

7. Where and so long as the principle of a forty-hour week is applied to persons to whom this Convention applies in accordance with the provisions of any international labour Convention other than this Convention, the competent authority may exclude such persons from the application of this Convention.

8. This Convention applies to persons employed in both public and private undertakings.

*Article 2.*

The competent authority may, after consultation with the organizations of employers and workers concerned, where such exist, exempt from the application of this Convention—

- (a) Persons employed in undertakings in which only members of the employer's family are employed :
- (b) Classes of persons who by reason of their special responsibilities are not subjected to the normal rules governing the length of the working-week.

*Article 3.*

1. For the purpose of this Convention the term " hours of work " means the time during which the persons employed are at the disposal of the employer, and does not include rest periods during which they are not at his disposal.

2. Where at the date of the adoption of this Convention it is the practice not to regard time spent in the cleaning or oiling of machines as part of ordinary working-time, the competent authority may permit any time not exceeding one and a half hours in any week which is so spent to be disregarded in reckoning for the purpose of this Convention the hours of work of the persons concerned.

*Article 4.*

1. The hours of work of persons to whom this Convention applies shall not exceed an average of forty per week.

2. In the cases of persons who work in successive shifts on processes required by reason of the nature of the process to be carried on without a break at any time of the day, night, or week, weekly hours of work may average forty-two.

3. The competent authority shall, after consultation with the organizations of employers and workers concerned where such exist, determine the processes to which paragraph 2 of this Article applies.

4. Where hours of work are calculated as an average, the competent authority shall, after consultation with the organizations of employers and workers concerned where such exist, determine the number of weeks over which the average may be calculated and the maximum number of hours that may be worked in any week.

*Article 5.*

The competent authority may, by regulations made after consultation with the organizations of employers and workers concerned where such exist, provide that the limits of hours authorized by the preceding Article may be exceeded to an extent prescribed by such regulations in the case of—

- (a) Persons employed on preparatory or complementary work which must necessarily be carried on outside the limits laid down for the general working of the undertaking, branch, or shift :
- (b) Persons employed in occupations which by their nature involve long periods of inaction during which the said persons have to display neither physical activity nor sustained attention or remain at their posts only to reply to possible calls :
- (c) Persons employed in connection with the transport, delivery, or loading or unloading of goods.

*Article 6.*

1. The limits of hours authorized by the preceding Articles may be exceeded, but only so far as may be necessary to avoid serious interference with the ordinary working of the undertaking :—

- (a) In case of accident, actual or threatened, or in case of urgent work to be done to machinery or plant, or in case of *force majeure* :
- (b) In order to make good the unforeseen absence of one or more members of a shift.

2. The employer shall notify the competent authority without delay of all time worked in virtue of this Article and of the reasons therefor.

*Article 7.*

1. The limits of hours authorized by the preceding Articles may be exceeded in cases where the continued presence of particular persons is necessary for the completion of a bleaching, dyeing, finishing, or other operation, or of a succession of such operations, which for technical reasons cannot be interrupted without damage to the material worked, and which, by reason of exceptional circumstances, it has not been possible to complete within the normal limit of hours.

2. The competent authority shall, after consultation with the organizations of employers and workers concerned where such exist, determine the operations to which and the conditions subject to which the preceding paragraph applies, and the maximum number of hours which may be worked in virtue of that paragraph by the persons concerned.