

## The Regulation of Hours of Work in Germany in 1927

The reports of the Factory and Mines Inspectorate on the administration of German labour legislation in 1927<sup>1</sup> contain a certain amount of general information regarding the regulation of hours of work.

During the period covered by the report important amendments have been made in the legislation on hours of work. Thus, the Order of 21 December 1923 has been amended and supplemented by the Emergency Act of 14 April 1927, and the Administrative Regulations of 17 April 1924 have been amended by those of 29 April 1927. As a result there have been certain difficulties in enforcing the legislation, increased by the fact that the employers had not yet completely adapted their undertakings to the provisions of the Order of 1923. In accordance with the Administrative Regulations at present in force, for example, official authorisation for working overtime beyond 48 hours per week can be granted only if it has proved impossible to arrive at a collective agreement; consequently, even the smallest undertakings have been compelled to conclude collective agreements. Further, collective agreements frequently contain special provisions concerning the distribution of hours of work, and the inspectors find it difficult to check whether the legal hours are being strictly observed. The report for the State of Baden emphasises the fact that in concluding a collective agreement the contracting parties have to state definitely in what conditions overtime may be worked and what extra pay is given for such work; generally speaking it seems that both parties hesitate to tackle this difficult question directly and wait until circumstances show in any particular case whether overtime is justified or not.

The overtime worked varies considerably from one district to another. The report for Saxony shows that numerous undertakings worked short time at the beginning of 1927; from March onwards 48 hours were worked per week and the number of hours rose towards the end of the year when it was again reduced. The attitude of the workers to overtime often varies in different districts. In the Düsseldorf district the workers' representatives have tried to restrict overtime, while in the Coblenz district, where the employers demand only an 8-hour day, there has been a shortage of labour because the workers preferred to be employed in areas in which they could work overtime and thus obtain extra wages. In the building industry in particular the workers' organisations favour overtime because it compensates for the lack of work during bad weather.

In general the hours of work fixed by collective agreements have been more carefully observed than in preceding years, since the employer

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<sup>1</sup> GERMANY. *Jahresberichte der Gewerbe-Aufsichtsbeamten und Bergbehörden für das Jahr 1927*. Berlin, Reichsdruckerei.

can no longer accept voluntary overtime from his staff. The report for the district of Cassel, however, points out that the legal limit has been exceeded, particularly in small undertakings, because the employers were ignorant of the exact legal provisions in force.

The extra pay for overtime varies in different regions. In Baden rates are generally increased by 10 per cent. from the 49th to the 51st hour, 20 per cent. from the 52nd to the 54th, and 25 per cent. only from the 55th hour onwards. In Saxony the rate of 25 per cent. considered "suitable" by the Act has not yet been reached everywhere, though in the clothing industry it is exceeded. In the whole of the bookbinding industry and the associated occupations, the 5 hours authorised by the national collective agreement in excess of 48 hours are remunerated by a 25 per cent. increase in wages. In metal works in the Leipzig district overtime is paid for by a 20 per cent. increase up to 51 hours per week, and 50 per cent. for the following hours.

As a general rule the legal regulations are more strictly observed in the towns than in the country, where the workers are not employed in industry during the harvest and therefore wish to work overtime during the rest of the year in order to increase their income. An examination of the reports for separate industries shows several interesting facts. In flour milling, the extension of the hours of work can be explained by the keen competition between small and large-scale undertakings. In Saxony there have been numerous complaints concerning hairdressing saloons, which should close at 7 p.m. (8 p.m. on Saturday); formerly the custom was to serve all customers who were in the shop at closing time, but this concession is limited by the new agreement to the fifteen minutes following closing time. Abuses have been reported in hotels, restaurants, and beer shops; in Württemberg the inspectors report that the workers most in need of protection are those whose remuneration consists of tips, since these workers willingly do overtime in order to earn more. In cinemas the hours of work for operators are often too long. The hours of work and the breaks for musicians are generally well observed because collective agreement have been concluded. When no collective agreement exists box office clerks, girl attendants, etc., are generally not entitled to a compensatory rest period for Sunday work. In continuous-process undertakings the three-shift system is spreading. It has been introduced in numerous factories in Upper Silesia. In Brunswick managers of sugar refineries have often even met with opposition from seasonal workers who wish to work more than 8 hours per day. The Orders of 9 February 1927 concerning hours of work in gas factories, metal works, glass factories and glass-cutting works, extending to these undertakings the benefits of section 7 of the Order of 14 April 1927 (forbidding overtime in excess of half an hour beyond the legal limit in unhealthy and dangerous trades) have been carefully observed in Bavaria. In the district of Frankfort-on-the-Oder, on the other hand, the inspectors have noted a certain amount of disorganisation in glass-cutting works, which has been remedied by having recourse to overtime under section 3 of the Emergency Act.

## SALARIED EMPLOYEES

The hours of work of salaried employees in factories and banks are generally regulated by collective agreements. This is less generally the case in commerce. The Emergency Act has involved no noticeable change in the conditions of work of this class of workers. Most collective agreements fix hours of work at 48 per week, with the possibility of prolongation in urgent cases up to 51 or 54 hours. Pay for overtime varies, but numerous agreements provide for a 25 per cent. increase. Certain employers have tried to make their employees work voluntarily for 10 hours per day. Others have taken advantage of the difficulty which salaried employees experience in finding employment to demand or connive at a working day of from 12 to 15 hours. Generally speaking, however, the hours of work in banks have been reduced in consequence of the introduction of calculating machines and other technical improvements.

## BAKERIES

The prohibition of night work in bakeries has been found difficult to enforce in various districts, particularly during the season at watering places and holiday resorts. In the State of Baden there has been an increase in the number of contraventions. The inspectors' report points out that a large section of the population, including the workers, insists on having fresh rolls in the morning. Supervision is difficult, because master-bakers do not open the doors of their shops, which are often situated in side streets and enclosed courtyards. The regulations prohibiting the delivery of bread before 7 a.m. are generally observed.

## SHOPS

The shop closing regulations have as a rule been complied with, except on Christmas Eve and the eves of other important festivals. Certain employers have had their windows dressed in the evening, thus necessitating a prolongation of working hours beyond the regular closing hour. As formerly, the enforcement of the shop closing regulations has met with difficulties, particularly in the country, in many small places where merchants consider that they can keep their shop open after 7 p.m. in order to allow their customers to make their purchases in the evening. According to an enquiry carried out in the State of Baden, shops not in the main streets have not observed the closing regulations.

The weekly rest period has been observed except, as formerly, in small places where country customers wish to make their purchases on Sunday. The wish to meet the needs of these customers has induced shopkeepers to contravene the regulations. Commercial establishments with no employees have also given rise to complaints by business rivals, who demand that permission for Sunday trading should be extended to all shops. The compensatory holidays to which workers are entitled for Sunday work have given rise to various abuses. The

employers consider that they fulfil their obligations if they prolong the annual holiday or grant compensation in cash or in kind. At the request of the inspectors, the keeping of a register of Sunday work and compensatory holidays is gradually becoming general.

The closing of shops and the Sunday rest period are closely connected with the question whether automatic machines should not be subject to the same legal regulations as commercial undertakings. A report on this subject has been sent to the Ministry of National Economy. In the opinion of the Württemberg factory inspectors, the need for developing the sale of goods by automatic machines is not widely felt. On the other hand, the German automatic machine industry maintains that any privileges granted to it would be compensated for by increase in consumption and an improvement in the labour market. At the same time it must be remembered that such a step would have economic and social disadvantages, since it would make it more difficult to administer the shop hours and Sunday rest regulations.

## The Growth of the Trade Union Movement in Soviet Russia from 1925 to 1928

The following information is taken from records of enquiries published in *Statistika Trooda* (Labour Statistics).<sup>1</sup> It relates to 1 October 1925, 1 January 1927, and 1 January 1928, at which dates the total numbers of trade unionists were respectively 7,846,800, 9,624,800, and 10,381,400.

The following table shows the variations in the numbers of trade union and inter-trade union bodies.<sup>2</sup>

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<sup>1</sup> *Statistika Trooda*, No. 3 of 1926, Nos. 9-10 of 1927, and No. 7 of 1928.

<sup>2</sup> It may be recalled that the 23 trade unions in the Union of Socialist Soviet Republics are constituted in the following manner. The basic or primary body is the factory committee (for the various kinds, see below), elected by all the trade unionists employed in an undertaking; it is laid down that there shall be only one such committee for any single undertaking. When the number of trade unionists employed is too small for a committee to be formed, they may elect a delegate to represent them. Within any primary administrative area (district or circumscription) the factory committees of a union are grouped together as a subsection or secondary body of the union. Within a secondary administrative area (department or province) the various subsections come under a section or tertiary body of the union. Finally, the union as a whole is controlled, between the congresses, by a central committee.

In addition to the trade union bodies enumerated above, there are inter-trade union bodies. The general activities of the 23 unions are directed by the Central Federal Council. Inter-trade union councils (of a Republic, departmental, or provincial) direct the working of the corresponding trade union sections; and inter-trade union district offices (representing districts or circumscriptions) direct the working of the corresponding trade union subsections. Finally, where the members of various unions are too few to form primary bodies, they are grouped under local secretariats, which later on are to be suppressed.