

## Labour Inspection in Estonia, 1929-1933

The Estonian Labour Inspection Service was originally attached to the Ministry of Labour and Social Welfare ; in 1929 it was transferred to the Ministry of Education and Social Affairs ; and since 1933 it has been under the Ministry of Communications. The competent Ministry publishes an annual summary of the inspectors' reports ; these summaries have served as a basis for the following survey of the activities of the Inspection Service during the five years 1929-1933.

The duties of the Inspection Service are defined by a Decree of 19 December 1918, under which the inspectors must : (1) supervise the application of the legislation concerning labour protection and workers' insurance ; (2) draw up reports on contraventions of the law (these reports are either followed by prosecution of the offenders, or are transmitted to the Chief Inspector, who may impose fines in certain cases) ; (3) examine and approve rules of employment, wage scales, etc. ; (4) intervene in cases of labour disputes ; (5) collaborate in the organisation of employment exchanges ; (6) visit and inspect establishments ; and (7) collect statistical data concerning the establishments subject to inspection.

The country is divided into five inspection districts, each with an inspector and an assistant inspector<sup>1</sup>, all of whom are under the orders of a Chief Inspector. The assistant inspectors help the inspectors both in their administrative work and in actual inspection.

The inspection staff have to see that labour legislation is applied both in industry proper and in agriculture. Their duties therefore cover the application of the following International Labour Conventions ratified by Estonia : Unemployment, Night Work (Women), Night Work (Young Persons), and Minimum Age (Industry), 1919 ; Minimum Age (Agriculture), Workmen's Compensation (Agriculture), White Lead (Painting), and Weekly Rest (Industry), 1921 ; and Equality of Treatment (Accident Compensation) and Night Work (Bakeries), 1925.

It should be noted that certain of the functions mentioned above also lie within the competence of other bodies, notably the accident associations in connection with the prevention and compensation of industrial accidents.

### THE INDUSTRIAL BACKGROUND

The following table shows the number of industrial establishments liable to inspection, with the total number of workers and the numbers of women and young persons under 18 employed by them.

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<sup>1</sup> In 1927 the staff of the Inspection Service was reduced for reasons of economy, and the number of inspection districts was lowered from ten to five. The report for 1927 stated that " this change had had an unfavourable effect on the activities of the inspectorate, and to some extent hampered the work of supervision ".

## UNDERTAKINGS LIABLE TO INSPECTION

Year	Number of undertakings	Number of workers		
		Total	Women	Young persons under 18
1929	3,556	51,773	17,141	1,675
1930	3,825	49,028	16,234	1,225
1931	4,001	45,530	14,604	936
1932	4,154	40,118	12,882	411
1933	4,376	41,139	13,253	442

These statistics cover all the three groups into which industrial establishments are divided : large (employing 20 persons and over), medium (employing 5-19 persons) and small (employing under 5 persons).

It will be seen that the number of establishments liable to inspection rose steadily, whereas there was a marked fall in the number of persons employed by them. The rise in the number of establishments is due, according to the reports for 1930 and 1931, to "the tendency to make sickness insurance applicable, as far as possible, to every industrial establishment, even if it employs a single person only". The report for 1933 points out that "this increase is due, not only to the inspectors' efforts to extend the benefits of statutory protection to the workers in all industrial establishments, but also to the fact that a large number of establishments have recently been set up, in particular small factories making goods that used to be imported. Indeed, since 1927 there has been an increase of about a thousand in the number of small establishments."

The number of persons registered with the employment exchanges increased from 3,181 in 1929, 3,089 in 1930, and 3,542 in 1931, to 7,121 in 1932 and 8,207 in 1933.<sup>1</sup> According to the report for 1930, this unemployment "is a result of the economic depression, the effects of which began to be more acutely felt in 1930; a number of large undertakings have been obliged to reduce their staffs for want of work." The report for 1931 states that "it is especially the large textile factories working for the export trade that have reduced their staffs." The number of women and children employed in industry has fallen not only absolutely, but also relatively, in proportion to the total working force; this is due, the inspectors state, to "the excessive supply of male labour available at low wages".

<sup>1</sup> See below, p. 000.

## THE WORK OF THE INSPECTION SERVICE

*Visits of Inspection*

The following figures summarise the work of the Service in the field of inspection proper.

STATISTICS OF VISITS OF INSPECTION

Item	1929	1930	1931	1932	1933
Number of establishments visited	855	1,799	1,364	1,869	1,755
Number of persons employed in the above	33,175	31,533	27,715	24,361	27,574
Number of establishments visited :					
once	718	1,666	1,202	1,748	1,656
twice	88	110	107	80	78
3 times	27	15	39	15	17
more than 3 times	22	8	16	26	4
Total number of visits	1,095	1,982	1,590	2,075	1,884
Number of visits at night	161	38	93	112	26

It is to be noted that the establishments visited by the inspectors in 1929 formed less than 25 per cent. of all establishments liable to inspection. In subsequent years the proportion fluctuated as follows : 53.5 per cent. in 1930, 39.6 per cent. in 1931, 54.2 per cent. in 1932, and 41.5 per cent. in 1933.

According to the report for 1929, "most of the establishments not visited are small and are at long distances from the railways and the inspectors' headquarters. Moreover, the inspectors' time was largely taken up by the many visits which they made to bakeries in order to see that the provisions of the Act prohibiting night work were being observed." In 1930 "the Chief Inspector gave instructions for more intensive inspection during the summer months of the small establishments in the rural districts, a very large number of which were not being inspected." The 1931 report remarks that the proportion of establishments visited, already small, has fallen still further ; and states that "this decrease is to be explained by the increasing number of duties placed on the inspectors' shoulders, with no corresponding increase in their numbers, so that they are being more and more overloaded with work."

*Application of Labour Legislation*

One of the labour inspectors' essential tasks is to see that the legislation concerning the protection of workers is applied. Most of the contraventions observed concern the laws on the following subjects : sickness insurance, the prohibition of night work in bakeries, the issue

of wage books, the registration of overtime, the obligation to pay higher rates for overtime, the employment of children, the employment of women at night, the weekly rest, etc. The report for 1930 states, *inter alia*, that "the inspectors have found several cases of night work by women in establishments where the two-shift system is in force and female labour is used for reasons of economy. In another case, the employer made his female staff work at night only, in order to take advantage of the reduced rate for electric current."

The efforts of the inspectors did not always have the desired results, particularly in the small establishments. The report for 1931 states that "the number of contraventions of the Act on the prohibition of night work in bakeries has remained as high as in the preceding year. Many bakers have continued work during the prohibited hours in spite of the successive fines imposed on them and the frequency with which the workers connive at these contraventions makes it all the harder to prevent them."

All the reports state that in most instances the labour inspectors have simply warned the heads of undertakings ; and that only cases of repeated contraventions or deliberate non-observance of the legislation have been formally reported to the Chief Inspector or the competent magistrate. The following table shows the number of contraventions observed and reported and of fines imposed.

STATISTICS OF CONTRAVENTIONS AND PENALTIES

Item	1929	1930	1931	1932	1933
Number of contraventions observed	5,733	7,102	5,118	7,121	7,251
Number of contraventions formally reported	768	1,458	1,250	1,688	1,856
Number of fines imposed by the Chief Inspector of the Courts	756	1,227	1,209	1,268	1,573

It will thus be seen that the number of contraventions observed by the inspectors has increased every year, except in 1931. Even in 1929 the report notes an increase over the number observed in the preceding year, the reason given being "the more intense activity of the Inspection Service, resulting in more effective control of the observance of the provisions of the laws and regulations." Moreover, the report for 1931, when there was a fall in the number of contraventions observed, points out that this reduction "does not yet indicate progress in the application of the law ; the explanation is rather that the inspectors have not been able to visit as many establishments as in the preceding year." It will also be seen that the number of fines imposed corresponds fairly closely with the number of contraventions formally reported.

*Hours of Work.*

The 8-hour day and the 48-hour week were introduced by the Act of 10 July 1931 concerning hours of work in industrial establishments.<sup>1</sup> Even before that date the inspectors exerted some pressure to secure observance of the 8-hour day on the basis of a declaration of principle made by the Provisional Government in 1918. The report for 1931 states that "the new Act is being applied without too much difficulty in the large establishments, where the 8-hour day was customary even before this Act came into force; but in the medium and small undertakings, according to the inspectors certain difficulties are met. Most of the contraventions of the Act occurred in small and medium undertakings." It should be added that overtime in industry is permitted with the authorisation of the Chief Labour Inspector.

*Hygiene, Health, and Safety.*

Although the head of every undertaking is required to notify the labour inspector of all accidents which occur in his establishment, and the inspector must investigate all serious cases, the reports do not contain statistics on the subject. The 1930 report states, however, that "measures to protect the life and health of the workers have engaged the close attention of the inspectors during their visits to establishments. They have found, particularly in the small establishments, that the regulations relating to hygiene and accident prevention are disregarded almost everywhere—indeed, in some cases the employers were completely ignorant that any such regulations existed. The inspectors pointed out omissions, and gave instructions in writing concerning the steps to be taken", entering in the inspection registers of the undertakings all the necessary instructions together with the dates by which defects likely to endanger the life and safety of the workers must be put right.

*Adjustment of Industrial Disputes*

The activity of the inspectors in adjusting disputes has been very considerable. The following table shows the number of complaints made in writing by the workers. Most of them concerned cases of wages not paid, withheld, or incorrectly calculated. Among other causes of dispute, collective or individual, the most frequent were lack of or incorrect entries in wage books, premature termination of the contract of employment, and contraventions of the laws on the following subjects: accident insurance, sickness insurance (failure to provide, or irregular provision of, medical assistance), and hours of work and the weekly rest in industrial undertakings. The inspectors' action has not always been successful.

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<sup>1</sup> Cf. INTERNATIONAL LABOUR OFFICE: *Legislative Series*, 1931, Est. 5.

## STATISTICS OF DISPUTES AND NATURE OF SETTLEMENT

Item	1929	1930	1931	1932	1933
Number of individual and collective disputes notified	1,262	1,215	1,384	1,781	1,597
Number of demands by workers partly or wholly satisfied	333	470	455	558	483
Number of workers whose demands were satisfied	622	682	699	709	628

*Sickness and Accident Insurance*

Insurance against sickness and accidents is compulsory, both for the undertakings enumerated by the law and for handicraftsmen employing permanently not less than five persons. The insurance authorities may, however, extend the obligation to undertakings and handicraftsmen employing less than five persons.

The reports show that the labour inspectors have steadily tried to extend the application of the scheme gradually to all industrial establishments, even those employing only one person. The following figures show the development of this process.

## SCOPE OF SICKNESS AND ACCIDENT INSURANCE

Item	1929	1930	1931	1932	1933
Number of establishments liable to sickness insurance	2,908	3,300	3,415	3,660	3,993
Number of persons employed in the above	—	38,003	34,876	36,215	38,257
Number of establishments liable to accident insurance	1,260	1,301	1,356	1,382	1,559
Number of persons employed in the above	—	35,828	33,253	35,282	36,275

Two schemes of compensation for industrial accidents are in force in Estonia : compulsory insurance, covering all industrial establishments employing at least five persons ; and the employers' individual liability, in industrial establishments employing less than five persons, and in agricultural undertakings. In cases in which compensation is due from the employer, he may arrange with the injured worker or his surviving dependants as to the amount and mode of payment ; such an agreement must be submitted to the labour inspector, who may refuse his approval if the terms are clearly inconsistent with the provisions of the law.

It should be noted that the financial and administrative supervision of insurance lies with the labour inspectors, who are empowered to check the funds' resources and examine their accounts and financial policy.

### *Representation of Workers*

The Act of 10 July 1931, respecting workers' representative bodies in industrial undertakings<sup>1</sup>, provides for the establishment of a workers' council in every industrial undertaking normally employing over 100 persons; in industrial undertakings employing between 25 and 100 persons a workers' steward takes the place of the council. The stewards and the members of the councils are elected in each undertaking by all workers who have attained the age of 18 years.

The duties of the workers' representatives are: (1) to co-operate in the rationalisation of the process of manufacture; (2) to co-operate in conciliation in labour disputes, whether individual or collective; (3) to participate, as guardian of the workers' interests, in the drawing up of rules of employment, wage scales, etc.; (4) to supervise the administration of Acts and Orders respecting workers' protection and social insurance; (5) to represent the workers in organisations where provision for such representation is made by law.

This Act does not appear to have been favourably received by the workers, and the report of the Labour Inspection Service for 1931 states that "it has not so far been possible to judge the Act's importance for the welfare of the workers, who have shown pronounced indifference as regards the election of workers' councils and stewards." The following figures, supplied by the inspectors, show the extent to which the workers have taken part in these elections:

Item	1931	1932	1933
Number of establishments subject to the provisions of the Act	175	234	273
Number of establishments in which workers' councils or stewards were elected	88	73	67
Number of stewards and members of councils elected	189	194	167

These figures show that the indifference of the workers towards arrangements for their representation has increased and that their participation in the elections has diminished. Whereas in 1931 there were workers' representative bodies in 50 per cent. of all establishments subject to the Act, the proportion fell to under 25 per cent. in 1933.

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<sup>1</sup> Cf. *Legislative Series*, 1931, Est. 6.