

Co49 - Reduction of Hours of Work (Glass-Bottle Works) Convention, 1935 (No. 49)

Preamble

The General Conference of the International Labour Organisation,

Having met at Geneva in its Nineteenth Session on 4 June 1935;

Considering that the question of the reduction of hours of work is the sixth item on the agenda of the Session;

Confirming the principle laid down in the Forty-Hour Week Convention, 1935, including the maintenance of the standard of living;

Having determined to give effect to this reduction forthwith in the case of glass-bottle works;

adopts this twenty-fifth day of June of the year one thousand nine hundred and thirty-five the following Convention, which may be cited as the Reduction of Hours of Work (Glass-Bottle Works) Convention, 1935:

Article 1

- 1. This Convention applies to persons who, in glass works where bottles are produced by automatic machinery, work in successive shifts and are employed in connection with generators, tank furnaces, automatic machinery, annealing furnaces and operations accessory to the working of the above.
- 2. For the purpose of this Convention the term **bottles** includes similar glass articles produced by the same processes as bottles.

Article 2

- 1. The persons to whom this Convention applies shall be employed under a system providing for at least four shifts.
- 2. The hours of work of such persons shall not exceed an average of forty-two per week.
- 3. This average shall be calculated over a period not exceeding four weeks.
- 4. The length of a spell of work shall not exceed eight hours.
- 5. The interval between two spells of work by the same shift shall not be less than sixteen hours. Provided that this interval may where necessary be reduced on the occasion of the periodical change-over of shifts.

Article 3

- 1. The limits of hours prescribed in paragraphs 2, 3 and 4 of Article 2 may be exceeded and the interval prescribed in paragraph 5 reduced, but only so far as may be necessary to avoid serious interference with the ordinary working of the undertaking--
 - (a) in case of accident, actual or threatened, or in case of urgent work to be done to machinery or plant, or in case of force majeure ; or
 - (b) in order to make good the unforeseen absence of one or more members of a shift.
- 2. Adequate compensation for all additional hours worked in accordance with this Article shall be granted in such manner as may be determined by national laws or regulations or by agreement between the organisations of employers and workers concerned.

Article 4

In order to facilitate the effective enforcement of the provisions of this Convention, every employer shall be required--

- (a) to notify, by the posting of notices in conspicuous positions in the works or other suitable place or by such other method as may be approved by the competent authority, the hours at which each shift begins and ends;
- (b) not to alter the hours so notified except in such manner and with such notice as may be approved by the competent authority; and
- (c) to keep a record in the form prescribed by the competent authority of all additional hours worked in pursuance of Article 3 of this Convention and of the compensation granted in respect thereof.

Article 5

Nothing in this Convention shall affect any custom or agreement between employers and workers which ensures more favourable conditions than those provided by this Convention.

Article 6

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

Article 7

- 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 ratifications has been registered.

Article 8

As soon as the ratifications of two Members of the International Labour Organisation have been registered, the Director-General of the International Labour Office shall so notify all the Members of the International Labour Organisation. He shall likewise notify them of the registration of ratifications which may be communicated subsequently by other Members of the Organisation.

Article 9

- 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 10

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 11

- 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 9 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 12

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