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THE
INTERNATIONAL LABOUR
ORGANISATION
AND
WOMEN'S WORK



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THE INTERNATIONAL LABOUR ORGANISATION AND WOMEN'S WORK

Women have always taken a prominent part in the work of the International Labour Organisation. Women had a share in shaping its constitution. Women delegates have attended its general conferences. Women's organisations maintain close contact with it. An important part of its work has been concerned with the conditions of employment of women.

Part XIII of the Peace Treaty by which the International Labour Organisation was established in 1919 explicitly makes provision for the participation of women in all the work of the organisation. It is there stipulated that "when questions specially affecting women are to be considered by the Conference, one at least of the advisers should be a woman". It is further expressly laid down in the Peace Treaty that a certain number of the staff of the International Labour Office should be women.

Among the principles which the Peace Treaty recommends all industrial communities to endeavour to apply, the following are solemnly enunciated:

The principle that men and women should receive equal remuneration for work of equal value.

The payment to the employed of a wage

adequate to maintain a reasonable standard of life as this is understood in their time and country.

The guiding principle that labour should not be regarded merely as a commodity or article of commerce.

The abolition of child labour and the imposition of such limitations on the labour of young persons as shall permit the continuation of their education and assure their proper physical development.

Each State should make provision for a system of inspection, in which women should take part, in order to ensure the enforcement of the laws and regulations for the protection of the employed.

Part XIII of the Peace Treaty, it is clear, is a document interesting to women. It is interesting to women because women had a hand in drawing it up. The International Council of Women, together with certain other women's associations, international and national, sent a deputation to Paris in March 1919 to urge the claims of women upon the Commission on International Labour Legislation which was then preparing the draft of the labour section of the Peace Treaty. The resolutions which the deputation laid before the Commission were carefully considered by it and undoubtedly exercised an influence, not only on the constitution of the International Labour Organisation as established by Part XIII of the Treaty, but

also on the spirit which has always inspired its work.

Most of the questions on which the International Labour Conference¹ has adopted decisions concern men and women equally and the decisions themselves apply equally to women and to men without distinction. For example, the Draft Convention² providing for an eight hour day and a forty-eight hour week applies equally to men and to women, and so do the Conventions providing for the establishment of free employment agencies and providing for a weekly rest in industry.

In addition, however, to these general Conventions and Recommendations which apply, without distinction, to men and women engaged in industry, some of the decisions of the Conference relate to men only, others to women only, others again to children and young persons only.

Three main problems in the field of women's work were felt to call for immediate action by the

¹ To the International Labour Conference which, according to the Peace Treaty, must be held at least once a year, each of the fifty-six States Members of the Organisation has the right to send four representatives — two Government delegates and two delegates representing respectively the most representative organisations of workers and employers.

² A *Draft Convention* is an international agreement which must be submitted to the "competent authority" in each country, in most cases the national Parliament, with a view to ratification and application in national legislation.

Recommendations are general principles for the guidance of national Governments in drafting national legislation or in issuing administrative orders.

Peace Conference, which placed them on the agenda of the First Session of the Conference at Washington in 1919. Various aspects of these questions have continued to come under the consideration of the Conferences which have met in the six succeeding years. These problems are: the employment of women at night; their employment before and after child-birth; and their employment in unhealthy processes.

EMPLOYMENT AT NIGHT

A Draft Convention of the Washington Conference prohibited the employment during the night of women in any public or private industrial undertaking. The term "night" was defined to signify a period of eleven consecutive hours including the interval between 10 p.m. and 5 a.m. This Convention was based on the Berne Convention of 1906, which prohibited the employment of women between 10 p.m. and 5 a.m. The Berne Convention, however, had limited the application of the prohibition to establishments in which at least ten persons were engaged. The Conference withdrew that limitation because experience had shown that often the worst offenders were the small establishments which had hitherto been excepted. Certain special provisions were inserted in the Convention to apply to Oriental countries. No modifications were requested by the Japanese representatives. In the case of India, however, a special clause was inserted providing

for the suspension of the application of the Convention in any industrial undertaking except factories as defined by the national law.

The main principle of this Convention is extended to women employed in agriculture by a Recommendation adopted at the Third Session of the Conference in 1921. This Recommendation provides for a period of rest during the night for women compatible with their physical necessities, and consisting of not less than nine hours, to be when possible consecutive. This Recommendation is much less stringent than the Draft Convention of the Washington Conference, which provides a nightly rest of eleven consecutive hours. The greater elasticity of the agricultural Recommendation was due in large part to consideration of the dependence of agricultural labour upon weather conditions, and the impossibility of working during the middle of the day in some climates.

MATERNITY PROTECTION

The Washington Conference adopted a Draft Convention with regard to the protection of women workers immediately before and after childbirth. This provides that in any public or private industrial or commercial undertaking a woman shall not be permitted to work during the six weeks following her confinement, shall have the right to leave her work if she produces a medical certificate stating that her confinement will probably take place within six

weeks and shall, while she is absent from her work in accordance with these provisions, be paid benefits sufficient for the full and healthy maintenance of herself and her child. Certain provisions of a subsidiary kind were also included in the Convention with a view to the further protection of women. It is laid down that no mistake of a medical officer in estimating the date of confinement shall preclude women from receiving these benefits from the date of the medical certificate up to the date on which the confinement actually takes place. Further, if the woman is actually nursing her child, she shall be allowed half an hour twice a day during her working hours for this purpose. In the third place, it shall not be lawful for an employer to give notice of dismissal to a woman absent from work in accordance with the above provisions or medically certified to be absent on account of causes arising out of her confinement.

The principle of this Convention was applied to women employed in agriculture by a Recommendation of the Third Session of the Conference in 1921. This urges Members of the Organisation to take measures to ensure to women wage earners employed in agriculture protection before and after childbirth similar to that provided by the Washington Conference for women employed in industry and commerce, and provides that such measures should include the right to a period of absence from work before and after childbirth, and to a grant of benefit during this period provided either out

of public funds, or by means of a system of insurance.

HEALTH MEASURES

A Recommendation adopted by the Washington Conference urges Members of the Organisation, in view of the danger involved to the function of maternity and to the physical development of women, children and young persons under the age of 18 years, to exclude them from employment in a number of specified processes in which there is a danger of lead poisoning. The Recommendation further suggests certain precautions where women and young persons are employed in processes involving the use of lead compounds and the strict regulation of the use of soluble lead compounds wherever they can be replaced by non-toxic substances.

The whole question of safeguarding the health of the workers through factory inspection was dealt with by the Fifth Session of the Conference held in Geneva in 1923, and a detailed Recommendation was adopted laying down general rules for factory inspection. The Recommendation included the following provisions respecting women inspectors :

In conformity with the principle contained in Article 427 of the Treaty of Peace, the inspectorate should include women as well as men inspectors ; that, while it is evident that with regard to certain matters and certain classes of work inspection can be more suitably carried out by men as in the case of other matters and other classes of work inspection can be more suitably carried out by women, the women inspectors should

in general have the same powers and duties and exercise the same authority as the men inspectors, subject to their having had the necessary training and experience, and should have equal opportunity of promotion to the higher ranks.

RESULTS IN NATIONAL LEGISLATION

The purpose of the Conference is to adopt decisions capable of being embodied with the least possible delay in national legislation. Each State is bound, within one year, or, in exceptional circumstances, within eighteen months, to submit Draft Conventions adopted by the Conference to the competent national authority, which is in most cases the Parliament. Parliaments are not bound to adopt these Conventions, but the obligatory presentation of the Conventions to Parliaments involves virtually their submission to public opinion.

What then are the facts? The answer to that question is that up to 31 July 1926 the Convention prohibiting the night work of women in industry had been ratified by the following States: Austria, Belgium, Bulgaria, Czechoslovakia, Esthonia, France, Great Britain, Greece, India, Irish Free State, Italy, Netherlands, Roumania, South Africa, and Switzerland. The Draft Convention on maternity had been ratified by Bulgaria, Chile, Greece, Latvia, Roumania, and Spain, and ratification has been authorised in Hungary and Italy. In addition, in the case of both these Conventions a certain number of countries have taken steps with a view to their

ultimate ratification, such as the introduction of Bills to Parliament, etc., and measures have also been taken for the application of the Recommendations.

WOMEN AT THE CONFERENCE

The States Members of the Organisation have taken advantage of the stipulation of the Peace Treaty providing for the appointment of women advisers. They have gone beyond it and appointed women as their titular delegates. The following countries have included women in their delegations to the Conference, either as representing the Government, the workers, or employers: Belgium, Canada, Cuba, Denmark, France, Germany, Great Britain, India, Italy, Japan, Netherlands, Norway, Spain, Sweden, Switzerland, and Uruguay. No fewer than 22 women were present as advisers at the Washington Conference, and 18 attended the Third Session of the Conference as delegates or advisers. At all the other Sessions of the Conference, with the exception of Genoa, 1920, and Geneva, 1926, which dealt exclusively with maritime questions, women have been included in the delegations and have taken an important part in the work of the Conference and of its commissions.

WOMEN IN THE INTERNATIONAL LABOUR OFFICE

The staff of the International Labour Office included at the end of July 1926 150 women as compared with 188 men. The women members

of the staff are recruited in exactly the same way as the men and all posts in the Office are open equally and on the same conditions to men and to women. The nationalities represented by women members of the staff are the following: Belgian, British, Czechoslovak, Danish, Dutch, French, German, Greek, Irish, Italian, Latvian, Norwegian, Polish, Russian, and Swiss.

RELATIONS WITH WOMEN'S ORGANISATIONS

From the first the Office has been in contact with the International Federation of Working Women, at whose Conferences it has been represented, and it has also maintained close direct relations with the women's sections in the various national trade union movements.

It has, in addition, been in touch from the beginning with great international women's organisations such as the International Council of Women, the International Women's Suffrage Alliance, and the Women's International League for Peace and Freedom. One of the women members of the staff is specially entrusted with the duty of maintaining liaison with such associations. The Office was represented at the quinquennial Conference of the International Council of Women held in Washington in May 1925, and also at the tenth Congress of the International Women's Suffrage Alliance in May 1926 at Paris. These organisations are concerned with the welfare of women in general, and they

do not remain indifferent to the Conventions relating specially to the conditions of employment of women.

The work that is being done by the Office is receiving the active support and inspiration of the great women's organisations of the world.

APPENDIX I

Draft Convention concerning Employment of Women during the Night

The General Conference of the International Labour Organisation of the League of Nations

Having been convened at Washington by the Government of the United States of America, on the 29th day of October 1919, and

Having decided upon the adoption of certain proposals with regard to "women's employment: during the night," which is part of the third item in the agenda for the Washington meeting of the Conference, and

Having determined that these proposals shall take the form of a draft international convention,

adopts the following Draft Convention for ratification by the Members of the International Labour Organisation, in accordance with the Labour Part of the Treaty of Versailles of 28 June 1919, and of the Treaty of St. Germain of 10 September 1919:

ARTICLE I

For the purpose of this Convention, the term "industrial undertaking" includes particularly:

(a) Mines, quarries, and other works for the extraction of minerals from the earth;

(b) Industries in which articles are manufactured, altered, cleaned, repaired, ornamented, finished, adapted for sale, broken up or demolished, or in which materials are trans-

formed ; including shipbuilding, and the generation, transformation, and transmission of electricity or motive power of any kind ;

(c) Construction, reconstruction, maintenance, repair, alteration, or demolition of any building, railway, tramway, harbour, dock, pier, canal, inland waterway, road, tunnel, bridge, viaduct, sewer, drain, well, telegraphic or telephonic installation, electrical undertaking, gas work, waterwork, or other work of construction, as well as the preparation for or laying the foundations of any such work or structure.

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

ARTICLE 2

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

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

ARTICLE 3

Women without distinction of age shall not be employed during the night in any public or private industrial undertaking, or in any branch thereof, other than an undertaking in which only members of the same family are employed.

ARTICLE 4

Article 3 shall not apply :

(a) In cases of *force majeure*, when in any undertaking there occurs an interruption of work which it was impossible to foresee, and which is not of a recurring character.

(b) In cases where the work has to do with raw materials or materials in course of treatment which are subject to rapid deterioration, when such night work is necessary to preserve the said materials from certain loss.

ARTICLE 5

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

ARTICLE 6

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

ARTICLE 7

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

ARTICLE 8

The formal ratifications of this Convention, under the conditions set forth in Part XIII of the Treaty of Versailles of 28 June 1919, and of the Treaty of St. Germain of 10 September 1919, shall be communicated to the Secretary-General of the League of Nations for registration.

ARTICLE 9

Each Member of the International Labour Organisation which ratifies this Convention engages to apply it to its colonies, protectorates and possessions which are not fully self-governing :

(a) Except where owing to the local conditions its provisions are inapplicable ; or

(b) Subject to such modifications as may be necessary to adapt its provisions to local conditions.

Each Member shall notify to the International Labour Office the action taken in respect of each of its colonies, protectorates and possessions which are not fully self-governing.

ARTICLE 10

As soon as the ratifications of two Members of the International Labour Organisation have been registered with the

Secretariat, the Secretary-General of the League of Nations shall so notify all the Members of the International Labour Organisation.

ARTICLE 11

This Convention shall come into force at the date on which such notification is issued by the Secretary-General of the League of Nations, but it shall then be binding only upon those Members which have registered their ratifications with the Secretariat. Thereafter this Convention will come into force for any other Member at the date on which its ratification is registered with the Secretariat.

ARTICLE 12

Each Member which ratifies this Convention agrees to bring its provisions into operation not later than 1 July 1922, and to take such action as may be necessary to make these provisions effective.

ARTICLE 13

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 Secretary-General of the League of Nations for registration. Such denunciation shall not take effect until one year after the date on which it is registered with the Secretariat.

ARTICLE 14

At least once in ten years, the Governing Body of the International Labour Office shall present to the General Conference a report on the working of this Convention, and shall consider the desirability of placing on the agenda of the Conference the question of its revision or modification.

ARTICLE 15

The French and English texts of this Convention shall both be authentic.

APPENDIX II

Draft Convention concerning the Employment of Women before and after Childbirth

The General Conference of the International Labour Organisation of the League of Nations,

Having been convened at Washington by the Government of the United States of America on the 29th day of October 1919, and

Having decided upon the adoption of certain proposals with regard to "women's employment, before and after childbirth, including the question of maternity benefit," which is part of the third item in the agenda for the Washington meeting of the Conference, and

Having determined that these proposals shall take the form of a draft international convention,

adopts the following Draft Convention for ratification by the Members of the International Labour Organisation, in accordance with the Labour Part of the Treaty of Versailles of 28 June 1919, and of the Treaty of St. Germain of 10 September 1919:

ARTICLE I

For the purpose of this Convention, the term "industrial undertaking" includes particularly:

(a) Mines, quarries, and other works for the extraction of minerals from the earth.

(b) Industries in which articles are manufactured, altered, cleaned, repaired, ornamented, finished, adapted for sale, broken up or demolished, or in which materials are transformed: including shipbuilding and the generation, transformation, and transmission of electricity or motive power of any kind.

(c) Construction, reconstruction, maintenance, repair, alteration, or demolition of any building, railway, tramway, harbour, dock, pier, canal, inland waterway, road, tunnel, bridge, viaduct, sewer, drain, well, telegraphic or telephonic installation, electrical undertaking, gas work, waterwork, or other work of construction, as well as the preparation for or laying the foundation of any such work or structure.

(d) Transport of passengers or goods by road, rail, sea, or inland waterway, including the handling of goods at

docks, quays, wharves, and warehouses, but excluding transport by hand.

For the purpose of this Convention, the term "commercial undertaking" includes any place where articles are sold or where commerce is carried on.

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

ARTICLE 2

For the purpose of this Convention, the term "woman" signifies any female person, irrespective of age or nationality, whether married or unmarried, and the term "child" signifies any child whether legitimate or illegitimate.

ARTICLE 3

In any public or private industrial or commercial undertaking or in any branch thereof, other than an undertaking in which only members of the same family are employed, a woman—

(a) Shall not be permitted to work during the six weeks following her confinement.

(b) Shall have the right to leave her work if she produces a medical certificate stating that her confinement will probably take place within six weeks.

(c) Shall, while she is absent from her work in pursuance of paragraphs (a) and (b), be paid benefits sufficient for the full and healthy maintenance of herself and her child, provided either out of public funds or by means of a system of insurance, the exact amount of which shall be determined by the competent authority in each country, and as an additional benefit shall be entitled to free attendance by a doctor or certified midwife. No mistake of the medical adviser in estimating the date of confinement shall preclude a woman from receiving these benefits from the date of the medical certificate up to the date on which the confinement actually takes place.

(d) Shall in any case, if she is nursing her child, be allowed half an hour twice a day during her working hours for this purpose.

ARTICLE 4

Where a woman is absent from her work in accordance with paragraphs (a) or (b) of Article 3 of this Convention,

or remains absent from her work for a longer period as a result of illness medically certified to arise out of pregnancy or confinement and rendering her unfit for work, it shall not be lawful, until her absence shall have exceeded a maximum period to be fixed by the competent authority in each country, for her employer to give her notice of dismissal during such absence, nor to give her notice of dismissal at such a time that the notice would expire during such absence.

ARTICLE 5

The formal ratifications of this Convention, under the conditions set forth in Part XIII of the Treaty of Versailles of 28 June 1919, and of the Treaty of St. Germain of 10 September 1919, shall be communicated to the Secretary-General of the League of Nations for registration.

ARTICLE 6

Each Member of the International Labour Organisation which ratifies this Convention engages to apply it to its colonies, protectorates, and possessions which are not fully self-governing :

(a) Except where, owing to the local conditions, its provisions are inapplicable ; or

(b) Subject to such modifications as may be necessary to adapt its provisions to local conditions.

Each Member shall notify to the International Labour Office the action taken in respect of each of its colonies, protectorates, and possessions which are not fully self-governing.

ARTICLE 7

As soon as the ratifications of two Members of the International Labour Organisation have been registered with the Secretariat, the Secretary-General of the League of Nations shall so notify all the Members of the International Labour Organisation.

ARTICLE 8

This Convention shall come into force at the date on which such notification is issued by the Secretary-General of the League of Nations, but it shall then be binding only upon those Members which have registered their ratifications with the Secretariat. Thereafter this Convention will come

into force for any other Member at the date on which its ratification is registered with the Secretariat.

ARTICLE 9

Each Member which ratifies this Convention agrees to bring its provisions into operation not later than 1 July 1922, and to take such action as may be necessary to make these provisions effective.

ARTICLE 10

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 Secretary-General of the League of Nations for registration. Such denunciation shall not take effect until one year after the date in which it is registered with the Secretariat.

ARTICLE 11

At least once in 10 years the Governing Body of the International Labour Office shall present to the General Conference a report of the working of this Convention, and shall consider the desirability of placing on the agenda of the Conference the question of its revision or modification.

ARTICLE 12

The French and English texts of this Convention shall both be authentic.

APPENDIX III

Recommendation concerning the Protection of Women and Children against Lead Poisoning

The General Conference of the International Labour Organisation of the League of Nations,

Having been convened at Washington by the Government of the United States of America on the 29th day of October 1919, and

Having decided upon the adoption of certain proposals with regard to "women's and children's employment :

unhealthy processes", which is part of the third and fourth items in the agenda for the Washington meeting of the Conference, and

Having determined that these proposals shall take the form of a recommendation,

adopts the following Recommendation, to be submitted to the Members of the International Labour Organisation for consideration with a view to effect being given to it by national legislation or otherwise, in accordance with the Labour Part of the Treaty of Versailles of 28 June 1919, and of the Treaty of St. Germain of 10 September 1919 :

The General Conference recommends to the Members of the International Labour Organisation that in view of the danger involved to the function of maternity and to the physical development of children, women, and young persons under the age of eighteen years be excluded from employment in the following processes :

(a) In furnace work in the reduction of zinc or lead ores.

(b) In the manipulation, treatment, or reduction of ashes containing lead and in the desilverising of lead.

(c) In melting lead or old zinc on a large scale.

(d) In the manufacture of solder or alloys containing more than ten per cent. of lead.

(e) In the manufacture of litharge, massicot, red lead, white lead, orange lead, or sulphate, chromate or silicate (frit) of lead.

(f) In mixing and pasting in the manufacture or repair of electric accumulators.

(g) In the cleaning of workrooms where the above processes are carried on.

It is further recommended that the employment of women and young persons under the age of eighteen years in processes involving the use of lead compounds be permitted only subject to the following conditions :

(a) Locally applied exhaust ventilation, so as to remove dust and fumes at the point of origin.

(b) Cleanliness of tools and workrooms.

(c) Notification to Government authorities of all cases of lead poisoning and compensation therefor.

(d) Periodic medical examination of the persons employed in such processes.

(e) Provision of sufficient and suitable cloak-room, washing, and mess-room accommodation, and special protective clothing.

(f) Prohibition of bringing food or drink into workrooms.

It is further recommended that in industries where soluble lead compounds can be replaced by non-toxic substances, the use of soluble lead compounds should be strictly regulated.

For the purpose of this Recommendation, a lead compound should be considered as soluble if it contains more than five per cent. of its weight (estimated as metallic lead) soluble in a quarter of one per cent. solution of hydrochloric acid.

APPENDIX IV

Recommendation concerning the Protection, before and after Childbirth, of Women Wage Earners in Agriculture

The General Conference of the International Labour Organisation of the League of Nations,

Having been convened at Geneva by the Governing Body of the International Labour Office, and having met in its Third Session on 25 October 1921, and

Having decided upon the adoption of certain proposals with regard to the protection before and after childbirth of women wage earners in agriculture, which is included in the third item of the agenda of the Session, and

Having decided that these proposals shall take the form of a recommendation,

adopts the following Recommendation, to be submitted to the Members of the International Labour Organisation for consideration with a view to effect being given to it by national legislation or otherwise, in accordance with the provisions of Part XIII of the Treaty of Versailles and of the corresponding Parts of the other Treaties of Peace :

The General Conference of the International Labour Organisation recommends :

That each Member of the International Labour Organisation take measures to ensure to women wage earners employed in agricultural undertakings protection before and after childbirth similar to that provided by the Draft

Convention adopted by the International Labour Conference at Washington for women employed in industry and commerce, and that such measures should include the right to a period of absence from work before and after childbirth and to a grant of benefit during the said period, provided either out of public funds or by means of a system of insurance.

APPENDIX V

Recommendation concerning Night Work of Women in Agriculture

The General Conference of the International Labour Organisation of the League of Nations,

Having been convened at Geneva by the Governing Body of the International Labour Office, and having met in its Third Session on 25 October 1921, and

Having decided upon the adoption of certain proposals with regard to the night work of women in agriculture, which is included in the third item of the agenda of the Session, and

Having decided that these proposals shall take the form of a recommendation,

adopts the following Recommendation, to be submitted to the Members of the International Labour Organisation for consideration with a view to effect being given to it by national legislation or otherwise, in accordance with the provisions of Part XIII of the Treaty of Versailles and of the corresponding Parts of the other Treaties of Peace :

The General Conference of the International Labour Organisation recommends :

That each Member of the International Labour Organisation take steps to regulate the employment of women wage earners in agricultural undertakings during the night in such a way as to ensure to them a period of rest compatible with their physical necessities and consisting of not less than nine hours, which shall, when possible, be consecutive.

PUBLICATIONS

The publications of the International Labour Office are as follows :

	<i>Annual subscription</i>		
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Documents of the International Labour Conference	£2	0s.	\$10.00
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