

Gerhard Bosch

The Centenary of Convention No. 1: A Landmark for Workers' Rights"

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The Centenary 100 years Convention No. 1

- In Washington conference of November 1919 the delegates of the newly founded ILO adopted Convention No. 1
- The first time in history labor standards were established at international level
- It was recognized that the state and the community of states have a responsibility for good working conditions
- After a century of struggles on working time reductions it was no accident that the Convention No. 1 set an 8 hour limit for daily and an 48 hours for weekly hours
- The ILO became the principal forum for international debate on working time in the 1920's and 1930's

100 years Convention No. 1

- It was hoped that the ratification of the convention would assure that the economic arms race would not destroy the 8 hours day and the 48 hours week which was won after WW I in countries where labor was well organized as UK, France or Germany
- Today we all know that the economic arms race continued and still continues
- It took another 40 years and more before the ILO Convention No. 1 was implemented at least in the developed countries

Working time prolongation

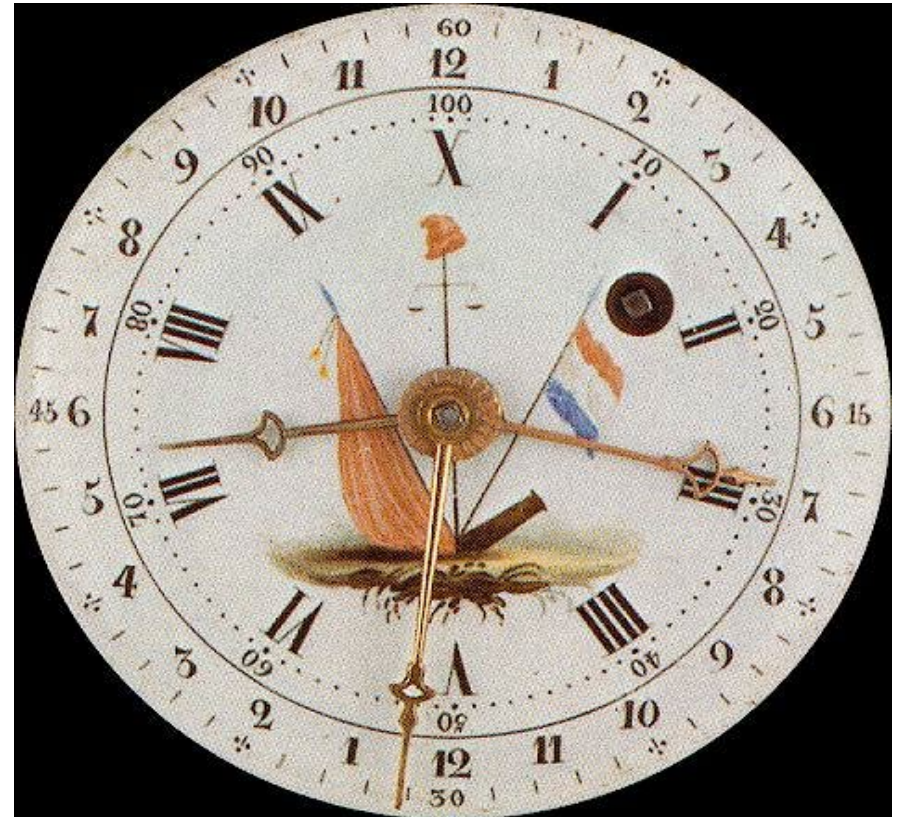
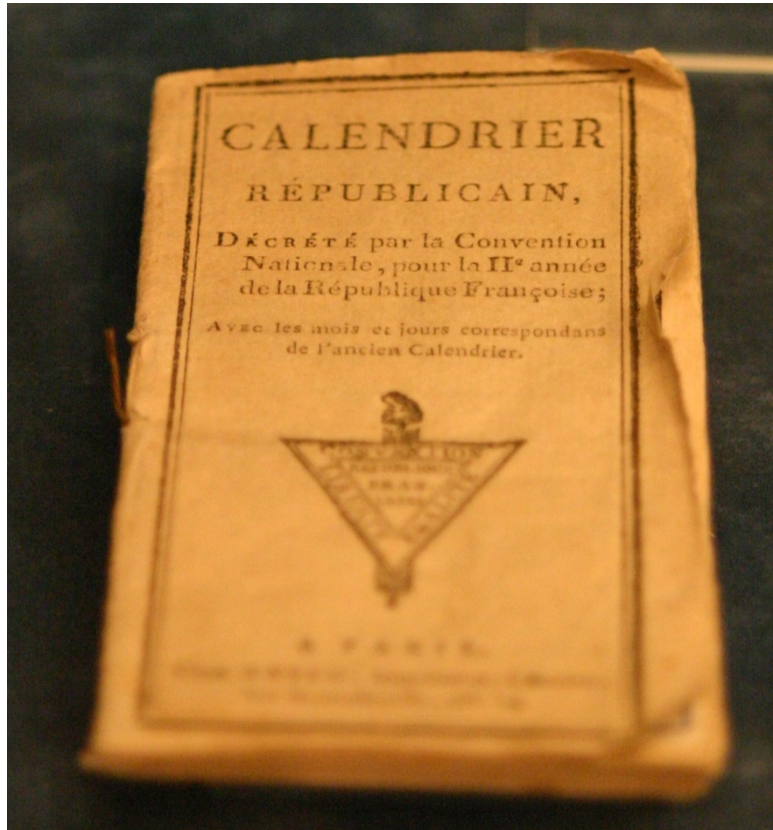
„The key to the industrial era was not the steam engine but modern clock. The clock became the weapon used by employers to eliminate the gaps in the traditional work day“

G.Cross , 1989, p.2

- **Not only lengthening of the work-day in centralized work-places but also through the unmechanized, subcontracted work of the sweating system**
- **Clock time the tool to quantify the economic value of labour and to maximise what Marx called the absolute and the relative surplus**
- **In the early periods of industrialisation at the same time substantial (1) *extension of the work day and the work week and (2) intensification of work***

Working time prolongation through the Calendrier Républicain

French Revolutionary Calender (1793-1805): Introduction of the decimal time with 10 hrs a day and 10 days a week. The tenth day, *décadi*, replaced Sunday as the day of rest and festivity.



Working time contested terrain

Thompson summarizes the industrial history of labor and work time:

„The first generation of factory workers were taught by their masters the importance of time; the second generation formed their short-time committee in the ten hours movement; the third generation struck for overtime and time-and-a-half. They had accepted the categories of their employers and learned to fight fight back with them. They had learned their lesson, that time is money, only too well.“

E.P. Thompson 1976, Time, work-discipline and industrial capitalism, Past and Present 38, p. 86

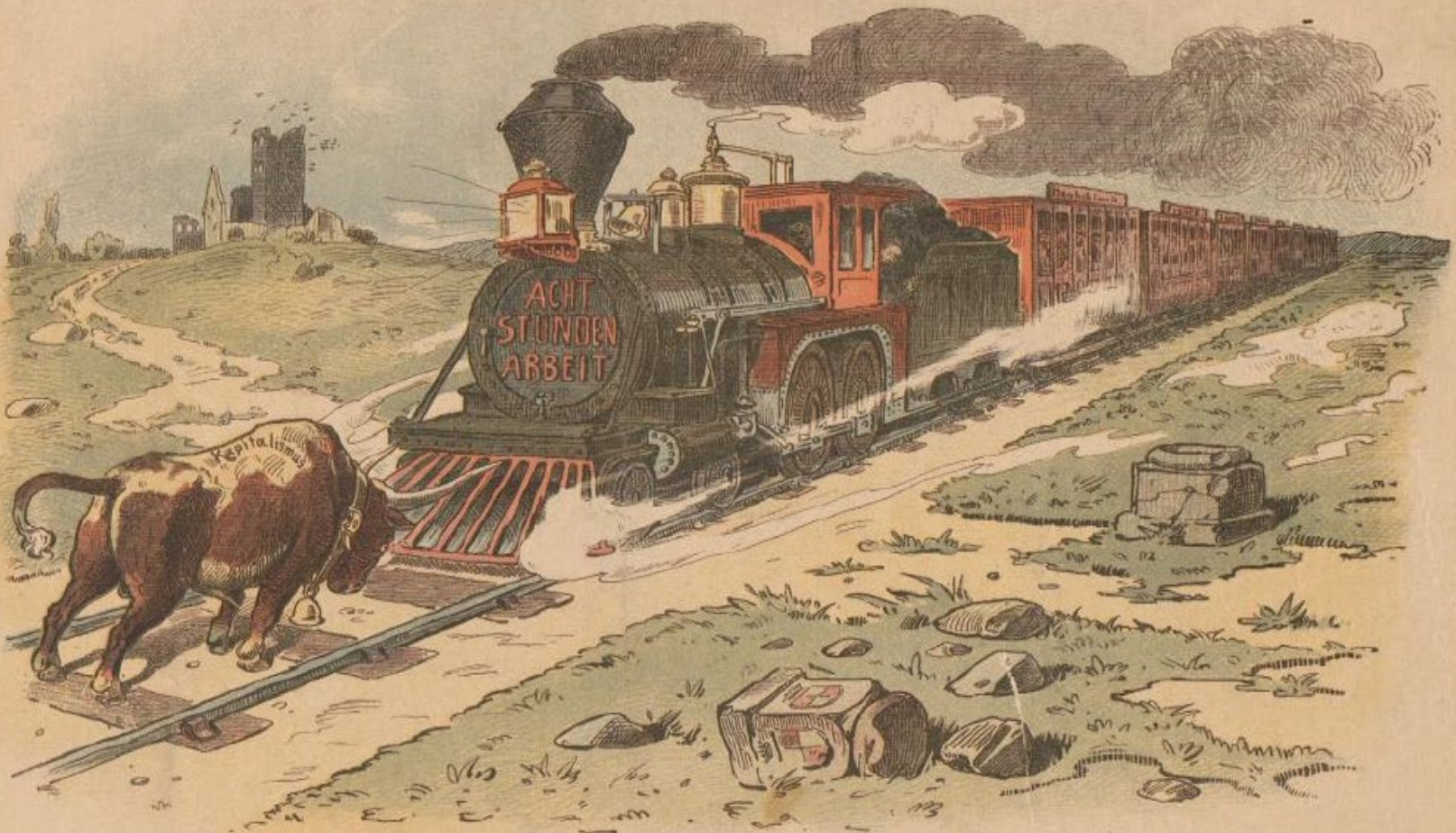
If we replace „generation“ by „generations“ I could not agree more.

Why so bitter conflicts on working time reduction (WTR)?

- Conflicts on the 12, 10, 8 hrs day were landmarks in the history of industrial conflicts
- WTR more contested than wage increases, because they
 - are „real value“ - immune against inflation
 - require changes of the work organisation, recruitment of new workers, investments in capital and skills ...
 - are not so easy reversible once they are anchored in work organisation, habits and the time structures of social life
- **The history of working time conflicts is a history of many lost battles and only a very few victories – these because of its impact on work organisation and social life, however, mostly with lasting results**

Over-optimistic German Cartoon on the 8-hours day in the „Wahre Jacob“ 7 May 1892

— ♦ — Vorwärts, mit Dampf! — ♦ —



Pr. 151 des „Wahren Jacob“ gelangt am 7. Mai 1892 zur Ausgabe.

Reinverleib für die Redaktion. Every Fehler is eingetrag. — Druck und Verlag: J. G. B. Zeit in Stuttgart. **Werra eine Reilage.**

International solidarity started with joint demands for WTR

- Demands for WTR's do not need an „exchange rate“ to be understood everywhere - time a world wide „currency“
- At most international worker's and trade union events in the 19th century demands for WTR central points

The International Workingmen's Association took up the demand for an eight-hour day at its Congress in Geneva in 1866, declaring *"The legal limitation of the working day is a preliminary condition without which all further attempts at improvements and emancipation of the working class must prove abortive"* and *"The Congress proposes eight hours as the legal limit of the working day."*

The meanings of the 8 hours day for workers

„The demand for shorter working has arisen not so much from the conviction that their present hours are injurious to health – though this may be the fact, - not so much from the theory that shorter hours mean higher wages – though that theory is in the main sound, - but from the strongly-felt desire for additional opportunities for recreation and the enjoyment of life“

Sidney Webb / Harold Cox 1891, The eight hours day, London, p.1

The meanings of the 8 hours day for workers

As a prove for this statement Webb and Cox quote the following preamble of an bill introduced into the parliament of Queensland on June 26th 1890:

“WHEREAS it is desirable for the general welfare of the community that the hours of Daily Labour should be such that workmen may have a reasonable time at their own disposal for recreation, mental culture, and the performance of social and civil duties: And whereas it would be conducive to this end to declare by law the proper duration of a Day's Labour.”

The goal: Shorter working hours and a clear separation between working and non-working time

The ideal became

- **uniform durations of work, compressed into as few hours as necessary to maintain production and income**
- **radical segmentation of leisure time from work**
- **packaged into predictable disposable periods, distributed in doses over the day, the week and the year**

Goal of standard working hours which contrasted with the traditional pattern of irregularity, non-calculability and melding of work and leisure

May Day agitations for the „three eights“ everywhere



WW I critical juncture

- **Eight-hour proclamations began in the Bolshevik Revolution**
- **Versailles Treaty Part III: „... peace can be founded only on the base of social justice“ which requires the „application of principle of the 8-hours day or of the 48-hours week“.**
- **After WW I 8 hrs day and 48 hrs week introduced in many European countries**
- **Need for international standards was seen since competition blocked improvements at national level**

No accident that the „Hours of Work (Industry) Convention“ became the Convention No. 1 of the newly founded ILO which convened in Washington in November 1919

November 1919: ILO Convention No. 1

- **Difficult negotiations: refusal of the USA to participate, colonial states on the bargaining table, the after-war „unrest“ already under control**
- **Therefore the convention was „a study in moderation“ (Cross: 145)**
 - 8 hours per day and 48 hours a week only in transportation and industry
 - Longer hours for developing countries like Japan, Siam, Persia
 - Colonies excluded
- **In 1919 Convention No. 1 far away from a universal norm covering all countries**
- **Eighty-three votes in favour of the convention - But later refusal of the most important countries (like France and UK) to ratify it**

Erosion but the norms of the Convention No. 1 survived

- After war recession weakened the working class – and resurgence of economic nationalism
- Continuous attacks on the 8 hrs day: Employers argued that the non-ratification of the Washington convention forced them to increase hours to remain competitive
- Swiss law citing the failure of the Washington convention raised the workweek to 53 hrs in 1922, but referendum on re-introduction of the 8hrs day overwhelmingly won in 1924
- But mostly the norm survived and more overtime or exceptions allowed

„The eight-hour day was perhaps the key social reform won after World War I“

The ILO as platform for international debates on WT

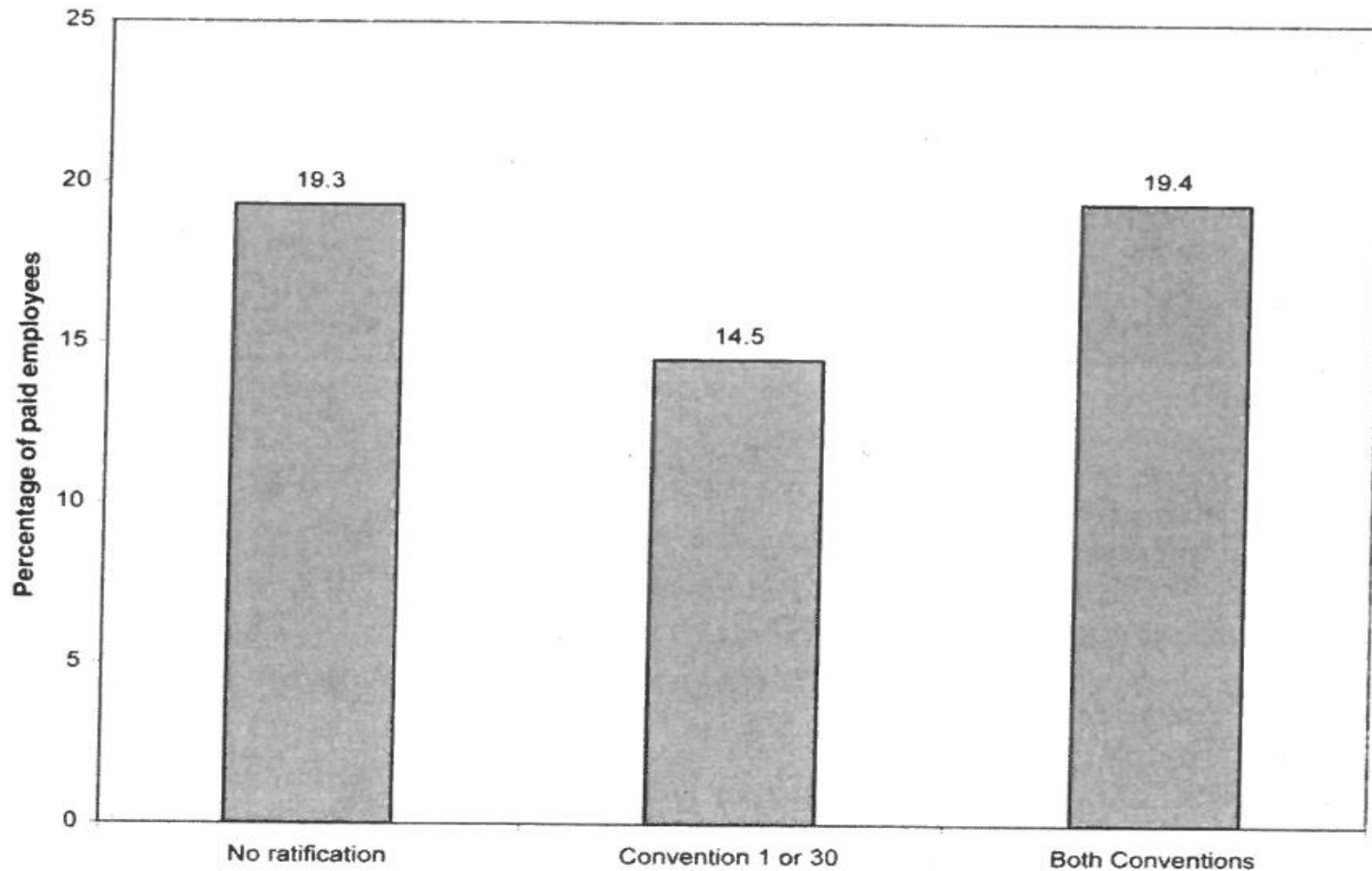
First ILO conventions on working time ahead of time, but the regulatory impetus ran out of steam since 1994

- **No. 14 in 1921: Weekly rest of 24 hrs in industry**
- **No. 30 in 1930: 8 hrs a day and 48 hrs a week in commerce and offices**
- **No. 47 in 1935: 40 hrs a week**
- **No. 106 in 1957: Weekly rest of 24 hrs in commerce and offices**
- **No. 132 in 1970: At least three weeks of annual paid leave**
- **No. 171 in 1990: protection of night workers**
- **No. 175 in 1994: same wage and protection for part-timers**

The ILO as platform for international debates on WT

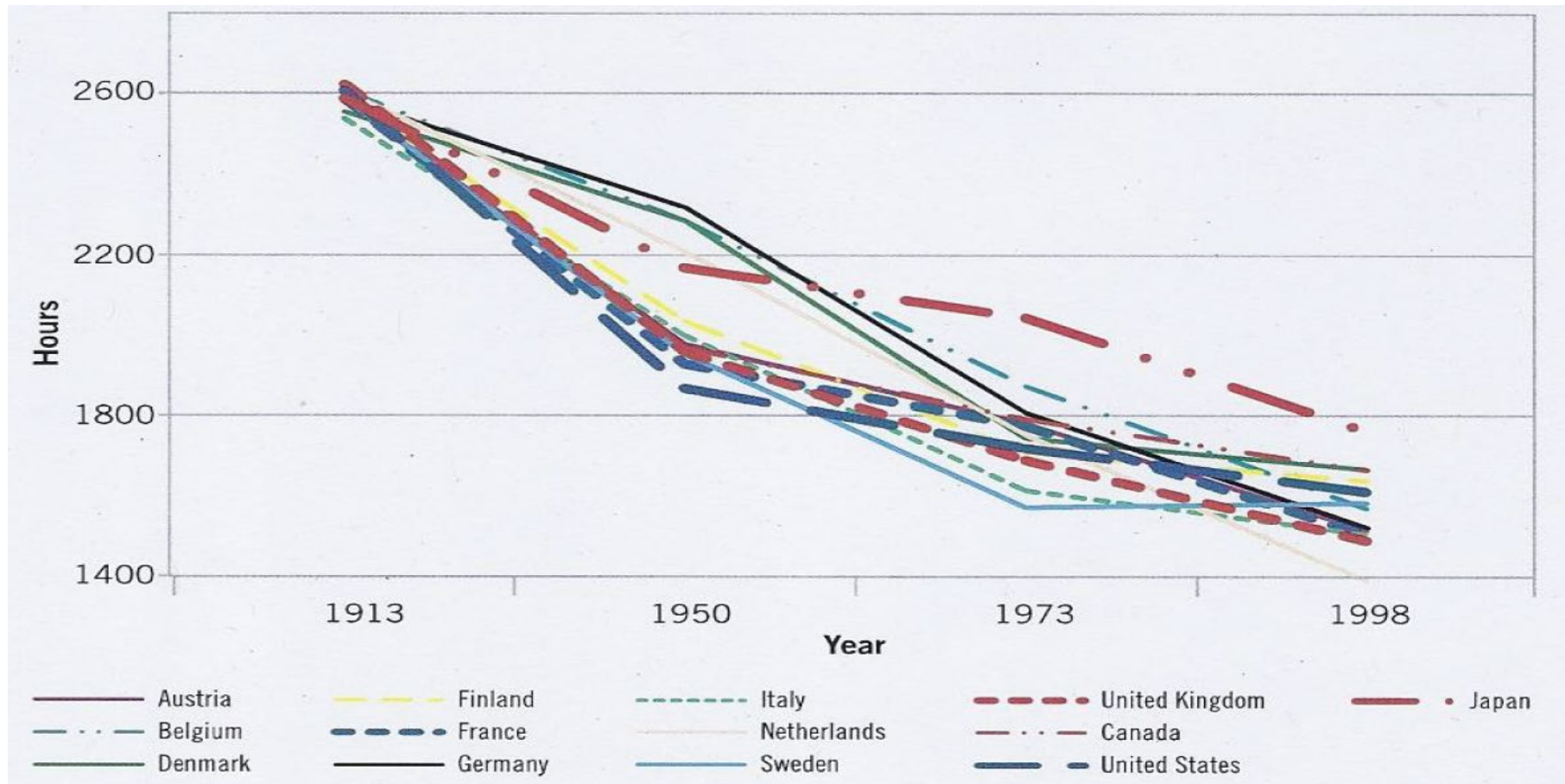
- Only very low rates of ratification of ILO working time conventions
- G.A. Johnston, an ILO official between 1920 and 1957, comments with respect to the 40-hour work Convention, that *“even its warmest partisans had no illusions that it would be widely ratified”*. He describes the history of the treatment of the problem by the ILO *“either as a melancholy chronicle of repeated failure or as an inspiring saga of sustained refusal to accept defeat”* Rodgers et. al. 2009, The International Labour Organisation and the quest for social justice, 1919–2009, p. 112
- But most of the ILO working time conventions became the core of EU-Directives much later (unfortunately without No. 47)

The ratification of Convention Nos 1 and 30 and the share of workers who are working more than 48 hrs.



The implementation of Convention No.1

Annual working hours per person employed



Development of working hours, productivity and gross national product in % (1870 - 1992)

	USA	DEU	JPN	FRA	GBR
Working hours	-46 %	-47 %	-36 %	-48 %	-50%
Productivity per working hour	+1288 %	+1735 %	+4352 %	+2128 %	+919%
GNP per person	+919 %	+998 %	+2632 %	+967 %	+502 %

Working time reduction and productivity

- Productivity growth result of intensification of work and increase of operating hrs
- Indicator machine running time increased in the USA from 26,7% hrs per week to 39,7% per week

Weekly machine running and operating hrs in the USA

Years	Machine running time (1)	Operating hours (2)	(2) : (1)
1929 - 1963	1.17	0,46	0,39
1929 - 1954	1.00	0.51	0.51
1954 - 1963	1,65	0.35	0,21

Working time and social life in the of the developed countries

- 8 hours day and free week-end deeply embedded in social life - example: school hrs today Monday to Friday
- Work organization and shift systems based on the 8 hrs rythm – regular 10 hrs shifts the exception
- Clear evidence of negative effects of excessive hrs (on accidents, health, quality ...)
- Deviations of the normal working time regarded as „unsocial hours“ which have to be compensated

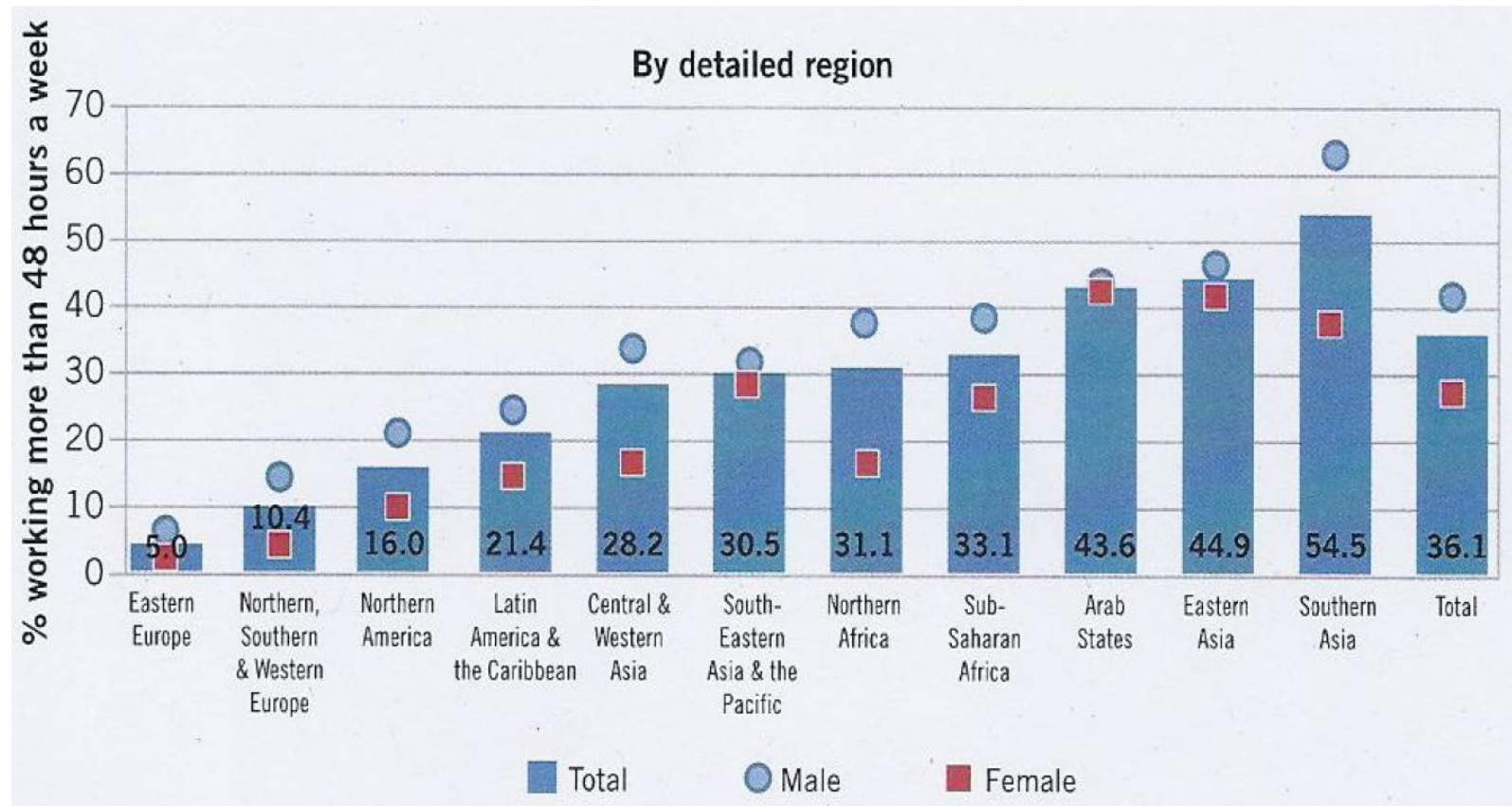
„Thus standard individual working time was not just an externally imposed regulation but also found its counterpart in work organization ... and became second nature to both employees and firms“ G. Bosch in P. Auer (2001) (ed.), *Changing labor markets in Europe*,

Is there a gender bias in Convention No. 1?

- Gender neutral language: Article 2: “The working hours of persons employed in any public or private industrial undertaking
- Covers only male dominated industries – but commerce and offices added in Convention No. 30 eleven years later
- Reduction of working hours of the male breadwinner – one of the preconditions of increasing labor market participation of women – in combination with new gender norms, equal pay, child care, all day- schools, parental leaves, better education
- Gender equality important driver for the implementation of conventions 1, 30, 47, and 175

Is ILO Convention No. 1 still up-to date?

Yes: high shares of excessive working hours of work (more than 48 hrs) in many countries - 2013 or later



Source: J. Messenger 2018, Working time and the future of work, ILO Geneva

The working time development

Not yet answers to new working time developments like

- flexibility of working hrs over the work life course (care, further training etc.)
- lack of clear delineation between work and leisure time in many flexible forms of work
- increasing shares of short hrs contracts - shifting employment risks to workers
- work sharing between overworked and underemployed
- work sharing in economic crisis – „dismissing hours not workers“ and to avoid „technological unemployment“ (Keynes 1930)
- News working time norms like „short full-time“ and „substantial part-time“

Conclusions

- Centenary of Convention No. 1 not a retrospection of a completed historical event
- The work which started in 1919 not yet finished: The implementation of the convention in all countries remains major challenge for the ILO in the future
- At the same time answers to new working time challenges needed but consensus building in deregulated and heterogenous labor markets more difficult than in the past
- Good examples already show that such answers developed through social dialogue are beneficial for employers and employees
- Such beneficial answers are often only possible if international standards guarantee a levelled playing field - this underlines the important role of the ILO