

ILO CONVENTION 122

EMPLOYMENT POLICY

THE CONVENTION REQUIRES, as a minor goal, the declaration and pursuit of an active designed to promote full employment with a view to stimulating economic growth and development, raising levels of living, meeting manpower requirements and overcoming unemployment and underemployment.

This policy shall aim at ensuring that there is work for all who are available for and seeking it; that such work is productive as possible and that there is freedom of employment. Each worker shall have the fullest possible opportunity to qualify for and use his or her skills and endowments in a job for which the worker is well suited, without discrimination.

Employment policy shall take due account of the stage and level of economic development and the mutual relationships between employment objectives and other economic and social objectives, and shall be pursued by methods that are appropriate to national conditions and practices.

Finally, the Convention provides for consultation of representatives of persons affected by the measures to be taken, and in particular, representatives of employers and workers.

This instrument was ratified in December 1976.

This Convention is applied in the Philippine by way of Article II- Declaration of Principles and State Policies (Section 9) and Article XII- Social Justice and Human Rights (Sections 2 and 3) of the Philippine Constitution; and Article 12- Statement of Objectives (Book I-Pre-Employment) of the Philippine Labour Code.

TEXT OF CONVENTION NO. 122 CONVENTION CONCERNING EMPLOYMENT POLICY¹

The general Conference of the International Labour Organisation,

Having been convened at Geneva by the governing Body of the International labour Office, and having met in its forty-eight Session on 17 June 1964, and

Considering that the Declaration of Philadelphia recognises the solemn obligation of the International Labour Organisation to further among the nations of the world programmes which will achieve full employment and the raising of standard of living, and that the Preamble to Constitution of the International Labour organisation provides for the prevention of unemployment and the provision of an adequate living wage, and

Considering further that under the terms of the Declaration of Philadelphia it is the responsibility of the International Labour Organisation to examine and consider the bearing of economic and financial policies employment policy in the light of the fundamental objective that “all human beings, irrespective race, creed or sex, have the right to pursue both their material well being and their spiritual development in conditions of freedom and dignity, of economic security and equal opportunity”, and

Considering that the Universal Declaration of Human Rights provides that “everyone has the right to work, to free choice of employment policy, and in particular of the Employment Service Convention and Recommendation, 1948, the Vocational Guidance Recommendation, 1949, the Vocational Training Recommendation 1962, and the Discrimination (Employment and Occupation) Convention and Recommendation, 1958, and

Considering that these instruments should be placed in the wider framework of an international programme for economic expansion on the basis of full, productive and freely chosen employment, and

Having decided upon the adoption of certain proposals with regard to employment policy, which are included in the eight item of the agenda of the session, and

adopts this ninth of July of the year one thousand nine hundred and sixty-four the following Convention, which may be cited as the Employment Policy Convention, 1964:

Article 1

1. With a view to stimulating economic growth and development, raising levels of living, meeting manpower requirements and overcoming unemployment and underemployment, each Member shall declare and pursue, as major goal, an active policy designed to promote full, productive and freely chosen employment.

2. The said policy shall aim at ensuring that—

- (a) there is work for all who are available for and seeking work;
- (b) such work is as productive as possible;
- (c) there is freedom of choice of employment and the fullest possible opportunity for each worker to qualify for, and to use his skills and endowments in a job for which he is well suited, irrespective of race, colour, sex, religion, political opinion, national extraction or social origin.

3. The said policy shall take due account of the stage and level economic development and the mutual relationships between employment objectives and other economic and social objectives, and shall be pursued by methods that are appropriate to national conditions and practices.

Article 2

Each Member shall, by such methods and to such extent as may be appropriate under national conditions—

- (a) decide on and keep under review, within the framework of a co-ordinated economic and social policy, the measures to be adopted for attaining the objectives specified in Article 1;
- (b) take such steps as may be need, including when appropriate the establishment of programmes, for the application of these measures.

Article 3

In the application of this Convention, representatives of the persons affected by the measures to be taken, and in particular representatives of employers and workers, shall be consulted concerning employment policies, with a view to taking fully into account their experience and views and securing their co-operation in formulating and enlisting support for such policies.