

INTERNATIONAL LABOUR OFFICE

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REPORT FORM  
FOR THE  
**NURSING PERSONNEL  
CONVENTION, 1977 (No. 149)**

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 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 Nursing Personnel Recommendation, 1977 (No. 157), the provisions of which supplement the present Convention and can contribute to a better understanding of its requirements and facilitate its application.

The matters with which this Convention deals may be beyond the immediate competence of the ministry responsible for labour questions, so that the preparation of a full report on the Convention may necessitate consultation of other interested ministries or government agencies, such as those responsible for questions of health and vocational training.

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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 on the following points:

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

(b) replies 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 organisations of employers and workers and on any observations received from these organisations;

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

## Article 22 of the Constitution of the ILO

Report for the period ..... to .....  
made by the Government of .....

on the

### **NURSING PERSONNEL CONVENTION, 1977 (No. 149)**

(ratification registered on .....) )

- I. Please give a list of the main policy declarations, health plans or programmes, legislation, administrative regulations, collective agreements, etc., which give effect to the Convention. Where this has not already been done, please forward copies of the documents and texts concerned to the International Labour Office with this report.**

**Please give any available information concerning the extent to which the above-mentioned measures have been adopted 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 above-mentioned legislation and administrative regulations, etc., or other measures under which the Article is applied.**

**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 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 specific steps for its implementation. If the Committee of Experts or the Conference Committee on the Application of Conventions and Recommendations 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. For the purpose of this Convention, the term "nursing personnel" includes all categories of persons providing nursing care and nursing services.

2. This Convention applies to all nursing personnel, wherever they work.

3. The competent authority may, after consultation with the employers' and workers' organisations concerned, where such organisations exist, establish special rules concerning nursing personnel who give nursing care and services on a voluntary basis; these rules shall not derogate from the provisions of Article 2, paragraph 2 (a), Article 3, Article 4 and Article 7 of this Convention.

*Paragraph 3. Please indicate any special rules established concerning nursing personnel who give nursing care and services on a voluntary basis.*

*Please indicate how the employers' and workers' organisations concerned were consulted.*

#### *Article 2*

1. Each Member which ratifies this Convention shall adopt and apply, in a manner appropriate to national conditions, a policy concerning nursing services and nursing personnel designed, within the framework of a general health programme, where such a programme exists, and within the resources available for health care as a whole, to provide the quantity and quality of nursing care necessary for attaining the highest possible level of health for the population.

2. In particular, it shall take the necessary measures to provide nursing personnel with—

- (a) education and training appropriate to the exercise of their functions; and  
(b) employment and working conditions, including career prospects and remuneration,  
which are likely to attract persons to the profession and retain them in it.

3. The policy mentioned in paragraph 1 of this Article shall be formulated in consultation with the employers' and workers' organisations concerned, where such organisations exist.

4. This policy shall be co-ordinated with policies relating to other aspects of health care and to other workers in the field of health, in consultation with the employers' and workers' organisations concerned.

*Paragraph 1. Please describe the national policy concerning nursing services and nursing personnel, and indicate the bodies responsible for formulating and implementing the policy.*

*Paragraph 2. Please indicate the measures taken in conformity with this paragraph as regards (a) education and training; (b) employment and working conditions, including career prospects and remuneration.*

*Paragraph 3. Please indicate the manner in which the consultation laid down in this paragraph is carried out.*

*Paragraph 4. Please indicate the manner in which the co-ordination and consultation laid down in this paragraph are ensured.*

### Article 3

1. The basic requirements regarding nursing education and training and the supervision of such education and training shall be laid down by national laws or regulations or by the competent authority or competent professional bodies, empowered by such laws or regulations to do so.

2. Nursing education and training shall be co-ordinated with the education and training of other workers in the field of health.

*Paragraph 1. Please indicate the manner in which the basic requirements regarding education and training are laid down and how this education and training are supervised.*

*Paragraph 2. Please indicate how the co-ordination called for by this paragraph is ensured.*

### Article 4

National laws or regulations shall specify the requirements for the practice of nursing and limit that practice to persons who meet these requirements.

*Please indicate the legislative or other provisions which specify the requirements for the practice of nursing.*

### Article 5

1. Measures shall be taken to promote the participation of nursing personnel in the planning of nursing services and consultation with such personnel on decisions concerning them, in a manner appropriate to national conditions.

2. The determination of conditions of employment and work shall preferably be made by negotiation between employers' and workers' organisations concerned.

3. The settlement of disputes arising in connection with the determination of terms and conditions of employment shall be sought through negotiations between the parties or, in such a manner as to ensure the confidence of the parties involved, through independent and impartial machinery such as mediation, conciliation and voluntary arbitration.

*Please provide information on the application of the Article in both the public and the private sectors.*

*Paragraph 1. Please indicate the manner in which the participation of nursing personnel in the planning of nursing services and the consultation with such personnel on decisions concerning them are ensured.*

*Paragraph 2. Please indicate the methods by which the conditions of employment and work of nursing personnel are determined.*

*Paragraph 3. Please describe the procedures for the settlement of disputes applicable to nursing personnel.*

*Please indicate how procedures other than negotiation were established and whether the parties concerned were consulted in this regard.*

### Article 6

Nursing personnel shall enjoy conditions at least equivalent to those of other workers in the country concerned in the following fields:

(a) hours of work, including regulation and compensation of overtime, inconvenient hours and shift work ;

- (b) weekly rest ;
- (c) paid annual holidays ;
- (d) educational leave ;
- (e) maternity leave ;
- (f) sick leave ;
- (g) social security.

*Please indicate, in respect of each of the fields mentioned in this Article, whether and by virtue of what measures nursing personnel enjoy conditions at least equivalent to those of other workers (regardless of whether such conditions are determined by legislation, by collective agreements or by any other means).*

#### Article 7

Each Member shall, if necessary, endeavour to improve existing laws and regulations on occupational health and safety by adapting them to the special nature of nursing work and of the environment in which it is carried out.

*Please indicate any measures taken to give effect to this Article.*

#### Article 8

The provisions of this Convention, in so far as they are not otherwise made effective by means of collective agreements, works rules, arbitration awards, court decisions, or in such other manner consistent with national practice as may be appropriate under national conditions, shall be given effect by national laws or regulations.

**III. Please state to what authority or authorities the application of the above-mentioned policies and programmes, legislation and administrative regulations, etc., is entrusted, and by what methods application is supervised and enforced.**

**IV. 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.**

**V. Please provide general information on the manner in which the Convention is applied in practice, including for example—unless such information has already been given in reply to earlier questions—statistics on the numbers of nursing personnel, by sectors of activity and by levels of training and functions, and their relation to population, to the number of patients and to other manpower in the health field. Please also supply, if possible, data on the number of persons leaving the profession. Please indicate any practical difficulties encountered in the implementation of the Convention.**

**VI. Please indicate the representative organisations 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 Organisation.<sup>1</sup> If copies of the report have not been communicated to representative organisations of employers and/or workers, or if they have been communicated to bodies other than such organisations, please supply information on any particular circumstances existing in your country which explain the procedure followed.**

**Please indicate whether you have received from the organisations 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 a copy of 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."