

3. The standards set forth in the Annex to this Recommendation should be regarded as minimum standards, which do not qualify or impair any obligation to apply higher standards incumbent upon any member of the Organization under the Constitution of the Organization or under any international labour Convention which the member may have ratified, and should in no case be so interpreted or applied as to lessen the protection afforded by existing legislation to the workers concerned.

ANNEX

SECTION 1.—WAGES AND THRIFT

Article 1

1. It shall be an aim of policy to encourage the development of machinery of collective bargaining whereby minimum rates of wages may be fixed through negotiations between employers' and workers' organizations.

2. In all cases in which the competent authority has reason to believe that the workers' organizations have not arrived at the stage of development necessary to enable them to negotiate on a footing of equality with the employers' organizations, specially qualified persons shall be nominated to assist the workers in the course of the negotiations by giving them information and advice and, if need be, to act in their name. These measures shall be taken and such nominations made after consultation with the labour inspectorate where such exists. Persons so nominated shall assist in the early development of workers' organizations by advice and guidance.

Article 2

1. Where no adequate arrangements exist for the effective fixing of minimum wages by collective agreement, official machinery whereby minimum rates of wages can be fixed for the workers shall be created and maintained.

2. Any minimum rates so fixed by decision of the competent authority shall observe the principle of equal remuneration for men and women for work of equal value.

3. Representatives of the employers and workers concerned, including representatives of their respective organizations where such exist, shall be associated in the operation of the minimum-wage-fixing machinery in such manner and to such extent, but in any case in equal numbers and on equal terms, as may be determined by the competent authority.

4. Minimum rates of wages which have been fixed by the competent authority shall be binding on the employers and workers concerned so as not to be subject to abatement by agreement between employers and workers without the express consent of the competent authority.

5. The necessary measures shall be taken to ensure that the employers and workers concerned are informed of the minimum rates of wages in force and that wages are not paid at less than these rates in cases where they are applicable.

6. A worker to whom the minimum rates are applicable and who has been paid wages at less than these rates shall be entitled to recover, by judicial or other legalized proceedings, the amount by which he has been underpaid, subject to such limitation of time as may be determined by the competent authority.

Article 3

1. The necessary measures shall be taken to ensure the proper payment of all wages earned, and employers shall be required to keep registers of wage payments, to issue to workers statements of wage payments, and to take other appropriate steps to facilitate the necessary supervision.