

INTERNATIONAL LABOUR OFFICE GENEVA

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REPORT FORM  
FOR THE  
**EMPLOYMENT SERVICE CONVENTION,  
1948 (No. 88)**

The present report form is for the use of countries which have ratified the Convention. It has been approved by the Governing Body of the International Labour Office, in accordance with article 22 of the ILO Constitution, which reads as follows: "Each of the Members agrees to make an annual report to the International Labour Office on the measures which it has taken to give effect to the provisions of the Conventions to which it is a party. These reports shall be made in such form and shall contain such particulars as the Governing Body may request."

The Government may deem it useful to consult the appended text of the Employment Service Recommendation, 1948 (No. 83), the provisions of which supplement the present Convention and can contribute to a better understanding of its requirements and facilitate its application.

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PRACTICAL GUIDANCE FOR DRAWING UP REPORTS

*First reports*

If this is your Government's first report following the entry into force of the Convention in your country, full information should be given on each of the provisions of the Convention and on each of the questions set out in the report form.

*Subsequent reports*

In subsequent reports, information need normally be given only:

(a) on any new legislative or other measures affecting the application of the Convention;

(b) in reply to the questions in the report form on the practical application of the Convention (for example, statistics, results of inspections, judicial or administrative decisions) and on the communication of copies of the report to the representative organizations of employers and workers and on any observations received from these organizations;

(c) **in reply to comments by the supervisory bodies:** the report must contain replies to any comments regarding the application of the Convention in your country which have been made by the Committee of Experts on the Application of Conventions and Recommendations or by the Conference Committee on the Application of Standards.

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## Article 22 of the Constitution of the ILO

Report for the period \_\_\_\_\_ to \_\_\_\_\_

made by the Government of \_\_\_\_\_

on the

### EMPLOYMENT SERVICE CONVENTION, 1948 (No. 88)

(ratification registered on \_\_\_\_\_)

- I. Please give a list of the legislation and administrative regulations, etc., which apply the provisions of the Convention. Where this has not already been done, please forward copies of the said legislation, etc., to the International Labour Office with this report.**

**Please give any available information concerning the extent to which these laws and regulations have been enacted or modified to permit, or as a result of, ratification.**

- II. Please indicate in detail for each of the following Articles of the Convention the provisions of the abovementioned legislation and administrative regulations, etc., or other measures, under which each Article is applied. In addition, please provide and indication specifically requested below under individual Articles.**

**If in your country ratification of the Convention gives the force of national law to its terms, please indicate by virtue of what constitutional provisions the ratification has had this effect. Please also specify what action has been taken to make effective those provisions of the Convention which require a national authority to take certain specific steps for its implementation, such as measures to define its exact scope and the extent to which advantage may be taken of permissive exceptions provided for in it, measures to draw the attention of the parties concerned to its provisions, and arrangements for adequate inspection and penalties.**

**If the Committee of Experts or the Conference Committee on the Application of Standards has requested additional information or has made an observation on the measures adopted to apply the Convention, please supply the information asked for or indicate the action taken by your Government to settle the points in question.**

#### *Article 1*

1. Each Member of the International Labour Organisation for which this Convention is in force shall maintain or ensure the maintenance of a free public employment service.

2. The essential duty of the employment service shall be to ensure, in co-operation where necessary with other public and private bodies concerned, the best possible organisation of the employment market as an integral part of the national programme for the achievement and maintenance of full employment and the development and use of productive resources.

#### *Article 2*

The employment service shall consist of a national system of employment offices under the direction of a national authority.

*Please describe the powers and functions of the national authority responsible for the direction of the national system of employment offices.*

### Article 3

1. The system shall comprise a network of local and, where appropriate, regional offices, sufficient in number to serve each geographical area of the country and conveniently located for employers and workers.

2. The organisation of the network shall:

- (a) be reviewed:
  - (i) whenever significant changes occur in the distribution of economic activity and of the working population, and
  - (ii) whenever the competent authority considers a review desirable to assess the experience gained during a period of experimental operation; and
- (b) be revised whenever such review shows revision to be necessary.

*1. Please indicate the measures taken to establish and locate sufficient employment offices to serve the employers and workers in each of the geographical areas.*

*2. Please state what provision is made for review of the network of employment offices and revision, where necessary, to meet the changing requirements of the economy and the working population.*

### Article 4

1. Suitable arrangements shall be made through advisory committees for the co-operation of representatives of employers and workers in the organisation and operation of the employment service and in the development of employment service policy.

2. These arrangements shall provide for one or more national advisory committees and where necessary for regional and local committees.

3. The representatives of employers and workers on these committees shall be appointed in equal numbers after consultation with representative organisations of employers and workers, where such organisations exist.

*1. Please give particulars of the arrangements made through advisory committees for the cooperation of employer and worker representatives in the organization and operation of the employment service and in the development of employment service policy.*

*2 and 3. Please indicate the number of advisory committees established nationally, regionally and locally (if applicable), how they are constituted, and the procedure adopted for the appointment of employer and worker representatives.*

### Article 5

The general policy of the employment service in regard to referral of workers to available employment shall be developed after consultation of representatives of employers and workers through the advisory committees provided for in Article 4.

*If this information is not already given under Article 4 please describe the arrangements made to give effect to Article 5.*

### Article 6

The employment service shall be so organised as to ensure effective recruitment and placement, and for this purpose shall:

- (a) assist workers to find suitable employment and assist employers to find suitable workers, and more particularly shall, in accordance with rules framed on a national basis:
  - (i) register applicants for employment, take note of their occupational qualifications, experience and desires, interview them for employment, evaluate if necessary their physical and vocational capacity, and assist them where appropriate to obtain vocational guidance or vocational training or retraining,
  - (ii) obtain from employers precise information on vacancies notified by them to the service and the requirements to be met by the workers whom they are seeking,

- (iii) refer to available employment applicants with suitable skills and physical capacity,
  - (iv) refer applicants and vacancies from one employment office to another, in cases in which the applicants cannot be suitably placed or the vacancies suitably filled by the original office or in which other circumstances warrant such action;
- (b) take appropriate measures to:
- (i) facilitate occupational mobility with a view to adjusting the supply of labour to employment opportunities in the various occupations,
  - (ii) facilitate geographical mobility with a view to assisting the movement of workers to areas with suitable employment opportunities,
  - (iii) facilitate temporary transfers of workers from one area to another as a means of meeting temporary local maladjustments in the supply of or the demand for workers,
  - (iv) facilitate any movement of workers from one country to another which may have been approved by the governments concerned;
- (c) collect and analyse, in co-operation where appropriate with other authorities and with management and trade unions, the fullest available information on the situation of the employment market and its probable evolution, both in the country as a whole and in the different industries, occupations and areas, and make such information available systematically and promptly to the public authorities, the employers' and workers' organisations concerned, and the general public;
- (d) co-operate in the administration of unemployment insurance and assistance and of other measures for the relief of the unemployed; and
- (e) assist, as necessary, other public and private bodies in social and economic planning calculated to ensure a favourable employment situation.

*Please indicate the manner in which the employment service is organized and the activities which it performs in order to carry out effectively the above functions.*

*Please describe any other functions discharged by the employment service in connection with the abovementioned aims.*

#### Article 7

Measures shall be taken:

- (a) to facilitate within the various employment offices specialisation by occupations and by industries, such as agriculture and any other branch of activity in which such specialisation may be useful; and
- (b) to meet adequately the needs of particular categories of applicants for employment, such as disabled persons.

*Please give particulars concerning the arrangements made to give effect to this Article, including the occupations, industries and special categories of applicants for which specialized arrangements have been made.*

#### Article 8

Special arrangements for juveniles shall be initiated and developed within the framework of the employment and vocational guidance services.

*Please give particulars concerning the arrangements made to give effect to this Article.*

#### Article 9

1. The staff of the employment service shall be composed of public officials whose status and conditions of service are such that they are independent of changes of government and of improper external influences and, subject to the needs of the service, are assured of stability of employment.

2. Subject to any conditions for recruitment to the public service which may be prescribed by national laws or regulations, the staff of the employment service shall be recruited with sole regard to their qualifications for the performance of their duties.

3. The means of ascertaining such qualifications shall be determined by the competent authority.

4. The staff of the employment service shall be adequately trained for the performance of their duties.

1. *Please give particulars concerning the status and conditions of service of the employment service staff.*
2. *Please give general information concerning the methods of recruitment and selection of this staff.*
4. *Please indicate the arrangements made to ensure the training of employment service staff for the performance of their duties, including both:*
  - (a) *arrangements for their initial training at the time of appointment to the service; and*
  - (b) *arrangements for subsequent training.*

#### *Article 10*

The employment service and other public authorities where appropriate shall, in co-operation with employers' and workers' organisations and other interested bodies, take all possible measures to encourage full use of employment service facilities by employers and workers on a voluntary basis.

*Please indicate the arrangements made nationally and locally in cooperation with employers' and workers' organizations to encourage full voluntary use of employment service facilities.*

#### *Article 11*

The competent authorities shall take the necessary measures to secure effective co-operation between the public employment service and private employment agencies not conducted with a view to profit.

*Please give particulars concerning the arrangements made to give effect to this Article.*

#### *Article 12*

1. In the case of a Member the territory of which includes large areas where, by reason of the sparseness of the population or the stage of development of the area, the competent authority considers it impracticable to enforce the provisions of this Convention, the authority may exempt such areas from the application of this Convention either generally or with such exceptions in respect of particular undertakings or occupations as it thinks fit.

2. Each Member shall indicate in its first annual report upon the application of this Convention submitted under article 22 of the Constitution of the International Labour Organisation any areas in respect of which it proposes to have recourse to the provisions of the present Article and shall give the reasons for which it proposes to have recourse thereto; no Member shall, after the date of its first annual report, have recourse to the provisions of the present Article except in respect of areas so indicated.

3. Each Member having recourse to the provisions of the present Article shall indicate in subsequent annual reports any areas in respect of which it renounces the right to have recourse to the provisions of the present Article.

*If this is the first annual report of your Government upon the application of the Convention please indicate any areas which have, in virtue of the authorization given in paragraph 1 of this Article, been excluded, in whole or in part, from the application of the Convention, together with the reason or reasons for their exclusion.*

*If this is a report subsequent to the first annual report, please indicate any areas in respect of which the right to have recourse to the provisions of this Article may have been renounced.*

**III. Please state to what authority or authorities the application of the abovementioned legislation and administrative regulations, etc., is entrusted, and by what methods application is supervised and enforced. In particular, please supply information on the system of inspection, if any, of the organization and operation of the public employment offices.**

**IV. Please furnish statistical information available in published annual or periodical reports concerning the number of public employment offices established, the number of applications for employment received, the number of vacancies notified, and the number of persons placed in employment by such offices.**

- V. Please state whether courts of law or other tribunals have given decisions involving questions of principle relating to the application of the Convention. If so, please supply the text of these decisions.
- VI. Please give a general appreciation of the manner in which the Convention is applied in your country including, for instance, extracts from official reports and information on any practical difficulties in the application of the Convention.
- VII. Please indicate the representative organizations of employers and workers to which copies of the present report have been communicated in accordance with article 23, paragraph 2, of the Constitution of the International Labour Organization.<sup>1</sup> If copies of the report have not been communicated to representative organizations of employers and/or workers, or if they have been communicated to bodies other than such organizations, please supply information on any particular circumstances existing in your country which explain the procedure followed.

Please indicate whether you have received from the organizations of employers or workers concerned any observations, either of a general kind or in connection with the present or the previous report, regarding the practical application of the provisions of the Convention or the application of the legislation or other measures implementing the Convention. If so, please communicate the observations received, together with any comments that you consider useful.

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<sup>1</sup> Article 23, paragraph 2, of the Constitution reads as follows: "Each Member shall communicate to the representative organisations recognised for the purpose of article 3 copies of the information and reports communicated to the Director-General in pursuance of articles 19 and 22."

## APPENDIX

### EMPLOYMENT SERVICE RECOMMENDATION, 1948 (No. 83)

The General Conference of the International Labour Organisation,

Having been convened at San Francisco by the Governing Body of the International Labour Office, and having met in its Thirty-first Session on 17 June 1948, and

Having decided upon the adoption of certain proposals with regard to the organisation of the employment service, which is included in the fourth item on the agenda of the session, and

Having determined that these proposals shall take the form of a Recommendation supplementing the Employment Service Recommendation, 1944, and the Employment Service Convention, 1948,

adopts this ninth day of July of the year one thousand nine hundred and forty-eight the following Recommendation, which may be cited as the Employment Service Recommendation, 1948:

Whereas the Employment Service Recommendation, 1944, and the Employment Service Convention, 1948, provide for the organisation of employment services and it is desirable to supplement the provisions thereof by further recommendations;

The Conference recommends that each Member should apply the following provisions as rapidly as national conditions allow and report to the International Labour Office as requested by the Governing Body concerning the measures taken to give effect thereto.

#### I. GENERAL ORGANISATION

1. The free public employment service should comprise a central headquarters, local offices and, where necessary, regional offices.

2. In order to promote development of the employment service, and to secure unified and co-ordinated national administration, provision should be made for:

- (a) the issue by the headquarters of national administrative instructions;
- (b) the formulation of minimum national standards concerning the staffing and material arrangements of the employment offices;
- (c) adequate financing of the service by the government;
- (d) periodical reports from lower to higher administrative levels;
- (e) national inspection of regional and local offices; and
- (f) periodical conferences among central, regional and local officers, including inspection staff.

3. Appropriate arrangements should be made by the employment service for such co-operation as may be necessary with management, workers' representatives, and bodies set up with a view to studying the special employment problems of particular areas, undertakings, industries, or groups of industries.

4. Measures should be taken in appropriate cases to develop, within the general framework of the employment services:

- (a) separate employment offices specialising in meeting the needs of employers and workers belonging to particular industries or occupations such as port transport, merchant marine, building and civil engineering, agriculture and forestry and domestic service, wherever the character or importance of the industry or occupation or other special factors justify the maintenance of such separate offices;
- (b) special arrangements for the placement of:
  - (i) juveniles;
  - (ii) disabled persons; and
  - (iii) technicians, professional workers, salaried employees and executive staff;
- (c) adequate arrangements for the placement of women on the basis of their occupational skill and physical capacity.

## II. EMPLOYMENT MARKET INFORMATION

5. The employment service should collect employment market information, including material pertaining to:

- (a) current and prospective labour requirements (including the number and type of workers needed, classified on an industrial, occupational or area basis);
- (b) current and prospective labour supply (including details of the number, age and sex, skills, occupations, industries and areas of residence of the workers and of the number, location and characteristics of applicants for employment).

6. The employment service should make continuous or special studies on such questions as:

- (a) the causes and incidence of unemployment, including technological unemployment;
- (b) the placement of particular groups of applicants for employment such as the disabled or juveniles;
- (c) factors affecting the level and character of employment;
- (d) the regularisation of employment;
- (e) vocational guidance in relation to placement;
- (f) occupation and job analysis; and
- (g) other aspects of the organisation of the employment market.

7. This information should be collected by suitably trained and qualified staff, in co-operation where necessary with other official bodies and with employers' and workers' organisations.

8. The methods used for the collection and analysis of the information should include, as may be found practicable and appropriate:

- (a) direct enquiries from the bodies with special knowledge of the subjects in question, such as other public bodies, employers' and workers' organisations, public and private undertakings, and joint committees;
- (b) co-operation with labour inspection and unemployment insurance and assistance services;
- (c) periodical reports on questions having a special bearing on the employment market; and
- (d) investigations of particular questions, research projects and analyses carried out by the employment service.

## III. MANPOWER BUDGET

9. In order to facilitate the best possible organisation of the employment market as an integral part of the national programme for the achievement and maintenance of full employment and the development and use of productive resources, an annual national manpower budget should be drawn up, as soon as practicable, as part of a general economic survey.

10. The manpower budget should be drawn up by the employment service in co-operation with other public authorities where appropriate.

11. The manpower budget should include detailed material concerning the anticipated volume and distribution of the labour supply and demand.

## IV. REFERRAL OF WORKERS

12. The employment service should:

- (a) observe strict neutrality in the case of employment available in an establishment where there is a labour dispute affecting such employment;
- (b) not refer workers to employment in respect of which the wages or conditions of work fall below the standard defined by law or prevailing practice;
- (c) not, in referring workers to employment, itself discriminate against applicants on grounds of race, colour, sex or belief.

13. The employment service should be responsible for providing applicants for employment with all relevant information about the jobs to which such applicants are referred, including information on the matters dealt with in the preceding paragraph.

## V. MOBILITY OF LABOUR

14. For the purpose of facilitating the mobility of labour necessary to achieve and maintain maximum production and employment, the employment service should take the measures indicated in paragraphs 15 to 20 below.

15. The fullest and most reliable information concerning employment opportunities and working conditions in other occupations and areas and concerning living conditions (including the availability of suitable housing accommodation) in such areas should be collected and disseminated.

16. Workers should be furnished with appropriate information and advice designed to eliminate objections to changing their occupation or residence.

17. (1) The employment service should remove economic obstacles to geographical transfers which it considers necessary by such means as financial assistance.

(2) Such assistance should be granted, in cases authorised by the service, in respect of transfers made through or approved by the service, particularly where no other arrangements exist for the payment other than by the worker of the extra expense involved in the transfers.

(3) The amount of the assistance should be determined according to national and individual circumstances.

18. The employment service should assist the unemployment insurance and assistance authorities in defining and interpreting the conditions in which

available employment which is in an occupation other than the usual occupation of an unemployed person or which requires him to change his residence should be regarded as suitable for him.

19. The employment service should assist the competent authorities in establishing and developing the programmes of training or retraining courses (including apprenticeship, supplementary training and upgrading courses), selecting persons for such courses and placing in employment persons who have completed them.

## VI. MISCELLANEOUS PROVISIONS

20. (1) The employment service should co-operate with other public and private bodies concerned with employment problems.

(2) For this purpose the service should be consulted and its views taken into account by any co-ordinating machinery concerned with the formation and application of policy relating to such questions as:

- (a) the distribution of industry;
- (b) public works and public investment;
- (c) technological progress in relation to production and employment;
- (d) migration;
- (e) housing;
- (f) the provision of social amenities such as health care, schools and recreational facilities; and
- (g) general community organisation and planning affecting the availability of employment.

21. In order to promote use of employment service facilities and enable the service to perform its tasks efficiently, the service should take the measures indicated in paragraphs 22 to 25 below.

22. (1) Continuous efforts should be made to encourage full voluntary use of employment service information and facilities by persons seeking employment or workers.

(2) These efforts should include the use of films, radio and all other methods of public information and relations with a view to making better known and appreciated, particularly among employers and workers and their organisations, the basic work of the service in employment organisation and the advantages accruing to the workers, employers and the nation from the fullest use of the employment service.

23. Workers applying for unemployment benefit or allowances, and so far as possible persons com-

pleting courses of vocational training under public or government-subsidised training programmes, should be required to register for employment with the employment service.

24. Special efforts should be made to encourage juveniles, and so far as possible all persons entering employment for the first time, to register for employment and to attend for an employment interview.

25. Employers, including the management of public or semi-public undertakings, should be encouraged to notify the service of vacancies for employment.

26. Systematic efforts should be made to develop the efficiency of the employment service in such manner as to obviate the need for private employment agencies in all occupations except those in which the competent authority considers that for special reasons the existence of private agencies is desirable or essential.

## VII. INTERNATIONAL CO-OPERATION AMONG EMPLOYMENT SERVICES

27. (1) International co-operation among employment services should include, as may be appropriate and practicable, and with the help where desired of the International Labour Office:

- (a) the systematic exchange of information and experience on employment service policy and methods, either on a bilateral, regional or multilateral basis; and
- (b) the organisation of bilateral, regional or multilateral technical conferences on employment service questions.

(2) To facilitate any movements of workers approved in accordance with Article 6 (b) (iv) of the Convention, the employment service, on the request of the national authority directing it and in co-operation where desired with the International Labour Office, should:

(a) collect in co-operation, as appropriate, with other bodies and organisations, information relating to the applications for work and the vacancies which cannot be filled nationally, in order to promote the immigration or emigration of workers able to satisfy as far as possible such applications and vacancies;

(b) co-operate with other competent authorities, national or foreign, in preparing and applying inter-governmental bilateral, regional or multilateral agreements relating to migration.