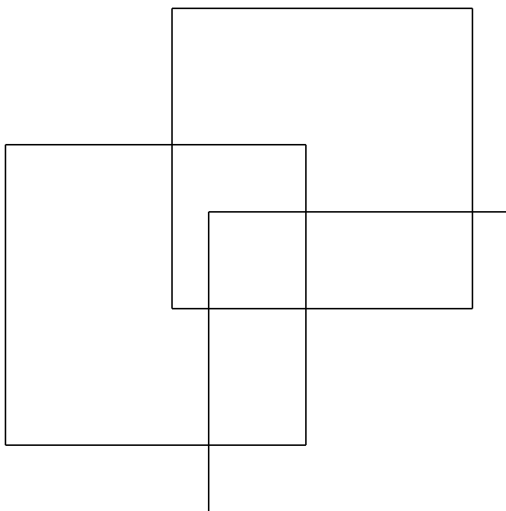




Draft guidelines on decent work in public emergency services

**Meeting of Experts to adopt Guidelines on
Decent Work in Public Emergency Services**
(Geneva, 16–20 April 2018)



MEGPES/2018

INTERNATIONAL LABOUR ORGANIZATION

Sectoral Policies Department

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INTERNATIONAL LABOUR OFFICE, GENEVA

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Part 1. Introduction

I. Scope

1. In January 2003, the International Labour Organization (ILO) adopted the guidelines on social dialogue in public emergency services (PES) in a changing environment.¹
2. Increasingly frequent and complex emergencies require that a more diverse range of PES workers labour under difficult and extreme conditions to save lives and protect property. In the light of these circumstances, the present guidelines represent a revision and expansion of the abovementioned 2003 guidelines.
3. The present guidelines seek to promote coherent measures for emergency preparedness and disaster prevention, income replacement, access to social protection in case of injury and effective labour inspection.
4. The present guidelines reflect normative changes since 2003, including the Sustainable Development Goals² and the Employment and Decent Work for Peace and Resilience Recommendation, 2017 (No. 205). While Recommendation No. 205 primarily covers “all measures on employment and decent work taken in response to crisis situations arising from conflicts and disasters” (paragraph 3), the present guidelines seek to provide public emergency service workers with adequate means, tools and funds to be able to respond effectively to emergencies. In this sense, the guidelines complement Recommendation No. 205 while incorporating its principles.
5. The guidelines focus on public services because each member State has the foremost responsibility to take care of the victims of disasters and emergencies occurring within its territory.³ Accordingly, each member State is responsible for defining the scope of emergency services within its jurisdiction. The guidelines do not distinguish by employment status or level of remuneration, including with respect to subcontracted workers in the public service. Volunteers are treated in a separate section of the guidelines.
6. In order to deliver effective PES, governments in practice assign tasks to the appropriate entities, such as agencies, state-owned corporations and local administrations. The present guidelines seek to reflect the resulting diversity of government workers. Coordination between the different levels is critical. Members of the police and armed forces, unless specifically excluded, are covered by international labour standards and are therefore included in the present guidelines with caveats as necessary.

¹ ILO: *Guidelines on social dialogue in public emergency services in a changing environment* (Geneva, 2003).

² United Nations: General Assembly Resolution 70/1 of 25 September 2015; see, in particular, goals and targets 1.3.1, 1.5, 3, 8.8, 11.5, 11.b, 13.1 and 16.1 (document [A/RES/70/1](#)).

³ United Nations: General Assembly Resolution 46/182 of 19 December 1991, annex, para. 4 (document [A/RES/46/182](#)).

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7. The present guidelines approach emergencies in terms of the types of tasks required to respond to them, which characterize the different groups of workers described under the definition of “emergency services” provided in section 2 below. This scope is broader than that of the 2003 guidelines, which covered only police, firefighters and emergency health workers.

II. Definitions

8. “Disaster” is defined as “a serious disruption of the functioning of a community or a society at any scale due to hazardous events interacting with conditions of exposure, vulnerability and capacity, leading to one or more of the following: human, material, economic and environmental losses and impacts”.⁴ Disasters can be biological (epidemics), hydro-meteorological (wild land fires, floods, landslides, droughts, tsunamis, hurricanes, typhoons), geological (earthquakes, volcanic eruptions), industrial accidents, conflicts, terrorist attacks and so on.
9. “Emergency” is defined as “a sudden and usually unforeseen event that calls for immediate measures to minimize its adverse consequences”.⁵ It is a managerial term, demanding decision and follow-up in terms of extraordinary measures. A state of emergency should only be declared or imposed by an appropriate authority and for a finite period.
10. “Emergency services” are defined as “external bodies which are available to handle major accidents and their consequences both on site and off site”.⁶ Public emergency services include police, firefighting, emergency medical services, search and rescue and other services regularly called upon to respond in emergencies, such as armed forces, security and surveillance services, bomb disposal units, local governments, mortuary and body-handling services, services responsible for the restoration of water and electricity supply, and related professions, such as social workers, according to need and national context.
11. In the present guidelines, “PES employers” are defined as the entities listed in paragraph 10 above under “emergency services”, in the context of their employment relations with PES workers.
12. “Response” is defined as “[t]he provision of emergency services and public assistance during or immediately after a disaster in order to save lives, reduce health impacts, ensure public safety and meet the basic subsistence needs of the people affected”.⁷ This meaning extends to all types of emergencies covered in the present guidelines.

⁴ ILO Employment and Decent Work for Peace and Resilience Recommendation, 2017 (No. 205), Art. 2(a).

⁵ United Nations, Department of Humanitarian Affairs: *Internationally agreed glossary of basic terms related to Disaster Management*, 1992.

⁶ [ILO code of practice on the prevention of major industrial accidents](#) (1991).

⁷ United Nations International Strategy for Disaster Risk Reduction: *2009 UNISDR Terminology on Disaster Risk Reduction* (Geneva, 2009), p. 24.

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13. “Workers’ representatives”, as defined in Article 3 of the Workers’ Representatives Convention, 1971 (No. 135), means:

... persons who are recognised as such under national law or practice, whether they are:
(a) trade union representatives, namely, representatives designated or elected by trade unions or by the members of such unions; or (b) elected representatives, namely, representatives who are freely elected by the workers of the undertaking in accordance with provisions of national laws or regulations or of collective agreements and whose functions do not include activities which are recognised as the exclusive prerogative of trade unions in the country concerned.

14. “Social dialogue” is “the term that describes the involvement of workers, employers and governments in decision-making on employment and workplace issues. It includes all types of negotiation, consultation and exchange of information among representatives of these groups on common interests in economic, labour and social policy”.⁸

III. General considerations

15. Changes in the economic, social and security environment in many regions have necessitated the enhancement of PES. Effective systems require a good understanding of the many dimensions of preparedness for, response to and mitigation of disasters and emergencies, as well as their interrelationships. This includes a comprehensive approach to the labour dimension of PES delivery and operations. PES systems must be adequately funded so that well-trained and properly resourced workers can deliver effective services that are responsive to the needs of different sections of the community and are defined by high standards of ethical behaviour on the part of PES deliverers.
16. In the light of the sharp increase in, and complexity of, disasters in the past two decades and the growing impact of climate change, governments should, in collaboration with social partners, incorporate disaster risk reduction and climate risk management in their climate change strategies. They should recognize the challenges faced by the most vulnerable populations, including unadapted and inadequate housing and infrastructure, the lack of support services and the expansion of flood areas. PES system infrastructure and supply chains should be prepared for, and resilient to, weather events and other crises.
17. Governments and social partners in the PES sector should endeavour to protect PES recipients from discrimination in the provision of services. They should ensure fair allocation of resources for services and cash disbursements to large and diverse population groups.
18. PES employers and employers’ and workers’ organizations should commit themselves to alleviating potential conflicts between the responsibilities of PES workers to the community and their responsibilities to their families during emergencies. PES employers should assist PES workers to develop family emergency plans such as childcare and elderly care.
19. The need to achieve greater diversity of the PES workforce requires enhanced efforts to eliminate prejudice and discrimination in these services.

⁸ ILO: *Social dialogue: Recurrent discussion under the ILO Declaration on Social Justice for a Fair Globalization*, Report VI, International Labour Conference, 102nd Session, Geneva, 2013, para. 15.

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20. PES work is unique in terms of the responsibilities it imposes, the exigencies of service delivery and the ways it is organized. Governments, employers' and workers' organizations must therefore respect the fundamental principles and rights at work of PES workers, regardless of their employment status.
 21. Effective social dialogue mechanisms, including tripartite or bipartite consultative institutions and collective bargaining between PES employers and workers, should be established where they do not exist. Where they do exist, they should address the specific demands placed on workers by PES. Such mechanisms are key to providing social partners with an effective voice in determining the conditions that make for effective services.
 22. Governments should protect the right of populations affected by disasters and emergencies to receive humanitarian assistance without discrimination, recognize the crucial role played by women in communities susceptible to disasters and emergencies, and protect and preserve the dignity of beneficiaries. The introduction of new management information technologies may facilitate PES work but bring risks of personal data breaches. To establish the right balance, governments should adopt the necessary privacy protection policies.
 23. To reduce the number of deaths and lessen communities' vulnerabilities, PES should procure adequate equipment, seek to improve preparedness and reduce response times wherever necessary and possible. In order to measure progress, governments should align their monitoring mechanisms to Sustainable Development Goal indicators 1.5.1 ⁹ for disasters, 3.6.1 ¹⁰ for road accidents, 3.9.1 ¹¹ for household and ambient air pollution, 3.9.2 ¹² for unsafe water, unsafe sanitation and lack of hygiene and 3.9.3 ¹³ for unintentional poisoning.

Part 2. Ensuring decent work for public emergency services workers

IV. Fundamental principles and rights at work

24. Governments and social partners have the responsibility to ensure that the ILO Declaration on Fundamental Principles and Rights at Work and its Follow-up (1998) and relevant ratified ILO Conventions protect and apply to all PES workers, under the conditions set out in each Convention.

⁹ Number of deaths, missing persons and directly affected persons attributed to disasters per 100,000 population.

¹⁰ Death rate due to road traffic injuries.

¹¹ Mortality rate attributed to household and ambient air pollution.

¹² Mortality rate attributed to unsafe water, unsafe sanitation and lack of hygiene (exposure to unsafe Water, Sanitation and Hygiene for All (WASH) services).

¹³ Mortality rate attributed to unintentional poisoning.

25. Governments should:

- (a) recognize the vital role of employers' and workers' organizations in crisis response, taking into account the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), and the Right to Organise and Collective Bargaining Convention, 1949 (No. 98);
- (b) implement policies that aim to address obstacles to the full exercise of freedom of association and the right to collective bargaining in PES, as set out in Conventions Nos 87 and 98 and in technical ILO Conventions which lay down their key elements and conditions and that complement them, specifically the Workers' Representatives Convention, 1971 (No. 135), the Labour Relations (Public Service) Convention, 1978 (No. 151), and the Collective Bargaining Convention, 1981 (No. 154);
- (c) protect workers against anti-union discrimination and take measures to eliminate other forms of discrimination in the PES sector;
- (d) respect, promote and realize equality of opportunity and treatment for women and men without discrimination of any kind, taking into account the Equal Remuneration Convention, 1951 (No. 100), the Equal Remuneration Recommendation, 1951 (No. 90), the Discrimination (Employment and Occupation) Convention, 1958 (No. 111), and the Discrimination (Employment and Occupation) Recommendation, 1958 (No. 111);
- (e) take measures to eliminate child labour in PES, especially in armed forces engaged in emergency work, taking into account the Minimum Age Convention, 1973 (No. 138), the Minimum Age Recommendation, 1973 (No. 146), the Worst Forms of Child Labour Convention, 1999 (No. 182), and the Worst Forms of Child Labour Recommendation, 1999 (No. 190);
- (f) pursue policies that eliminate the use of compulsory labour in PES other than that strictly required to counter an imminent danger to the population in accordance with the Forced Labour Convention, 1930 (No. 29), and its Protocol of 2014¹⁴ and the Abolition of Forced Labour Convention, 1957 (No. 105), and that provide for appropriate remedies and compensation;
- (g) implement awareness-raising campaigns on fundamental principles and rights at work and other international labour standards.

¹⁴ This Convention exempts from its provisions "any work or service exacted in cases of emergency, that is to say, in the event of war or of a calamity or threatened calamity, such as fire, flood, famine, earthquake, violent epidemic or epizootic diseases, invasion by animal, insect or vegetable pests, and in general any circumstance that would endanger the existence or the well-being of the whole or part of the population" (see Article 2(2)(d)). Prison labour, often used in firefighting, is accepted if it follows a conviction in a court of law, is carried out under the supervision and control of a public authority and the convicted persons are not hired to, or placed at, the disposal of private individuals, companies or associations. Regarding members of the armed forces, the Committee of Experts on the Application of Conventions and Recommendations has stated that "persons who have voluntarily entered into an engagement [with the armed forces] cannot be deprived of the right to leave the service in peacetime within a reasonable period, either at specified intervals, or with previous notice, subject to the conditions which may normally be required to ensure the continuity of the service and also taking into account the possibility of proportional reimbursement of the cost of training incurred." Governments of Bahrain and Egypt, 2011.

26. Public emergency services employers should:

- (a) remove any existing obstacles to the activities of free and independent trade unions representing PES workers;
- (b) provide workers' representatives with facilities to conduct their normal activities, the freedom to hold meetings and access to PES workplaces, to the extent that is practicable without hindering the efficiency of PES;
- (c) ensure that the minimum age of employment or work is respected;
- (d) take immediate and effective measures to prevent and eliminate child labour;
- (e) ensure that PES workers are not forced to work overtime hours beyond the limits permitted under national law and in collective agreements or without adequate compensation;
- (f) develop policies to promote non-discrimination and equal treatment, ensuring that these are clearly communicated and made accessible to management, supervisors and workers;
- (g) ensure that PES workers are paid the same wages for work of equal value.

27. Workers' organizations should:

- (a) promote PES workers' education, including on their rights and obligations, professionalism and ethics;
- (b) address practical challenges to the freedom of association and collective bargaining rights of workers in non-standard forms of employment;
- (c) generate social awareness and mobilization against the use of child labour, forced labour and discrimination;
- (d) engage in the monitoring of discrimination in PES work by, for example, establishing complaint procedures, including equality concerns in collective bargaining agreements, setting up gender committees and promoting pay equity;
- (e) tackle the challenge of achieving equality within workers' organizations with the aim of making the membership base and all levels of leadership reflective of the diversity of the PES workforce.

V. Employment and diversity

28. The challenges facing PES require the adoption of targeted employment policies and service delivery mechanisms. In order to achieve this, clear responsibilities at the appropriate levels should be assigned to governments, employers and workers in emergencies, while training policies should take account of the new challenges posed to each category of PES worker by diverse and complex emergencies.

A. Employment levels

29. Decisions intended to enhance services for effective delivery should balance the following considerations:
 - (a) adequate staffing levels to prevent excessive individual workloads and minimize the risk of unsustainable working hours;
 - (b) the nature and scope of anticipated and emerging needs;
 - (c) application of new technologies;
 - (d) contingency planning for unanticipated incidents;
 - (e) budgetary allocations and use of funds.
30. Investments in PES should therefore be planned to maintain adequate and appropriate levels of services in emergencies and, where necessary, to increase staffing levels so as to provide more effective response rates and services.
31. If PES workers are not needed outside crises or emergency situations, or if extreme situations require reductions in force, measures should be taken to retrain and/or re-employ demobilized PES workers or to assign them to other productive activities.
32. Since resiliency principles call for a certain degree of redundancy of services in case of multipronged threats, contingency efforts should be undertaken to assess the organization's unique needs and to make plans accordingly. Attempts should be made to protect PES workers by ring fencing PES from the impact of fiscal austerity.
33. As a result of changes in the nature, complexity and frequency of disasters and the increased complexity of the current global environment, the PES sector has experienced constant changes and adjustments in tasks, scope of work, occupational job profiles and job contents, creating new challenges and needs that should be addressed through social dialogue.
34. Policies to privatize or contract out emergency services should avoid reducing the financial resources required to maintain adequate staff levels, infrastructure and decent working conditions. Governments should guarantee fundamental principles and rights at work and social protection for employees of contractors that are no less favourable than those established for PES workers, should ensure transparent management and procurement of contracts, and should guarantee a system of recruitment, remuneration and career management that can mobilize the required skills, taking into account the Labour Clauses (Public Contracts) Convention, 1949 (No. 94). These guarantees should only be suspended during an emergency that endangers national welfare or safety and should be restored afterwards.

B. Employment diversity

35. Despite recent efforts, the PES workforce does not reflect the diversity of the communities that it serves. Improving diversity may enhance sensitivity to the needs of local populations and their receptivity towards PES workers.
36. The need to achieve greater gender, ethnic and other diversity in PES employment practices requires enhanced efforts to eliminate prejudice and discrimination in line with the equality of employment opportunity and treatment principles set out in the Discrimination (Employment and Occupation) Convention, 1958 (No. 111).

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- 37.** To enhance employment diversity, PES employers, in cooperation with workers and their organizations by means of social dialogue, should undertake to define and implement a policy on diversity in all its dimensions. Under such a policy, planning and management tools should include:
- (a) monitoring, documenting and following up the service's employment composition over time, based on age, gender, ethnicity, race and disability;
 - (b) establishing objective recruitment benchmarks;
 - (c) using an objective system to evaluate results.
- 38.** Human resource planning should include an active campaign to recruit and retain youth, women and ethnic and racial minority candidates (as well as candidates from under-represented groups as determined by the government and social partners) who are interested in and qualified for serving in PES. Recruiters' attitudinal changes should be ensured where these are considered barriers to meeting objectives.
- 39.** Measures to facilitate the achievement of recruitment and retention benchmarks may include:
- (a) strategies to counter the image of certain types of PES work as male-dominated;
 - (b) introduction of career counsellors who understand the different patterns of women's and men's career development and attend to the needs of women returning to work;¹⁵
 - (c) legislation and policies to facilitate family leave, including maternity, paternity, parental and other leave measures for other family members with care needs, and subsequent reintegration to professional activity;
 - (d) policies aimed at helping to balance work and family life, such as increased access to childcare facilities;
 - (e) analysis and action to alleviate obstacles to career progression;
 - (f) provision of both initial and continual diversity-conscious training opportunities linked to career development;
 - (g) development of appropriate gender-sensitive occupational safety and health (OSH) policies, including policies governing personal protective equipment (PPE) and its effective use;
 - (h) ensuring a work environment free of violence and harassment, with training on respect for diversity that includes, but is not limited to, gender, disability, geographic origin, ethnicity and race for all staff;
 - (i) a complaints policy or mechanism that is accessible, equitable, independent and impartial for all staff.

¹⁵ See E.M. Lemmer: "Untidy careers: occupational profiles of re-entry women", in *International Journal of Career Management* (1991, Vol. 3, Issue 1).

VI. Working conditions

40. Evidence shows that various groups of PES workers, particularly in the field of ambulance and emergency medical services, are subject to low wages and/or are not covered by national labour laws of general application. Salaries and other terms and conditions of employment should be considered as integral parts of employment policies designed to recruit, train and retain well-qualified and experienced workers.
41. Establishment of PES working conditions should take account of the needs of the different occupational groups that deliver PES outputs. Evidence indicates that PES employees work long hours, often with little or no rest periods, under conditions that are physically and mentally demanding. Terms and conditions of work, including working time and leave conditions, should therefore be determined through collective bargaining or its functional equivalent, conducted at the appropriate level according to national law and practice.
42. In recovering from crisis situations, governments should, in consultation with PES employers' and workers' organizations, review, establish or reinforce labour legislation applicable to PES workers, as set out in Recommendation No. 205. This should be done in a manner consistent with the ILO Declaration on Fundamental Principles and Rights at Work and its Follow-up (1998), as well as applicable international labour standards.

Remuneration

43. PES workers should be entitled, in law and in practice, to a minimum wage which covers the needs of workers and their families, while taking into account economic circumstances at the national or sectoral levels. An effective minimum wage could reduce or eliminate the need to work off-duty hours to supplement incomes, which puts PES workers at extra risk due to fatigue and may endanger the health and security of the public.
44. Where not established by national law or practice, a legal mechanism should be set up, with the participation of workers and/or their representatives, to define the criteria for fixing minimum wage levels, their application and implementation. Where necessary, and in a gender-sensitive manner, consideration should be given to mechanisms for determining hazardous duty pay.
45. Pay structures should be established based on all relevant factors, including required qualifications for employment, hours of work, risk and stress level. Comparability between different occupational groups of PES workers, including police officers, firefighters and emergency medical service workers, should reflect local and national circumstances and be based on job and pay evaluation systems that are designed and operated through social dialogue. Parties should seek to understand that each PES occupational group plays a unique yet equally vital role in the provision of public safety. This equality of work among PES occupational groups should command equal value in areas of wages, benefits and funding. Overtime pay should be considered both as a means to compensate for time worked outside normal schedules and as a mechanism to discourage excessive work hours.
46. Based on available information indicating that women are concentrated in support positions and tend to earn lower salaries and wages than men in PES positions, the provisions of the Equal Remuneration Convention, 1951 (No. 100), should be applied to pay structures in order to ensure that work of equal value is compensated accordingly, irrespective of the sex of the person performing the duty.

Retirement benefits

47. PES employers should plan for, design and finance retirement systems that guarantee benefits on retirement. These systems should reflect the tendency for PES workers to retire

earlier than other workers due to the hazardous and strenuous nature of their work and the increasing imbalance between the number of staff reaching retirement age and the number of new recruits. Such systems should be managed by bodies on which all stakeholders, including PES workers, are represented.

Working time

48. Working time arrangements should establish a balance between the need for sufficient staff at all times, including on nights and weekends, and the need for rest periods for PES workers, including to attend to their family responsibilities. Where general laws on maximum weekly hours of work, minimum daily rest, rest periods and standby time do not cover PES workers, special laws, regulations or agreements should be adopted to protect them from excessive working time.
49. In recognition of their obligation to work atypical and irregular hours and to respond immediately to emergencies, the following principles should be observed in defining working time and organization:
 - (a) laws stipulating maximum weekly hours of work, the minimum daily consecutive rest period and the minimum weekly consecutive rest period should be observed, except in unusual circumstances, in which case compensatory periods of rest should be provided;
 - (b) rest periods taken while on duty should be counted as working hours;
 - (c) in shifts of any length outside normal working hours during which the employer requires the worker to stand by for specific service requirements or at specific locations, such standby time should be treated as working hours unless other compensatory arrangements exist. The employer should be responsible for notifying the workers of any such policies.
50. Governments should compile comparative and national information on remuneration and pay issues, industrial disputes and collective bargaining conflicts with regard to PES workers.

VII. Occupational safety, health and injury protection

A. General considerations

51. In addition to physical and psychological overstrain, OSH concerns for PES workers include exposure to debris, leakages of dangerous materials, polluted air and water, asbestos and radiation, as well as extreme temperatures, the collapse of buildings, vehicular accidents and the risk of falling. These risks may be considerably increased by poor management. Inadequate working conditions are a major factor hindering improvements in this field.
52. PES employers should commit themselves to establishing a proactive policy and high OSH standards. Preventive measures should be taken both within institutional settings and outside them, where risks cannot be controlled and it is more difficult to take routine precautions.
53. Governments and PES employers should provide sufficient financial and human resources to effectively prevent occupational hazards and implement existing instruments and guides prepared by the ILO, other United Nations institutions and regional bodies.

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- 54.** Although PES workers assume risks as part of their duties, PES workers must never be forced to take excessive risks.
- 55.** Efforts to improve OSH in PES may include:
- (a) designing and implementing OSH measures that are adjusted to the particular functions of PES workers and employers, to be achieved through the participation of both groups in social dialogue;
 - (b) enhancing the legal system and administrative regime for safety;
 - (c) building the capacities of those responsible for safety supervision and inspection;
 - (d) providing OSH training before PES workers enter into service and continuously after their recruitment;
 - (e) launching special safety awareness and enforcement campaigns;
 - (f) enabling labour inspectorates to monitor OSH and create mechanisms for data coordination with national employment injury insurance schemes.
- 56.** In consultation with workers and their representatives, PES employers should establish OSH management systems to identify hazards and assess risks to safety and health. Control measures should be applied in the following order of priority:
- (a) eliminate the hazard;
 - (b) control the hazard at source by the use of engineering controls or organizational measures;
 - (c) minimize the hazard by the design of safe work systems that include administrative control measures;
 - (d) where residual hazards cannot be controlled by collective measures, the PES employer should provide for appropriate PPE, including clothing, at no cost to the worker, and should implement measures to ensure its use and maintenance.
- 57.** To ensure the application of a coherent national policy on the safety and health of PES workers under Sustainable Development Goal target 8.8, governments should monitor the following policy elements:
- (a) the mapping, prevention and limitation of occupational risks;
 - (b) the impact of measures taken and whether the desired effect is achieved;
 - (c) the manner in which communication and cooperation at all the appropriate levels is ensured in practice.
- 58.** To this end, concrete measures should take into account PES specificities, should incorporate the knowledge and experience of front-line PES workers at the local, national and transnational levels and should include:
- (a) adopting OSH standards where they do not exist;
 - (b) applying existing general, local or national safety and health laws to PES workers, including government workers, and ensuring their adequate enforcement;

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- (c) including specific provisions on OSH, such as safety metrics, in any special legislation covering PES workers;
 - (d) allocating adequate resources and systems for PES worker protection and rescue in situations where their lives are put at risk to save the lives of others;
 - (e) improving the PES working environment by adapting new technologies in the area of safety and health;
 - (f) making available equipment that meets international standards;
 - (g) recognizing situations of extreme danger from which PES workers may need to be removed or have the right to remove themselves;
 - (h) preventing drug and alcohol use, ensuring PES worker compliance and providing rehabilitation services in case of need;
 - (i) providing for collective bargaining, where applicable, on safety and health standards and their application;
 - (j) conducting safety audits and implementing other measures that periodically review the PES working environment with the aim of identifying major problems, developing effective solutions and evaluating results.
- 59.** Given the potential for PES workers to be exposed to work-related injuries and diseases, PES employers should guarantee access to first-aid medical services.
- 60.** Given that PES often involve long working hours and exposure to different work environments, welfare facilities such as water, sanitation and hygiene should be made easily available to PES workers. Housing and transportation, where necessary, should be adequate.
- 61.** Governments should promote preventive measures and provide advice to employers, workers and their representatives on requirements for establishing and maintaining a safe and healthy working environment and on adapting work to individual physical and mental health needs.
- 62.** Provision should be made for ongoing, participatory research on ways to respond to the occupational diseases directly affecting PES workers. PES workers should commit themselves to complying with these measures.
- 63.** Governments should ensure the protection and security of all health workers and all health facilities, as recommended by the High-Level Commission on Health Employment and Economic Growth and the ILO/Organisation for Economic Co-operation and Development (OECD)/World Health Organization (WHO) *Five-Year Action Plan for Health Employment and Inclusive Economic Growth (2017–21)*¹⁶ and its deliverables. Governments of high-risk countries should strengthen their capacities to protect the OSH of health and emergency aid workers.
- 64.** Measures to protect PES workers against hazardous ambient factors such as air pollutants, radiation, asbestos, noise and vibration should follow the provisions in the Asbestos Convention, 1986 (No. 162), and the Asbestos Recommendation, 1986 (No. 172), as well as the Recommendations included in the ILO codes of practice on ambient factors in the

¹⁶ ILO, OECD, WHO: *“Working for Health”: Five-year Action Plan for Health Employment and Inclusive Economic Growth (2017–21)* (Geneva, May 2017), WHO document A/70/18, annex.

workplace (2001), occupational exposure to airborne substances harmful to health (1980), safety in the use of asbestos (1984), safety in the use of chemicals at work (1993), and dust control in the working environment (silicosis) (1997).

B. Stress, violence and harassment

65. To reduce the negative impact of stressors and their consequences, including mental health conditions such as anxiety, depression and suicidal thoughts, the incidence of “burnout” and of violence and harassment against PES workers, and the consequences of critical incidents that lead to post-traumatic stress disorder (PTSD), PES employers should implement the following practices:
- (a) undertake risk assessments of critical incident stress and possibilities of violence and harassment, based on up-to-date evidence and expert analysis;
 - (b) establish adequate stress management and counselling programmes to protect PES workers and immediate family members from the effects of cumulative or specific incidents of stress;
 - (c) adopt a zero-tolerance policy towards workplace violence and harassment, and ensure dynamic intervention to address problems arising from violent incidents, including by providing support to victims and witnesses;
 - (d) provide appropriate training for managers and workers to reduce the likelihood of harassment and violence at work;
 - (e) arrange for regular reviews through effective social dialogue of challenges, policies and measures to address issues of stress, violence and harassment.
66. In addition, governments and social partners should apply the relevant recommendations in the ILO *Code of practice on workplace violence in services sectors and measures to combat this phenomenon* (2003), as well as the results of the discussion on violence and harassment against women and men in the world of work at the 107th Session of the International Labour Conference, to be held in Geneva in June 2018.
67. In addressing incidences of violence and harassment against PES workers, PES employers should establish investigation procedures that protect the rights of all parties, including witnesses and whistle-blowers. In particular:
- (a) investigation procedures should respect the principles of discretion, confidentiality, speediness, professionalism and ethics, ensure the availability of external assistance and include effective sanctions and remedies;
 - (b) PES employers, in consultation with PES workers and/or their representatives, should review and monitor these procedures periodically to ensure that they are effective in both preventing and dealing with issues as they arise.

C. Communicable diseases

68. Employers’ and workers’ organizations should strive to ensure jointly that workers are educated and sensitized in the use of “universal precautions” and are given proper protective equipment, including to protect against communicable diseases, blood-borne pathogens or

HIV transmission,¹⁷ while responding to the needs of the injured and the sick. This may include providing protective clothing (especially in rural areas), post-exposure prophylaxis, confidential testing, counselling, immunization (where applicable), training and the establishment of a monitoring mechanism to assess effective application.

69. Where exposure and infection are work-related, PES workers should be provided with adequate compensation, including when quarantined.
70. In the event of scarcity of treatment for those contracting communicable diseases, a treatment distribution protocol should be developed and should specify the priority of PES workers in receiving treatment.
71. With regard to the measures described in paragraphs 63–65 above, confidentiality should be strictly observed and formally prescribed to avoid the stigma and potential workplace isolation that might otherwise be attached to those who undergo testing, stress management and counselling programmes.

D. Personal protective equipment

72. In view of the physical, ergonomic, chemical and biological hazards faced by PES workers, PES employers should provide the best preventive measures available, including properly designed PPE and materials. Protective clothing, boots and other equipment must be designed to meet the physical requirements of individual PES workers.
73. To take account of changing PES response and work environments, information-sharing on the planning and implementation of new safety and health measures, in particular regarding new technology developed and applied to PPE, should be encouraged.
74. PES employers should adapt PPE to new technologies, apply post-exposure prophylaxis to such equipment and maintain PPE in accordance with regional and/or international standards in order to avoid post-incident contamination. PES employers should provide training on the proper use of PPE.

E. Radiation

75. Governments should take the necessary steps indicated in the Radiation Protection Convention, 1960 (No. 115), to ensure that the exposure limits established by national authorities for workers in critical situations are not exceeded and that workers are informed about the risks involved prior to their exposure.
76. All staff working with radiation should wear personal dosimeters. Personnel working in a hot laboratory must wear a wrist or face dosimeter in addition to the routine body dosimeter.

¹⁷ In relation to HIV, prevention strategies should be based on the application of “universal precautions” as defined in the ILO code of practice on HIV/AIDS and the world of work (2001) and in para. 31 of the HIV and AIDS Recommendation, 2010 (No. 200):

Safety and health measures to prevent workers’ exposure to HIV at work should include universal precautions, accident and hazard prevention measures, such as organizational measures, engineering and work practice controls, personal protective equipment, as appropriate, environmental control measures and post-exposure prophylaxis and other safety measures to minimize the risk of contracting HIV and tuberculosis, especially in occupations most at risk, including in the health-care sector.

F. Extreme heat and cold

77. Excessive heat is a growing challenge related to climate change that will likely have an impact on both PES workers and the provision of PES itself. Excessive workplace heat can lead to high body temperature, dehydration, heat exhaustion and heat stroke and, in extreme cases, it can lead to death.
78. Governments and PES employers should design heatwave plans with the participation of PES workers and their representatives, in particular in the health sector, both to protect PES workers and to ensure that they are able to provide a resilient response to weather events and other crises.
79. All workers in extremely cold working environments will need specialized skills to be able to handle equipment and installations, firefighting and emergency preparedness in those conditions. Related survival equipment, survival suits and rescue equipment must be updated with the latest available technology.

VIII. Measures of social protection in case of work-related injuries and illnesses

80. Governments should ensure that PES workers and their dependants are entitled to benefits in accordance with national laws, regulations or practice for work-related sickness, injury or death, and should take measures to provide the corresponding protections. In particular:
 - (a) employment injury insurance schemes based on the collective responsibility of employers to support social insurance programmes should be promoted as the optimal approach to providing employment injury benefits;
 - (b) national legislation concerning employment injury benefits for PES workers should be aligned with international labour standards, including the Social Security (Minimum Standards) Convention, 1952 (No. 102), the Employment Injury Benefits Convention, 1964 [Schedule I amended in 1980] (No. 121), and the Employment Injury Benefits Recommendation, 1964 (No. 121).
81. Social protection schemes for PES workers should take into account that illnesses or disabilities due to emergencies or disasters can occur years after exposure. In addition, they should cover injuries or illness experienced by PES workers when working under “off-duty” arrangements without PPE, control or legal mandate. In particular:
 - (a) governments should, under prescribed conditions, provide rehabilitation services that are designed to facilitate the return to work of PES workers with an acquired disability, wherever possible, or if this is not possible to provide alternative work in the PES sector;
 - (b) governments should take measures to facilitate the placement of disabled PES workers in suitable employment, recognizing that disability does not equal inability to work.
82. PES employers should, as prescribed by national laws and regulations or established in accordance with national conditions and practice:
 - (a) ensure that every PES worker is covered against contingencies due to employment injury, including those specified in Article 6 of the Employment Injury Benefits Convention, 1964 [Schedule I amended in 1980] (No. 121);

(b) collectively finance worker compensation schemes to support claims based on work injuries and occupational diseases.

83. Appropriate arrangements should be established by relevant government institutions for the coordination of activities and data sharing to support the development of OSH policies in ways that contribute to the financial sustainability of workers' compensation schemes. Statistics on the coverage of work injury protection schemes should be distinguished from other social protection floor initiatives, as required by Sustainable Development Goal indicator 1.3.1.¹⁸

Part 3. Means of action

84. Governments, PES employers and workers and their representative organizations should promote and engage in social dialogue, training and monitoring and evaluation when implementing the recommendations included in the present guidelines.

IX. Social dialogue

85. As set out above, the present guidelines have espoused the use of social dialogue to address the emerging challenges and needs of PES work, promote employment diversity, establish working conditions, design job-evaluation and pay-evaluation systems, design and implement OSH measures, and monitor and evaluate policies regarding stress, violence and harassment in PES work. The guidelines have referred to the use of collective bargaining and other relevant mechanisms, as applicable, to establish levels of remuneration, OSH measures and other working conditions. These lists, however, are not exhaustive.

86. Social dialogue is an effective means to both ensure emergency preparedness and improve emergency response. It seeks to improve working conditions for PES workers, including in situations of increased workload and responsibility. In addition, social dialogue can mitigate the potentially negative impacts of privatization or outsourcing on the employment and living conditions of PES workers, while protecting fundamental social services.

87. The unique and essential role of PES workers should not be used as a justification to deny their participation in effective social dialogue mechanisms. An overriding policy consideration for PES employers and workers should be to establish an environment and mechanisms for effective social dialogue on working conditions, including appropriate pay structures and levels. To this end, PES workers' representatives should be fully involved in social dialogue processes.

88. Social dialogue regarding PES should be based on freedom of association, should be conducted in good faith and, where applicable under the relevant ILO Conventions, should include the effective recognition of the right to collective bargaining or, where appropriate, recourse to consultations. In addition, it should be supported by enabling institutional, legal and regulatory frameworks.

¹⁸ This indicator measures the proportion of employed population covered in the event of work injury. It corresponds to the target 1.3 of the Sustainable Development Goals, which seeks to implement nationally appropriate social protection systems and measures for all, including floors and, by 2030, achieve substantial coverage of the poor and the vulnerable.

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- 89.** Strong, independent and representative organizations of PES workers and employers, in collaboration with each other, can contribute to the improvement of issues such as social protection, OSH and access to training. In ensuring effective social dialogue, emphasis should be placed on:
- (a) reviewing the legal framework to eliminate any legal and practical obstacles that impede the realization of freedom of association and the right to collective bargaining regarding PES, where ILO Conventions allow it, such as excessive minimum membership thresholds, the absence of formalized social dialogue mechanisms and inadequate funding;
 - (b) enabling the establishment of facilities, as appropriate, for the representatives of recognized PES workers' organizations that allows for representational functions to be carried out promptly and efficiently, both during and outside working hours, in a manner that does not impede the efficiency of PES operations;
 - (c) creating an enabling environment for social dialogue by providing appropriate education and training programmes for representatives of PES workers.
- 90.** Governments should encourage and promote the full development and utilization of machinery for voluntary negotiations between employers or between employers' and workers' organizations. A state of emergency should not justify exempting PES employers from their obligations under relevant ratified ILO Conventions or suspending the application of those Conventions.
- 91.** Governments and social partners should take measures to mainstream diversity in social dialogue mechanisms, including by ensuring the representation of under-represented groups of workers. Social dialogue is an effective means of securing commitments to greater diversity in the PES workforce.
- 92.** Tripartite commissions on OSH or other working conditions should include PES employers' and workers' representatives. Collective agreements between PES employers and workers, as well as memoranda of understanding between agencies responsible for OSH and PES, could provide guidance in this regard. Social dialogue between PES workers and employers may include other relevant parties deemed necessary or desirable by the government or social partners.
- 93.** In addition to legal restrictions on freedom of association rights applicable to the police and armed forces, other categories of PES workers may be classified as essential services if the interruption of their work would endanger the life, health or personal safety of the whole or part of the population. If deprived of the right to strike, such workers should have access to adequate, impartial and speedy conciliation and arbitration proceedings in interest disputes.

X. Training

- 94.** As set out above, the present guidelines advocate the use of training to promote emergency preparedness, career development, respect for diversity, the prevention of violence and harassment, the application of "universal precautions" and the proper use of PPE. Training should be an integral part of employment policies and should facilitate the reintegration or re-employment of demobilized PES workers.

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95. Governments should ensure that government entities in charge of PES, as well as response and recovery organizations, communities and individuals, acquire the knowledge and capacity to effectively anticipate, respond to, and recover from, the impacts of likely, imminent or current disasters. First responders should be prepared at all times for the complex and variable situations they confront. In conflict-prone countries and where increasingly complex emergencies have developed in recent years, governments should design PES training programmes that provide the particular skills needed at all levels.
 96. For those workers whose jobs do not involve PES on a regular basis, employers should include response management in their routine training programmes and academic curricula.
 97. Governments and PES employers should allocate financial resources for training and knowledge sharing with a view to improving emergency services.
 98. Governments at all levels, employers and workers should establish joint mechanisms to design and provide training programmes related to subjects identified as necessary for effective PES.
 99. PES employers should incorporate ethics as a subject in PES training, which should include the principles of solidarity, joint responsibility of all stakeholders, non-discrimination, respect, tolerance, compassion, impartiality, neutrality, cooperation, territorial sovereignty and prevention.
 100. Regarding emergency health workers, PES employers should ensure investment in the core capacities of the International Health Regulations,¹⁹ including skills development for national and international health workers in humanitarian settings and in public health emergencies, both acute and protracted, as recommended by the High-Level Commission on Health Employment and Economic Growth. Consequently, they should incorporate workforce strategies into national health emergency planning.
 101. Community-based training for volunteers should be conducted locally, using training materials relevant to the specific hazards, vulnerability patterns and resources of each particular location.

XI. Monitoring and evaluation

102. As set out above, the present guidelines recommend monitoring the progress of response management schemes, national policies on the safety and health of PES workers, measures to prevent the transmission of communicable diseases (in particular to emergency health workers), investigation protocols on violence and harassment at work and the provision of PPE.
103. When planning these processes, PES employers should identify evaluation goals, performance measures and benchmarks, evaluation tools, data-collection sources and system-modification steps in order for newly designed systems to evolve and improve over time.
104. Labour inspectorates should be involved in efforts to monitor progress in labour rights and working conditions, while collective agreements and other social dialogue processes can promote collaborative labour relations based on joint problem-solving and collaboration at the national, regional or local levels. Union management consultative or monitoring

¹⁹ World Health Organization, document [WHA58/2005/REC/1](#), resolution 58.3, annex.

committees may be created to monitor and evaluate the implementation of agreements or regulations, with particular attention to subjects such as employment and vocational training.

XII. The special case of persons in volunteer work participating in crisis response

105. Volunteer work, defined as “non-compulsory work performed for others without pay”,²⁰ is one of the five distinct forms of work recognized by the International Conference of Labour Statisticians. Volunteers should therefore be covered by legislation establishing freedom of association, including the right to collective bargaining, according to their functions and under the relevant ILO Conventions.
106. Many persons in volunteer work participate in crisis response, including firefighting, tending to displaced persons and engaging in rescue operations. Since managing and motivating paid staff and volunteers demand different approaches, PES employers should carefully consider the conditions under which they take on volunteer staff and whether paid PES workers and volunteers should be designated different specific activities. Where appropriate, governments should take measures to professionalize volunteer PES work.
107. The employment of volunteers should not impair the coordination of PES or undermine the wages or working conditions of other PES workers.
108. Governments should consider measures to allow persons to take leave without loss of employment in order to engage in unpaid community service during public emergencies. Such leave should include reasonable rest time immediately following the period of service. Persons engaged in these activities should be provided full OSH protection, including PPE, adequate training and social protection measures.

XIII. Coordination and cooperation in public emergency services

109. PES organizations need to adapt quickly to evolving situations and jointly devise immediate action. To this end, they can rely on structured role systems, common expectations of workflow and shared task knowledge. In particular:
 - (a) governments and social partners should recognize that response management systems operate in complex environments, that the events these systems handle are unpredictable and complex, and that systems must be equipped with proper resources and expertise to prevent the consequences of these events from escalating rapidly;
 - (b) preparedness should be based on sound analysis of risks and good linkages with national and international early warning systems and must include such activities as contingency planning, the stockpiling of equipment and supplies, the development of arrangements for coordination, evacuation and public information, and associated training and field exercises. These activities must be supported by formal institutional, legal and budgetary capacities;

²⁰ International Conference of Labour Statisticians: *Resolution I – Resolution concerning statistics of work, employment and labour underutilization*, 19th ICLS (Geneva, October 2013), para. 7(d).

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- (c) people-centred early warning systems should integrate four elements:
- (i) knowledge of the risks faced;
 - (ii) technical monitoring and warning services;
 - (iii) dissemination of meaningful warnings to those at risk, using relevant means based on demographic composition, including accessibility of communication to persons with disabilities;
 - (iv) public awareness and preparedness to act.

110. To move effectively towards new orientations in community-based service in response to law and order questions, a proactive communications policy should be established for information sharing, trust building and partnership development between PES providers (especially police), primarily through greater diversity of demographic representation.

111. Time frames, responsibilities for implementation and sources of funding should be specified in risk reduction plans. PES employers should take advantage of the most recent communications technologies to enhance community members' voice in order to improve the responsiveness of emergency services.

112. Governments should ensure that the different sectors work together, including the government entities in charge of labour relations and employment. Environmental health planning should be an integral part of occupational health planning. In order to be responsive to local needs, PES worker organizations and employers, as well as communities, should participate fully in all phases of emergency relief and recovery.

113. In keeping with the guidance provided by Recommendation No. 205, governments should promote the exchange of information between agencies at the local, national, regional and cross-border levels, including faith-based organizations, non-governmental organizations and other civil society organizations, as deemed necessary. Special attention should be paid to coordination between entities responsible for early warning systems, as indicated in the seventh global target of the Sendai Framework for Disaster Risk Reduction.²¹ In particular:

- (a) institutions dealing with prevention, rehabilitation, income replacement compensation and access to health benefits in case of occupational injury and those responsible for labour inspection should coordinate and share data in order to create synergies and enlarge and harmonize available data. This includes establishing mechanisms and technologies to support this harmonization and to improve the assessment, monitoring and regular review of risks and prevention measures;
- (b) to ensure a smooth transition to peace and resilience, coordination between the different agencies should include social services and other post-crisis employment generation and recovery activities, such as the skilling or reskilling of workforces to confront climate-related changes in labour markets by focusing on climate adaptation or mitigation measures.

²¹ United Nations: General Assembly Resolution 69/283 of 3 June 2015, Annex II, para. 18(g) (document [A/RES/69/283](#)).

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- 114.** International cooperation mechanisms should recognize the sovereignty, territorial integrity and national unity of states when implementing coordination plans. Humanitarian assistance should therefore be provided on the basis of an appeal by the affected government and in coordination with that government through, for example, clusters of responsible entities.
 - 115.** Governments should promote dialogue on the varying roles and responsibilities of different agencies and entities responsible for PES, including local governments. In particular, the fundamental role of local governments in the provision and coordination of PES should be clearly highlighted. The significant gaps and challenges faced by local authorities in terms of capacities and financial resources should be noted and addressed.

Appendix

ILO Conventions, Recommendations and codes of practice relevant to public emergency services

A. *Conventions*

Abolition of Forced Labour Convention, 1957 (No. 105)
Asbestos Convention, 1986 (No. 162)
Collective Bargaining Convention, 1981 (No. 154)
Discrimination (Employment and Occupation) Convention, 1958 (No. 111)
Employment Injury Benefits Convention, 1964 [Schedule I amended in 1980] (No. 121)
Equal Remuneration Convention, 1951 (No. 100)
Forced Labour Convention, 1930 (No. 29) and its Protocol of 2014
Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87)
Labour Clauses (Public Contracts) Convention, 1949 (No. 94)
Labour Relations (Public Service) Convention, 1978 (No. 151)
Minimum Age Convention, 1973 (No. 138)
Radiation Protection Convention, 1960 (No. 115)
Right to Organise and Collective Bargaining Convention, 1949 (No. 98)
Workers' Representatives Convention, 1971 (No. 135)
Worst Forms of Child Labour Convention, 1999 (No. 182)

B. *Recommendations*

Asbestos Recommendation, 1986 (No. 172)
Collective Bargaining Recommendation, 1981 (No. 163)
Discrimination (Employment and Occupation) Recommendation, 1958 (No. 111)
Employment and Decent Work for Peace and Resilience Recommendation, 2017 (No. 205)
Employment Injury Benefits Recommendation, 1964 (No. 121)
Equal Remuneration Recommendation, 1951 (No. 90)
HIV and AIDS Recommendation, 2010 (No. 200)
Labour Relations (Public Service) Recommendation, 1978 (No. 159)
Minimum Age Recommendation, 1973 (No. 146)
Worst Forms of Child Labour Recommendation, 1999 (No. 190)

C. *Codes of practice*

Ambient factors in the workplace (2001)
Dust control in the working environment (silicosis) (1997)
HIV/AIDS and the world of work (2001)
Occupational exposure to airborne substances harmful to health (1980)
Safety in the use of asbestos (1984)

Safety in the use of chemicals at work (1993)

Prevention of major industrial accidents (1991)

Workplace violence in services sectors and measures to combat this phenomenon (2003)