers.

Article 5

In order to secure the greatest social advantage of new methods of cargo handling, it shall be national policy to encourage co-operation between employers or their organisations, on the one hand, and workers' organisations, on the other hand, in improving the efficiency of work in ports, with the participation, as appropriate, of the competent authorities.

Article 6

Each Member shall ensure that appropriate safety, health, welfare and vocational training provisions apply to dockworkers.

Article 7

The provisions of this Convention shall, except in so far as they are otherwise made effective by means of collective agreements, arbitration awards or in such other manner as may be consistent with national practice, be given effect by national laws or regulations.

Article 8

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

Article 9

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.

Article 10

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

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 ten years under the terms provided for in this Article.

Article 11

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 communicated to him by the Members of the Organisation.

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

Article 12

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 in accordance with the provisions of the preceding Articles.

Article 13

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 revision in whole or in part.

Article 14

1. Should the Conference adopt a new Convention revising this Convention in whole or in part, then, unless the new Convention otherwise provides:

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

b) as from the date when the new revising Convention comes into force this Convention shall cease to be open to ratification by the Members.

2. This Convention shall in any case remain in force in its actual form and content for those Members which have ratified it but have not ratified the revising Convention.

Article 15

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