



International Labour Organization

REPORT OF THE NEW ZEALAND GOVERNMENT
DELEGATES TO THE 113TH SESSION OF THE
INTERNATIONAL LABOUR CONFERENCE, GENEVA
2-13 JUNE 2025

Presented to the House of Representatives

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THE 2025 INTERNATIONAL LABOUR CONFERENCE

The 113th session of the International Labour Conference (the Conference) was held in Geneva, Switzerland, from 2-13 June 2025. The role of the Conference is to discuss, adopt and oversee compliance with international labour standards, confirm the International Labour Organization's (ILO) budget, and elect members of the ILO Governing Body. Since 1919, the Conference has served as the major international forum for debate on global labour and employment issues.

Key issues covered by the Conference this year were the ILO's Programme and Budget for 2026-2027, the adoption of new international labour standards concerning biological hazards in the working environment, the first of a two-year discussion on developing standards concerning decent work in the platform economy, and a general discussion on addressing informality and promoting the transition to formal work.

Conference agenda

During its Committee and Plenary sessions, the Conference considered the following matters:

Standing items

- I. Reports of the Chairperson of the Governing Body for the period 2026-2027, and of the ILO Director-General on *Jobs, rights and growth* and *The situation of workers of the occupied Arab territories*.
- II. The ILO Programme and Budget proposals for 2026-2027.
- III. Information and reports on the application of Conventions and Recommendations.

Items placed on the agenda by the Conference or the Governing Body

- IV. Protection against biological hazards in the working environment (standard-setting, second discussion).
- V. Decent work in the platform economy (standard-setting, first discussion).
- VI. Approaches to tackling informality and promoting transitions towards formality to promote decent work (general discussion).
- VII. The ILO's tripartite input to the Second World Summit for Social Development in 2025.
- VIII. Measures under Article 33 of the ILO Constitution to secure compliance by Myanmar with the recommendations of the Commission of Inquiry.
- IX. Approval of amendments to the Code of the *Maritime Labour Convention, 2006* adopted by the Special Tripartite Committee at its fifth meeting in April 2025.

New Zealand's representation in the Conference

Under the ILO Constitution, national delegations to the Conference must consist of a minimum of four representatives: two from the Government, and one each representing workers and employers, all of whom speak and vote independently.

Government

- Ms Nita Zodgekar, Manager, International Labour Policy, Ministry of Business, Innovation and Employment (delegate).
- Mr Paramita Turner, Senior Policy Advisor, International Labour Policy, Ministry of Business, Innovation and Employment (delegate).
- Ms Patricia Feria, Policy Advisor, International Labour Policy, Ministry of Business, Innovation and Employment (substitute delegate and advisor).

Workers

- Ms Melissa Ansell-Bridges, Secretary, New Zealand Council of Trade Unions (delegate).
- Mr James Ritchie, New Zealand Council of Trade Unions (substitute delegate and advisor).

Employers

- Mr Paul MacKay, Manager, Employment Relations Policy, Business New Zealand (delegate).
- Ms Jessica Russell, Senior Policy Advisor, Business New Zealand (substitute delegate and advisor).

OUTCOMES OF THE CONFERENCE

The ILO Director-General's report

The ILO Director-General's report to the Conference – *Jobs, rights and growth: Reinforcing the connection* – reaffirms that social justice depends on strengthening the relationship between jobs, rights and economic growth.

The report first assesses the evolving linkages between jobs, rights and growth during a time of multiple crises – particularly examining the implications of technological advancements, demographic shifts, climate change and trade dynamics on these linkages. Subsequently, it looks at questions relating to social actors, power dynamics and institutional frameworks. The report ultimately concludes that democratic values and institutions (those that ensure accountability, fairness and democratic participation) serve as a binding force that connects jobs, rights and growth. Democratic values foster a dynamic where tensions and new challenges are addressed through inclusive dialogue (involving social partners and other relevant stakeholders), and promote coordinated action.

The report can be found at: <https://www.ilo.org/resource/conference-paper/ilc/113/jobs-rights-and-growth-reinforcing-connection-report-director-general>

The appendix to the Director-General's report – *The situation of workers of the occupied Arab territories* – presents the findings of the annual ILO mission mandated to assess the situation of workers of the occupied Arab territories.

This appendix examines the overall political, security and economic developments that are impacting the Palestinian world of work and significantly determining labour market outcomes. It concludes with a proposed agenda for jobs in Palestine, outlining priorities for job creation and workers' protection within the broader framework of future recovery and reconstruction efforts.

The appendix to the report can be found at: <https://www.ilo.org/resource/conference-paper/ilc/113/situation-workers-occupied-arab-territories>

Finance Committee (discussions on Programme and Budget proposals)

The Conference considered and voted on the ILO Director-General's biennial Programme and Budget proposals for 2026-2027, which had been recommended to the Conference by the March 2025 Governing Body. This represented a zero nominal growth budget compared to the previous biennium. Following forward foreign currency purchase transactions, the final budget totals were set at US \$930,500,000. The Programme and Budget proposals for 2026-2027 were approved by a large majority, with 466 votes in favour, one vote against, and six abstentions.

The Conference also set the scale of assessments of contributions to the ILO regular budget for the 2026-2027 biennium, based on the United Nations scale. The assessment rate of New Zealand's monetary contribution for 2026-2027 is 0.302 per cent of the total ILO budget, a decrease of 0.007 per cent from the previous 2024-2025 biennium.

The report of the Finance Committee can be found at: <https://www.ilo.org/resource/record-proceedings/ilc/113/report-finance-committee-2025>

Committee on the Application of Standards

The Committee on the Application of Standards met to discuss the Annual Report of the Committee of Experts on the Application of Conventions and Recommendations. The Committee began its work with a discussion on general aspects of the application of Conventions and Recommendations and the discharge by member States of their standards-related obligations under the ILO Constitution. The second part of the general discussion addressed this year's General Survey of member States, covering the topic of employment injury protection.

The Committee considered 24 individual country cases relating to the application of various Conventions by the ILO member States concerned. New Zealand was not included in this examination.

Additionally, the Committee held a special sitting regarding the Government of Belarus and its application of the *Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87)* and the *Right to Organise and Collective Bargaining Convention, 1949 (No. 98)*. It repeated its call on the Belarus Government to take all possible measures with the greatest urgency to implement the recommendations of the Commission of Inquiry, ILO supervisory bodies, and the ILO Governing Body regarding compliance with these Conventions. The Committee also called on ILO constituents to continue implementing measures under Article 33 of the ILO Constitution to secure Belarus Government's compliance with these recommendations.

The report of the Committee on the Application of Standards can be found at:

<https://www.ilo.org/international-labour-conference/113th-session-international-labour-conference/committees-113th-session-international-labour-conference/committee-application-standards/report-committee-can-2025>

Credentials Committee

The Credentials Committee comprises one Government, one worker and one employer delegate appointed by the Conference. It examines complaints over the credentials of delegates to the Conference, including failure to deposit credentials, as well as complaints over the payment of expenses or other actions preventing delegates or their advisors from attending the Conference. The Committee also monitors cases where the Conference has requested a report on member States' adherence to their obligations under the ILO Constitution. This year, the Committee examined 14 objections over the credentials or composition of Conference delegations, two complaints regarding the payment of expenses, and five cases of ongoing monitoring.

The report of the Credentials Committee can be found at: <https://www.ilo.org/resource/record-proceedings/ilc/113/second-report-credentials-committee-2025>

Committee on Biological Hazards (standard-setting discussion)

The Committee on Biological Hazards concluded a two-year process of discussions on text for new international labour instruments focussed on prevention and protection against biological hazards in the working environment. The Conference voted to adopt both a Convention and an accompanying Recommendation on this topic – with the Convention receiving 406 votes in favour, 12 against and 13 abstentions, and the Recommendation receiving 390 votes in favour, 20 against and 21 abstentions. New Zealand abstained from voting on both instruments.

The Convention and Recommendation define biological hazards broadly – including microorganisms, cells or cell cultures, endoparasites or non-cellular microbiological entities, and allergens, toxins and irritants of plant or animal origin – and apply to all workers in all sectors, with limited exclusions permitted under strict conditions. The instruments call on ratifying States to formulate national policies and adopt measures on occupational safety and health that include both the prevention and protection against biological hazards, and the development of preparedness and response measures to deal with accidents and emergencies.

More information on what the Convention and Recommendation cover is detailed below, and both texts are attached to this report at Appendices One and Two respectively.

Committee on Decent Work in the Platform Economy (standard-setting discussion)

The Committee on Decent Work in the Platform Economy commenced the first of a two-year process of discussions on text for new international labour standard(s) concerning decent work in the platform economy.

In 2024, the ILO Office surveyed member States, seeking feedback on the desired form and general content of a proposed Convention and/or Recommendation on this topic. The Office received responses from 140 member States, 195 worker organisations and 116 employer organisations. These survey responses provided the draft text for discussion by the Committee.

Owing to a lack of time, Committee discussions during the Conference focussed on examining the preferred form of the international labour standard(s) (Convention and/or Recommendation), important definitions to be adopted (particularly the definition of 'digital platform worker'), and the scope of the application of the standard(s) (whether they should apply to all workers of digital platforms regardless of employment status).

The Committee could not reach consensus on the preferred form of the standard(s), and thus, a vote was called. There were 1480 votes for a binding Convention and supplementary Recommendation, 1060 votes for a stand-alone Recommendation, and 32 abstentions. Therefore, it was decided that the form of the standards would be a Convention supplemented by a Recommendation.

Discussions on the definitions and scope of the Convention resulted in the majority view – a broad definition of ‘digital platform workers’ (encompassing all workers on digital labour platforms regardless of their employment status), and a broad scope (applying to all digital platform workers unless otherwise specified) – being agreed upon.

The resolution and conclusions of the Committee on Decent Work in the Platform Economy can be found at: <https://www.ilo.org/resource/conference-paper/ilc/113/draft-resolution-and-proposed-conclusions-standard-setting-committee-decent>

As the discussions did not delve into the substantive provisions of the proposed new labour standards, the ILO Office will undertake tripartite consultations before the next Conference in 2026. The Committee discussions will conclude at the 2026 Conference. Should agreement be reached over the final text, the draft Convention and/or Recommendation will be presented to the Conference plenary for adoption.

Committee on Promoting Transitions Towards Formality (general discussion)

The Committee on Promoting Transitions Towards Formality held a general discussion on supporting the transition of workers from the informal economy to formality. The discussion focused on three key points:

- The main drivers of informality, and the barriers to and opportunities for accelerating the transition to formality.
- Innovative approaches (including policies, regulations and other measures) that ILO constituents have introduced to address the root causes of informality.
- Priority actions that ILO constituents and the ILO Office should take to address informality and promote the transition to formality.

The conclusions of the Committee note that the informal economy accounts for close to six out of ten workers and eight out of ten enterprises in the world, and therefore, informality remains a complex, structural and evolving challenge. It highlights the *Transition from the Informal to the Formal Economy Recommendation, 2015 (No. 204)* (Recommendation 204) as the global reference for addressing informality and promoting the transition to formality. The conclusions state that formalisation should be pursued through three complementary channels, including facilitating the transitions of workers and economic units from the informal to formal economy, promoting the creation of decent jobs in the formal economy, and preventing the informalisation of formal economy jobs. They identify four pillars essential for progress: good governance and an adequate, fit-for-purpose regulatory framework; representation of workers and economic units in the informal economy in inclusive social dialogue; an enabling environment; and better working and living conditions. Overall, the conclusions stress that the priority must be to strengthen action for the effective implementation of Recommendation 204.

The Committee on Promoting Transitions Towards Formality submitted its conclusions to the Conference plenary, where the Conference adopted it by consensus. The conclusions can be found at: <https://www.ilo.org/resource/record-decisions/resolution-concerning-general-discussion-addressing-informality-and>

General Affairs Committee

The General Affairs Committee had four matters before it for consideration.

The ILO’s tripartite input to the Second World Summit for Social Development in 2025

The Committee examined a draft resolution concerning the ILO’s tripartite input to the Second World Summit for Social Development in 2025 (the Summit).

The resolution invites member States to engage in preparations for the Summit, urging Governments to involve employers’ and workers’ organisations in the Summit process, and to implement the Summit’s outcomes. It also entrusts the ILO with a leading role in the implementation of the Summit’s outcomes in areas pertaining to its mandate.

The Committee submitted this draft resolution to the Conference plenary, where the Conference adopted it by consensus. The resolution can be found at: <https://www.ilo.org/resource/record-decisions/resolution-concerning-second-world-summit-social-development-2025>

Measures under Article 33 of the ILO Constitution with regard to Myanmar

The Committee examined a draft resolution outlining the measures recommended by the Governing Body under Article 33 of the ILO Constitution to secure compliance by Myanmar with the recommendations of the Commission of Inquiry, with regard to their application of the *Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87)* and the *Forced Labour Convention, 1930 (No. 29)*.

The resolution calls for ILO constituents to review, in the light of the conclusions of the Commission of Inquiry, the relations that they may have with the Myanmar military authorities and take appropriate measures to ensure that such relations in no way enable, facilitate or prolong the violations of workers' rights in respect of freedom of association and forced labour. Additionally, it urges the Myanmar military authorities to implement the recommendations of the Commission of Inquiry and ILO supervisory bodies without further delay, with a view to securing a climate promoting freedom of association and the elimination of all forms of forced labour.

The Committee submitted this draft resolution to the Conference plenary, where the Conference adopted it by consensus. The resolution can be found at: <https://www.ilo.org/resource/record-decisions/resolution-concerning-measures-recommended-governing-body-under-article-33>

Amendments to the Code of the Maritime Labour Convention, 2006 (MLC)

The Committee approved the amendments to the MLC Code adopted by the Special Tripartite Committee at its fifth meeting in April 2025, and submitted them to the Conference plenary for adoption. Subsequently, the Conference voted on amendments regarding repatriation without discrimination, shore leave, seafarers as key workers, fair treatment of seafarers and marine casualties, costs of repatriation, medical training, and violence and harassment.

All of the amendments to the MLC Code were adopted by the Conference. These amendments can be found at: <https://www.ilo.org/resource/record-decisions/amendments-code-maritime-labour-convention-2006-amended-mlc-2006>

The status of Palestine in the ILO and participation rights of Palestine in ILO meetings

The Committee examined a draft resolution on the status of Palestine in the ILO and the participation rights of Palestine in ILO meetings.

In view of institutional developments within the United Nations system, the resolution discontinues the status of Palestine as a liberation movement, and allows Palestine to be invited to participate in ILO meetings as a non-member observer State. In doing so, it confers several rights and privileges to Palestine, including the right to full and effective participation in the Conference with a tripartite delegation, and the right to be seated among member States.

The Committee submitted this draft resolution to the Conference plenary, where the Conference adopted it by vote – with 386 votes in favour, 15 against and 42 abstentions. The resolution can be found at: <https://www.ilo.org/resource/record-decisions/resolution-status-palestine-ilo-and-participation-rights-palestine-ilo>

TEXTS AND RESOLUTIONS ADOPTED BY THE CONFERENCE

The texts and resolutions adopted by the Conference can be found at: <https://www.ilo.org/international-labour-conference/113th-session-international-labour-conference/texts-adopted-international-labour-conference-its-113th-session>

PROPOSED GOVERNMENT ACTION ARISING FROM THE OUTCOMES OF THE CONFERENCE

Article 19 of the ILO Constitution requires member States to submit the texts of Conventions and Recommendations adopted by the Conference to their legislatures, and to state the action they propose to

undertake on these instruments. Member States are also required to notify the Director-General of the ILO which, in New Zealand's case, is actioned by sending the ILO a copy of this report.

The 2025 Conference resulted in the adoption of the *Biological Hazards in the Working Environment Convention, 2025 (No. 192)* (Convention 192) and the accompanying *Biological Hazards in the Working Environment Recommendation, 2025 (No. 209)* (Recommendation 209), as well as the adoption of several amendments to the MLC Code.

Convention 192

Convention 192 is a treaty-level instrument which is binding on the States that ratify it. It is aimed at preventing exposure to, and protecting workers from, biological hazards in the workplace.

States that have ratified Convention 192 must integrate prevention and protection against biological hazards into their national occupational safety and health policies, progressively extend occupational health services to all workers (prioritising sectors at a high risk of exposure to biological hazards), have measures in place for reporting and data collection on occupational accidents in relation to biological hazards, and ensure that harm arising from biological hazards gives rise to an entitlement to employment injury benefits.

Additionally, Convention 192 requires employers to adopt preventive and protective measures against biological hazards in the working environment, in collaboration with workers, who must also be informed and trained on the hazards and risks.

The implications of the ratification of Convention 192 will need to be carefully considered against current New Zealand law, policy and practice. The New Zealand Government will consider the possibility of ratifying this Convention.

Recommendation 209

Recommendation 209 is a non-binding instrument which supplements Convention 192. It provides detailed guidance on implementation, including risk assessment, early warning systems, preparedness, and response measures (for example, in the event of outbreaks, epidemics, or pandemics) and training. It also further elaborates on the definition of biological hazards and risk and lists specific routes of exposure and transmission – such as airborne, contact, or vector-borne pathways.

As Recommendation 209 is a voluntary, non-binding guidance instrument, it is not subject to a formal ratification process. Therefore, no formal Government action is required in response to its adoption by the ILO, other than to draw its attention to the legislature.

Amendments to the MLC Code

The 2025 Conference adopted amendments to the MLC Code on the following topics: repatriation without discrimination, shore leave, seafarers as key workers, fair treatment of seafarers and marine casualties, costs of repatriation, medical training, and violence and harassment.

In terms of next steps, the ILO Director-General will write to the member States that have ratified the MLC, notifying them of the adoption of these amendments and prescribing the time period for the communication of any formal disagreements (typically, this is a period of two years). The amendments will not apply to ratifying States that express formal disagreements.

The implications of these MLC Code amendments will need to be carefully considered against current New Zealand law, policy and practice. The New Zealand Government will consider its response to the ILO Director-General's forthcoming letter in due course.

APPENDICES

Appendix One: Biological Hazards in the Working Environment Convention, 2025 (No. 192)

Convention concerning prevention and protection against biological hazards in the working environment (13 June 2023)

The General Conference of the International Labour Organization,

Having been convened in Geneva by the Governing Body of the International Labour Office, and having met at its 113th Session on 2 June 2025,

Recalling the solemn constitutional obligation of the International Labour Organization to further among the nations of the world programmes which will achieve adequate protection for the life and health of workers in all occupations,

Recalling the inclusion of a safe and healthy working environment in the ILO's framework of fundamental principles and rights at work by the International Labour Conference at its 110th Session (2022),

Considering the objective to provide a legal framework for the respect, promotion and realization of the fundamental principle and right to a safe and healthy working environment concerning biological hazards, including provisions for preparedness and response arrangements for the effective management of emergencies related to biological hazards in the working environment, taking emerging and re-emerging hazards and risks into account,

Stressing the importance of promoting international policy coherence and cooperation in the prevention of diseases and injuries caused by biological hazards in the working environment,

Recognizing the relevance of the Occupational Safety and Health Convention, 1981 (No. 155), and the Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187), considered as fundamental Conventions within the meaning of the ILO Declaration on Fundamental Principles and Rights at Work (1998), as amended in 2022, and the relevance of the Protocol of 2002 to Convention No. 155 and the Occupational Health Services Convention, 1985 (No. 161),

Noting the need to revise the Anthrax Prevention Recommendation, 1919 (No. 3), and to close the gap in coverage of international labour standards concerning other biological hazards in the working environment,

Noting that this Convention constitutes the first international instrument specifically addressing biological hazards in the working environment at the global level,

Stressing the need to promote the effective management of occupational safety and health regarding biological hazards in the working environment through collaborative means and measures by relevant actors, including public health and occupational safety and health authorities and employers' and workers' organizations, in their respective areas of responsibility,

Having decided upon the adoption of certain proposals related to occupational safety and health protection against biological hazards, which is the fourth item on the agenda of the session,

Having determined that these proposals shall take the form of an international Convention,

adopts this 13 June 2025 the following Convention, which may be cited as the Biological Hazards in the Working Environment Convention, 2025:

I. Definitions and scope

Article 1

For the purposes of this Convention:

- (a) "biological hazards" refers to any microorganisms, cells or cell cultures, endoparasites or non-cellular microbiological entities, including those which have been genetically modified, and their associated allergens and toxins, as well as allergens, toxins and irritants of plant or animal origin, when exposure is work-related, which can cause harm to human health. Harm to human health caused by exposure to biological hazards in the working environment includes diseases and injuries;

- (b) “exposure to biological hazards in the working environment” refers to an event during which a worker comes into contact with, or is in close proximity to, biological hazards in the working environment. This exposure includes work-related activities and public health situations. The potential for infection or harm to occur is intrinsically linked to the modes of transmission and routes of exposure, which are critical to consider when devising appropriate preventive strategies and measures;
- (c) “biological risk” refers to the combination of the likelihood of an occurrence of a hazardous event caused by exposure to a biological hazard and the severity of injury or damage to the health of people caused by this event;
- (d) “evaluation of biological risks by the competent authorities” refers to a systematic process for the identification of biological hazards and evaluation of risks by the competent authorities to support the development of a regulatory framework or guidelines for appropriate and proportionate risk control measures in relation to the biological risks associated with the work being performed. This evaluation takes into account:
 - (i) the characteristics of the hazards, including their potential to cause harm to human health and the severity of this harm;
 - (ii) the availability of effective diagnosis, prophylaxis and treatment;
 - (iii) the public health risks in terms of spread to the population or the environment;
- (e) “workers” covers all employed persons, including public employees.

Article 2

1. This Convention applies to all workers in all branches of economic activity.
2. A Member which ratifies this Convention may, after consultation with the most representative organizations of employers and workers concerned, and on the basis of an evaluation by the competent authorities of the biological risks involved and of the preventive and protective measures to be applied, exclude from its application, in part or in whole, particular branches of economic activity or limited categories of workers in respect of which its application would raise special problems of a substantial nature, on condition that a safe and healthy working environment is maintained.
3. Each Member which avails itself of the possibility afforded in the preceding paragraph shall list, in its first report on the application of the Convention under article 22 of the Constitution of the International Labour Organization, the particular branches of economic activity or categories of workers thus excluded, giving the reasons for such exclusion and describing any measures taken to provide adequate protection to excluded workers, and shall indicate in subsequent reports any progress towards wider application. Members shall make every effort to end exclusions at the earliest opportunity.

II. National policy

Article 3

Each Member shall, consistent with national law and practice and in consultation with the most representative organizations of employers and workers, integrate the protection against exposure to biological hazards in the working environment into its national policy on occupational safety and health, based on an evaluation of biological risks by the competent authorities, and shall periodically review that policy.

Article 4

With respect to biological hazards in the working environment, the national policy shall take account of:

- (a) other relevant policies, including on public health and the environment, where these policies are consistent with, complement or improve occupational safety and health provisions;
- (b) the best available information concerning the management of occupational safety and health regarding biological hazards in the working environment;

- (c) the need to develop arrangements for the effective management of exposure to biological hazards and risks in the working environment, including emerging or re-emerging hazards and risks, and prevention, preparedness and response measures, such as plans and procedures, to deal with accidents and emergencies related to these hazards, considering workers' physical and mental health and well-being as well as, if appropriate, the need for support mechanisms for employers;
- (d) the impact of climate and environmental risks on exposure to biological hazards in the working environment and the need to take adequate action to prevent and address identified risks;
- (e) relevant provisions of the Occupational Safety and Health Convention, 1981 (No. 155), the Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187), and, as appropriate, other relevant international labour standards;
- (f) the importance of ensuring, as appropriate, a perspective that considers all workers, including different levels of exposure and risk faced by women and men.

Article 5

With a view to obtaining the best available information on biological hazards in the working environment, each Member shall, in consultation with the most representative organizations of employers and workers, make arrangements, as appropriate and in accordance with national law and practice, for:

- (a) exchanging information and coordinating action, nationally and internationally, among relevant national authorities, including public health and occupational safety and health authorities, as well as scientific institutions and relevant international organizations;
- (b) promoting new research where the available information is insufficient.

Article 6

Each Member, after consultation with the most representative organizations of employers and workers, shall make special provisions to:

- (a) protect confidential information whose disclosure to a competitor would be liable to cause harm to an employer's business, so long as the safety and health of workers are not compromised thereby and in accordance with national law and practice;
- (b) ensure easy and confidential access for workers and their representatives to appropriate and effective reporting mechanisms to address any breach of national laws and regulations related to exposure to biological hazards in the working environment;
- (c) ensure that those who report such breaches are protected against retaliation.

III. Preventative and protective measures

Article 7

1. Each Member shall, in accordance with national law and practice, and in consultation with the most representative organizations of employers and workers, develop, make public and periodically review and update national arrangements and guidelines on preventative and protective and, as appropriate, precautionary measures for the control of biological hazards and risks in the working environment, based on the results of an evaluation of biological risks by the competent authorities.
2. These arrangements and guidelines shall:
 - (a) promote continuous improvement of the protection of the exposed workers;
 - (b) take into account emerging and re-emerging hazards and risks;
 - (c) make specific provision for:
 - (i) sectors and occupations where workers are at a high risk of recognized harm due to exposure to biological hazards;
 - (ii) workers who may require special protection, taking into account the need to ensure that this does not result in discrimination or contribute to occupational segregation;

- (d) include preparedness and response measures, such as plans and procedures, to deal with accidents and emergencies related to exposure to biological hazards in the working environment.

Article 8

1. Each Member shall provide timely information and support to employers, workers and their representatives concerning preventive and protective and, as appropriate, precautionary measures for the control of biological hazards and risks in the working environment, based on an evaluation of biological risks by the competent authorities.
2. The information shall be provided in an accessible form and understandable language, be periodically reviewed, and be updated as necessary to reflect the latest scientific and technical knowledge.

IV. Occupational health and occupational health services

Article 9

In taking preventive and protective measures regarding exposure to biological hazards in the working environment, in accordance with national law and practice, each Member shall seek to:

- (a) progressively extend occupational health services to all workers in all branches of economic activity, prioritizing sectors and occupations where workers are at a high risk of exposure to biological hazards and workers who may require special protection;
- (b) facilitate the coordination and efficient use of national health and labour infrastructures, expertise and resources for the provision of occupational health services to workers.

V. Reporting, recording and notification of occupational accidents and occupational diseases and collection of data

Article 10

Each Member shall, in accordance with national conditions and practice and in consultation with the most representative organizations of employers and workers, establish, implement and periodically review procedures for:

- (a) the reporting, recording, notification and investigation of occupational accidents, occupational diseases and, as appropriate, dangerous occurrences, that are caused by exposure to biological hazards in the working environment, by the employer or any other person responsible in accordance with national law and practice;
- (b) the production and publication of annual statistics, disaggregated by sex, on occupational accidents, occupational diseases and, as appropriate, dangerous occurrences, that are caused by exposure to biological hazards in the working environment;
- (c) the holding of inquiries by the competent authorities for serious cases of occupational accidents, occupational diseases or any other injuries to health that are caused by exposure to biological hazards in the working environment;
- (d) the annual publication of information on measures taken under the national occupational safety and health policy that address exposure to biological hazards in the working environment;
- (e) the determination of the appropriate duration for maintaining records on occupational diseases and injuries that are caused by exposure to biological hazards in the working environment, taking into account the latency periods of such diseases.

Article 11

Each Member shall, in consultation with the most representative organizations of employers and workers and in accordance with national law and practice, relevant international standards and scientific developments:

- (a) periodically review the national lists of occupational diseases for the purposes of prevention, recording, notification and, if applicable, compensation;

- (b) update these lists as necessary to include any disease where a direct link between the exposure to biological hazards in the working environment and the disease is scientifically established, or determined by methods appropriate to national conditions and practice.

VI. Employment injury benefits

Article 12

Each Member shall ensure that any disease, injury, incapacity or death due to occupational exposure to biological hazards in the working environment shall give rise to an entitlement to employment injury benefits or compensation, in accordance with national law and practice.

VII. Compliance with laws and regulations

Article 13

1. Each Member shall ensure the enforcement of national laws and regulations concerning exposure to biological hazards in the working environment through an adequate and appropriate system of inspection and, where applicable, other mechanisms for ensuring compliance, including the supply of technical information and advice to employers, workers and their representatives, and shall allocate adequate resources and the support needed for these functions.
2. Each Member shall ensure that labour inspectors and, as appropriate, other officials with duties related to biological hazards and risks in the working environment:
 - (a) are trained on those hazards and risks;
 - (b) promote a systematic approach to occupational safety and health when assessing compliance with relevant national laws and regulations;
 - (c) have clear and robust safety protocols to ensure their personal safety while carrying out their duties;
 - (d) are provided with appropriate protective equipment by their employer.

Article 14

Each Member shall, in accordance with national law and practice, provide for adequate penalties and remedial measures for violations of the laws and regulations concerning biological hazards in the working environment and ensure their effective application.

VIII. Duties and responsibilities of employers

Article 15

Employers shall ensure that, so far as is reasonably practicable, the working environments under their control are without risk to safety and health due to exposure to biological hazards by taking the appropriate and necessary preventive and protective measures.

Article 16

Employers shall, consistent with national law and practice and applicable collective agreements, adopt preventive and protective measures as a result of an assessment of biological risks in the working environment so far as is reasonably practicable, ensuring, as appropriate, consideration of different levels of exposure and risk, including those faced by women and men. In particular, they shall:

- (a) establish, in consultation with workers and their representatives, adequate and appropriate systems to conduct, review and, where necessary, update assessments of the risks to the safety and health of workers arising from biological hazards, taking due account of workers who may require special protection;
- (b) take all reasonable and practicable measures to eliminate the biological hazards in the working environment, or when not possible, control and minimize the risks due to those hazards, taking due account of the hierarchy of controls;

- (c) implement effective preventive and protective measures, taking into account the characteristics of the biological hazards and, if available, the evaluation of biological risks by the competent authorities;
- (d) provide, maintain and replace, as necessary, at no cost to the workers, adequate personal protective equipment according to the hierarchy of controls, together with training for its use;
- (e) conduct regular surveillance of the working environment and of workers' health that is adequate and appropriate to the occupational risks to ensure the early detection of biological hazards and their potential impacts;
- (f) supervise work processes and regularly review the effectiveness of preventive, protective and control measures, including the availability of appropriate personal protective equipment;
- (g) take precautionary measures where the available information is insufficient to adequately assess the risks;
- (h) provide information, instructions and training on biological hazards in the working environment and on applicable preventive and protective measures to managers, supervisors and workers on paid work time and, where possible, during usual working hours, as well as workers' representatives, at suitable and regular intervals;
- (i) ensure that all workers are suitably informed, in an accessible form and understandable language, of the risks due to exposure to biological hazards and of the applicable preventive and protective measures before they start any tasks involving such risks, when there are changes to working methods, to materials or to the risk assessment based on new information and, as necessary, at regular intervals;
- (j) investigate occupational accidents, occupational diseases and, as appropriate, dangerous occurrences related to exposure to biological hazards in the working environment in order to identify their causes and take the necessary measures to prevent recurrence of similar events, in cooperation with occupational safety and health committees or workers' representatives, while retaining data related to incidents involving biological hazards.

Article 17

Whenever two or more employers engage in activities simultaneously at one workplace, they shall collaborate on how to ensure workers' safety and health in relation to exposure to biological hazards in the working environment, without prejudice to the responsibility of each employer for its workers.

Article 18

Employers shall establish preparedness and response plans and procedures, according to the size and nature of their activities, to deal with accidents, incidents and emergencies related to biological hazards in the working environment, taking into account outbreaks of communicable diseases. These plans and procedures shall be consistent with the guidance provided by the competent authorities.

IX. Rights and duties of workers and their representatives

Article 19

With respect to biological hazards in the working environment, workers and, if applicable, their representatives shall have the right to:

- (a) be consulted on the identification of biological hazards and risk assessments conducted by the employer or the competent authorities;
- (b) receive information and training on biological hazards and risks in the working environment and on appropriate preventive and protective measures and their application;
- (c) be consulted on preventive and protective measures to protect themselves and other workers and be involved in their implementation;
- (d) enquire into and be consulted by the employer on relevant aspects related to exposure to biological hazards in the working environment;

- (e) participate in investigations of occupational accidents, occupational diseases and, as appropriate, dangerous occurrences and be consulted about the conclusions of these investigations;
- (f) receive reports on surveillance of workers' health, subject to confidentiality rules for personal and medical data;
- (g) appeal to the competent authorities, in accordance with national law and practice, if they consider that the measures adopted and the means used are not sufficiently effective to ensure adequate prevention and protection;
- (h) in accordance with national law and practice, be transferred to alternative work, upon the recommendation of the occupational health services, when continued employment in a particular job is contraindicated for health reasons, provided that such work is available and that they have the qualifications or can be trained for such work;
- (i) receive medical treatment and rehabilitation, in accordance with national law and practice, in the event of an illness, disease or injury caused or exacerbated by exposure to biological hazards in the working environment;
- (j) be protected against any discrimination on account of contracting or transmitting a disease caused by exposure to biological hazards;
- (k) be provided with effective communication channels with the competent authorities for reporting occupational safety and health issues related to biological hazards and risks.

Article 20

There shall be arrangements at the level of the undertaking under which, with respect to biological hazards in the working environment, workers shall have duties that include:

- (a) complying, in accordance with the instructions received, and the training and means provided by their employer, with occupational safety and health measures prescribed, including the proper handling and use of adequate personal protective equipment, facilities and other equipment made available to them for this purpose;
- (b) reporting promptly to their direct supervisor any working situation which they believe could cause exposure to a biological hazard or present a risk for their safety or health or for the safety or health of others;
- (c) cooperating with their employer and other workers to adequately identify and implement occupational safety and health measures addressing biological hazards.

Article 21

With respect to biological hazards in the working environment, in addition to the rights and duties set out above, workers:

- (a) shall have the right to remove themselves from a work situation without undue consequences, where they have reasonable justification to believe that there is an imminent and serious danger to their life or health;
- (b) shall report without delay to their direct supervisor any work situation which they have reasonable justification to believe presents an imminent and serious danger to their life or health;
- (c) may not be required by their employer to return to a work situation where there is continuing imminent and serious danger to life or health until the employer has taken effective remedial action, if necessary.

X. Methods of application

Article 22

Each Member shall give effect to the provisions of this Convention, in consultation with the most representative organizations of employers and workers, through laws and regulations as well as through collective agreements or any other measures consistent with national conditions and practice.

XI. Normative language

Article 23

For the purposes of this Convention, any use of the generic masculine form shall be construed as non-exclusive and including also women, unless the context clearly indicates otherwise.

XII. Final provisions

Article 24

The formal ratifications of this Convention shall be communicated to the Director-General of the International Labour Office for registration.

Article 25

1. This Convention shall be binding only upon those Members of the International Labour Organization whose ratifications have been registered with the Director-General of the International Labour Office.
2. It shall come into force twelve months after the date on which the ratifications of two Members have been registered with the Director-General.
3. Thereafter, this Convention shall come into force for any Member twelve months after the date on which its ratification is registered.

Article 26

1. A Member which has ratified this Convention may denounce it after the expiration of ten years from the date on which the Convention first comes into force, by an act communicated to the Director-General of the International Labour Office for registration. Such denunciation shall not take effect until one year after the date on which it is registered.
2. Each Member which has ratified this Convention and which does not, within the year following the expiration of the period of ten years mentioned in the preceding paragraph, exercise the right of denunciation provided for in this Article, will be bound for another period of ten years and, thereafter, may denounce this Convention within the first year of each new period of ten years under the terms provided for in this Article.

Article 27

1. The Director-General of the International Labour Office shall notify all Members of the International Labour Organization of the registration of all ratifications, declarations and denunciations that have been communicated by the Members of the Organization.
2. When notifying the Members of the Organization of the registration of the last of the ratifications required for entry into force that has been communicated, the Director-General shall draw the attention of the Members of the Organization to the date upon which the Convention will come into force.

Article 28

The Director-General of the International Labour Office shall communicate to the Secretary-General of the United Nations for registration in accordance with Article 102 of the Charter of the United Nations full particulars of all ratifications, declarations and denunciations that have been registered in accordance with the provisions of the preceding Articles.

Article 29

At such times as it may consider necessary, the Governing Body of the International Labour Office shall present to the General Conference a report on the working of this Convention and shall examine the desirability of placing on the agenda of the Conference the question of its revision.

Article 30

1. Should the Conference adopt a new Convention revising this Convention, then, unless the new Convention otherwise provides:

- (a) the ratification by a Member of the new revising Convention shall ipso jure involve the immediate denunciation of this Convention, notwithstanding the provisions of Article 26 above, if and when the new revising Convention shall have come into force;
 - (b) as from the date when the new revising Convention comes into force, this Convention shall cease to be open to ratification by the Members.
2. This Convention shall in any case remain in force in its actual form and content for those Members which have ratified it but have not ratified the revising Convention.

Article 31

The English, French and Spanish versions of the text of this Convention are equally authoritative.

Appendix Two: Biological Hazards in the Working Environment Recommendation, 2025 (No. 209)

Recommendation concerning prevention and protection against biological hazards in the working environment (13 June 2023)

The General Conference of the International Labour Organization,

Having been convened in Geneva by the Governing Body of the International Labour Office, and having met at its 113th Session on 2 June 2025,

Having decided upon the adoption of certain proposals with regard to protection against biological hazards in the working environment, which is the fourth item on the agenda of the session,

Having determined that these proposals shall take the form of a Recommendation supplementing the Biological Hazards in the Working Environment Convention, 2025,

adopts this 13 June 2025 the following Recommendation, which may be cited as the Biological Hazards in the Working Environment Recommendation, 2025:

1. The provisions of this Recommendation supplement those of the Biological Hazards in the Working Environment Convention, 2025 (“the Convention”), and should be considered in conjunction with them.

I. Definitions and scope

2. With reference to the definition contained in Article 1(a) of the Convention, biological hazards include:
 - (a) pathogenic microorganisms and their associated toxins and allergens, including certain protozoa, bacteria, fungi, oomycetes and algae;
 - (b) cells and cell cultures, including both primary cultures and immortalized cell lines, that may be contaminated with other biological hazards or carry inherent risks such as tumour-inducing potential, toxins or allergens;
 - (c) endoparasites, namely protozoa and helminths;
 - (d) non-cellular microbiological entities, including viruses, prions and recombinant, genetically modified or synthetic DNA and RNA materials;
 - (e) irritants, allergens and toxins of animal or plant origin, including any venom or allergen-containing secretions produced by animals or plants, with the exception of pollen, that may cause irritation, allergic reactions or systemic toxicity upon exposure via bites, stings or any other event resulting in the release or presence of these substances.
3. Harm to human health caused by exposure to biological hazards in the working environment includes:
 - (a) infectious diseases such as brucellosis, viral hepatitis, human immunodeficiency virus disease, tetanus, tuberculosis, anthrax and leptospirosis, including health effects secondary to acute or chronic infection, such as liver disease secondary to viral hepatitis, and their sequelae;
 - (b) non-infectious diseases such as toxic or inflammatory syndromes associated with bacterial or fungal allergens or toxins;
 - (c) death or any personal injury or disease resulting from an occupational accident involving exposure to a biological hazard in the working environment.
4. Health not only indicates the absence of disease or infirmity but also includes the physical and mental elements affecting health which are directly related to safety and health at work.
5. The modes of transmission mentioned in Article 1(b) of the Convention include:
 - (a) transmission through the air, which involves the biological hazards travelling through or being suspended in the air;
 - (b) direct transmission, which involves living organisms, including humans and animals, that transmit a biological hazard through direct contact;

- (c) indirect transmission, which occurs via vectors and other transmitters such as water, food, organic materials, bodily fluids or fomites.
6. The routes of exposure mentioned in Article 1(b) of the Convention include inhalation, ingestion, percutaneous injury and eye, skin and mucous membrane absorption or adsorption. These routes are usually dependent upon the characteristics of the biological hazard and the working environment.
 7. To the greatest extent possible, the provisions of the Convention and this Recommendation should be applied to all branches of economic activity and to all categories of workers. Provision could be made for such measures as may be necessary and practicable to give self-employed persons protection analogous to that provided for in the Convention and this Recommendation.

II. Preventive and protective measures

8. Members should take measures, in accordance with national law and practice, with a view to ensuring that those who design, manufacture, import, provide or transfer biological substances, agents or products to which workers could be exposed in the course of their work:
 - (a) satisfy themselves that, so far as is reasonably practicable, such substances, agents or products do not entail dangers for the safety and health of those using them correctly;
 - (b) make available information concerning the correct use and hazardous properties of such substances, agents or products, including in the form of safety and health information sheets if such are available, as well as instructions on preventing known risks;
 - (c) undertake studies and research or otherwise keep abreast of the scientific and technical knowledge necessary to comply with clauses (a) and (b);
 - (d) take into consideration the United Nations Recommendations on the Transport of Dangerous Goods, the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal, the Cartagena Protocol on Biosafety to the Convention on Biological Diversity, the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction, the International Health Regulations or any other relevant and applicable convention or instrument.
9. The national arrangements and guidelines referred to in Article 7(1) of the Convention should:
 - (a) contain provisions on:
 - (i) carrying out a risk assessment and regularly reviewing it;
 - (ii) preventive and protective measures following the hierarchy of controls;
 - (iii) hygiene;
 - (iv) information and training of workers;
 - (v) consultation and participation of workers and their representatives for the matters under (i) to (iv);
 - (b) address, as appropriate, infection prevention and control measures, risk-based biosecurity and biosafety control measures such as levels of containment in laboratories, ventilation, vector control, decontamination and disinfection procedures, as well as risk-based procedures for handling and disposing of hazardous waste;
 - (c) consider uncertainties regarding the presence of biological hazards in living organisms, vectors or other potential transmitters;
 - (d) be adequate and proportionate to the level of risk of exposure in each sector or occupation and to the hazards identified and risks assessed by the competent authorities.
10. The sectors and occupations referred to in Article 7(2)(c)(i) of the Convention to be included in an evaluation of risks could include, but not be limited to:
 - (a) the healthcare sector;
 - (b) food production and agricultural work, including in the animal, vegetable and grain sectors;

- (c) the water and waste management sector;
- (d) cleaning and maintenance work;
- (e) humanitarian work;
- (f) laboratory work;
- (g) the biotechnology and pharmaceutical sectors;
- (h) funeral services and mortuary work;
- (i) the construction sector;
- (j) the forestry sector;
- (k) the transport sector;
- (l) occupations that are critical to the functioning of society and its well-being during public health emergencies, as determined by an evaluation of biological risks by the competent authorities.

11. The workers referred to in Article 7(2)(c)(ii) of the Convention should include:

- (a) pregnant and breastfeeding women;
- (b) young workers;
- (c) older workers;
- (d) workers with disabilities;
- (e) workers medically predisposed to infections or allergies, including immunocompromised workers;
- (f) workers in need of protection due to their social situation and multiple disadvantages;
- (g) migrant workers.

12. The preparedness and response measures, such as plans and procedures, to be established under Article 7(2)(d) of the Convention should include:

- (a) the preparation or updating of regulations for the management of accidents and emergencies;
- (b) detection and early warning systems;
- (c) measures to be taken in the working environment in the event of outbreaks, epidemics or pandemics, including support for workers and employers in case of isolation and quarantine orders;
- (d) coordination and information mechanisms with public health authorities;
- (e) national and international collaboration on research;
- (f) provision for appropriate emergency human resources, including surge capacity and flexible resource allocation;
- (g) the effective operation of healthcare facilities and essential services;
- (h) material preparedness;
- (i) collaboration between relevant national and international public health, water and waste management, environmental health, occupational health and veterinary health authorities, labour inspectorates and other relevant experts and partners;
- (j) rapid public health response systems and real-time communication of expert advice to prepare for and manage outbreaks;
- (k) training of occupational health service providers on potential biological hazards, supported by clinical or laboratory-based surveillance.

13. When developing arrangements and guidelines for the management of occupational safety and health regarding biological hazards in the working environment, Members should take due account of relevant

internationally agreed technical and practical guidance developed by the International Labour Organization and other competent organizations and promote a management systems approach to occupational safety and health, such as the approach set out in the Guidelines on occupational safety and health management systems (ILO–OSH 2001).

14. Members may consider various approaches to specify appropriate and proportionate risk control measures, which may include regulations, policies or guidelines for work involving certain types of biological hazards and the classification of biological hazards into risk or hazard groups based on characteristics and epidemiological profiles.
15. Recognizing that many biological hazards create cross-border risks, Members should encourage both national and multinational employers to provide adequate occupational safety and health conditions and contribute to a preventive culture to eliminate hazards or minimize these risks.

III. Social and employment protection

16. In applying Article 12 of the Convention, Members should take due account, as appropriate, of the Social Security (Minimum Standards) Convention, 1952 (No. 102), the Employment Injury Benefits Convention, 1964 [Schedule I amended in 1980] (No. 121), the Employment Injury Benefits Recommendation, 1964 (No. 121), the List of Occupational Diseases Recommendation, 2002 (No. 194), other relevant instruments and subsequent amendments and revisions.
17. Members should, in accordance with national circumstances, endeavour to provide access to basic income security, as well as measures for business continuity, during periods of isolation or quarantine.
18. Members should endeavour to provide, as appropriate, protection from dismissal if, while complying with monitoring, travel restrictions, quarantine or isolation orders, or for related preventive or curative treatments, workers have to be absent from work.

IV. Compliance with laws and regulations

19. The system of inspection provided for in Article 13 of the Convention should be guided by the provisions of the Labour Inspection Convention, 1947 (No. 81), and the Labour Inspection (Agriculture) Convention, 1969 (No. 129), without prejudice to the obligations thereunder of Members which have ratified these instruments.

V. Duties and responsibilities of employers

20. In taking the preventive and protective measures that are their responsibility pursuant to Article 15 of the Convention, employers should take due account of relevant instruments, codes of practice and guidelines, including the Occupational Safety and Health Recommendation, 1981 (No. 164), the Promotional Framework for Occupational Safety and Health Recommendation, 2006 (No. 197), the Guidelines on occupational safety and health management systems (ILO–OSH 2001), the Technical guidelines on biological hazards in the working environment and other relevant subsequent guidance adopted by the International Labour Organization.
21. In applying the hierarchy of controls referred to in Article 16(b) of the Convention, employers should take into account the Technical guidelines on biological hazards in the working environment and other relevant subsequent guidance adopted by the International Labour Organization.
22. The preparedness and response plans and procedures referred to in Article 18 of the Convention should include:
 - (a) the preparation or updating of workplace policies and guidelines on the management of emergencies related to biological hazards, taking into account possible public health impacts;
 - (b) the provision of appropriate and adequate preventive measures, in accordance with national law and practice and on the basis of a risk assessment, which could include the facilitation of vaccination, immunization, chemoprophylaxis and testing to all workers free of charge and on a voluntary basis.

VI. Effect on an earlier Recommendation

23. This Recommendation supersedes the Anthrax Prevention Recommendation, 1919 (No. 3).