



The Twentieth Session of the International Labour Conference

THE Twentieth Session of the International Labour Conference was held at Geneva from 4 to 24 June 1936. Its agenda was as follows :

- I. The regulation of certain special systems of recruiting workers.
- II. Holidays with pay.
- III. Reduction of hours of work on public works undertaken or subsidised by Governments.
- IV. Reduction of hours of work in the building and civil engineering industry.
- V. Reduction of hours of work in iron and steel works.
- VI. Reduction of hours of work in coal mines.
- VII. Reduction of hours of work in the textile industry.
- VIII. Safety provisions for workers in building construction with reference to scaffolding and hoisting machinery.

The first two items had been the subject of a first discussion at the 1935 Session of the Conference under the double-discussion procedure. Reports were therefore submitted to the Conference, in regard to these two items, containing the replies of the Governments to the questionnaires which had been addressed to them on the basis of the results of the first discussion. These reports included proposals for Draft Conventions which the Conference might take as a basis for discussion.

Items III and IV were submitted to the Conference for a second and final discussion in accordance with the decision taken by the Conference at its Nineteenth Session as a result of the non-adoption of the Draft Conventions drawn up on these two questions under the single-discussion procedure. The Office had consequently consulted the Governments on these two questions, and Blue Reports on them, drawn up on the basis of the replies from the Governments and including proposals for Draft Conventions, were submitted to the Conference.

A first discussion on items V and VI had been held at the Nineteenth Session of the Conference, which at its Twentieth Session consequently had to proceed with the second stage of the double-discussion procedure on the basis of the reports submitted to it after the Governments had been consulted.

The item concerning the reduction of hours of work in the textile industry had been placed on the agenda by the Governing Body of the International Labour Office in order to give effect to a resolution adopted by the Conference at its Nineteenth Session. In taking this decision the Governing Body had stipulated that the report on this item should be drawn up in such a way as to enable the Conference to follow either the usual double-discussion procedure or the procedure of a single discussion whereby it could take a final decision at a single Session.

Item VIII was placed on the agenda of the Conference for a first discussion. A Grey Report was accordingly submitted to the Conference containing a statement of the law and practice on the subject in the different countries together with a draft Model Code of Safety Regulations. The report in conclusion proposed a list of points on which Governments might be consulted with a view to the final decisions to be taken at the next Session of the Conference.

In addition to these eight items the Conference was as usual called upon to consider certain questions which did not figure on its official agenda: the annual Report of the Director of the International Labour Office; the annual reports from the Governments on the measures taken by them to give effect to Conventions which they have ratified; the ten-yearly report on the working of the Equality of Treatment (Accident Compensation) Convention, 1925; and questions concerning the Standing Orders and procedure.

Finally, as the result of resolutions adopted by the Conference and decisions taken by the Governing Body, four reports prepared by the Office were submitted to the Conference. They dealt with the following questions: collective agreements; the recruiting and placing of migrant workers; opium and labour; workers' nutrition and social policy.

COMPOSITION OF THE CONFERENCE

The number of States represented at the Twentieth Session of the Conference was 51, or one less than at the previous Session.

The classification of these States by continents was as follows : Europe, 27 ; America, 13 ; Asia, 7 ; Africa, 2 ; Oceania, 2.

The total number of delegates sent by the 51 States represented was 161, of whom 91 were Government delegates, 35 Employers' delegates, and 35 Workers' delegates. The number of advisers was 256. Thus, in all, 417 persons were duly accredited to attend the Conference. This figure is higher than that for the preceding Session, at which there were 159 delegates and 249 advisers.

On the day on which the Session of the Conference opened, the International Labour Office was informed by the Italian Government that the Italian delegation which had been appointed was unable to attend the Conference. It may be hoped that this is no more than a temporary interruption of the constant and active participation of Italy in the work of the Organisation.

Egypt became a Member of the International Labour Organisation during the Session, and this State, which had already sent an observer to the Conference, immediately appointed a Government delegate.

Furthermore, for the first time the delegation of the Union of Soviet Socialist Republics included a Workers' delegate, who was accompanied by advisers.

Although there was a very slight falling off in the number of States represented, the representative character of the delegations of the various countries was most satisfactory, since there was an appreciable increase in the total number of persons accredited to attend the Conference. In spite of the difficulties of the present time the interest of the States Members in the work of the Organisation remains unimpaired, as is clearly shown by the number of persons who took part in the Conference.

Although the agenda did not include any item referring specifically to the conditions of work of women, it is interesting to note that 17 women were included in the delegations of the different countries.

INCOMPLETE DELEGATIONS

The number of incomplete delegations was 19, as against 20 in 1935 and 22 in 1934. The following 15 States were represented by Government delegates only : Afghanistan, Bulgaria, Chile, Colombia, Ecuador, Egypt, Iran, Iraq, Latvia, Lithuania, Panama, Peru, Siam, Turkey, and Uruguay. In 1935 the num-

ber of purely Government delegations was 16 and in 1934 it was 19.

This slight decrease in the number of incomplete delegations is a further instance of the progress which had already been noted at recent Sessions of the Conference both by the Credentials Committee and by the Conference itself. It is to be hoped that this progress will continue and that the States will make an effort to participate fully in the work of the Conference by sending complete delegations and thus fulfilling the obligation which devolves upon them under the Constitution of the International Labour Organisation.

CREDENTIALS

Three objections to the nomination of certain Workers' delegates and advisers to the Conference were submitted to the Credentials Committee.

The Committee first had to deal with an objection lodged by the International Federation of Trade Unions against the credentials of Mr. Johann Staud, Austrian Workers' Delegate, and of Mr. Hans Preyer, his Adviser.

In view of the objection made by the International Federation of Trade Unions against the credentials of Mr. Johann Staud at the Nineteenth Session of the Conference, the question which the Committee had to decide this year was whether the new objection against the credentials of Mr. Johann Staud and Mr. Hans Preyer was based upon "facts or allegations which the Conference, by a debate and a decision referring to identical facts or allegations, has already discussed and recognised to be irrelevant or devoid of substance". If that was the case, the objection would not be receivable. The majority of the Credentials Committee, consisting of the Government and Employers' representatives, came to the conclusion that the objection was not receivable on the ground that it was not based on new facts or allegations. The minority, consisting of the Workers' representative, maintained that it was receivable. The Conference accepted the conclusion of the majority of the Committee and declared that the objection was not receivable.

The Credentials Committee also had to deal with an objection lodged by the Mexican Regional Labour Confederation (*Confederación Regional Obrera Mexicana*; C.R.O.M.) against the credentials of Mr. Rodolfo Piña Soria, Mexican Workers'

Delegate, and of Mr. Victor Manuel Villaseñor, his Adviser. The Committee unanimously ruled out this objection.

Finally, the South African Trades and Labour Council contested the validity of the credentials of Mr. William Freestone, President of the Cape Federation of Labour Unions, Workers' Adviser of the Union of South Africa. In spite of various reservations on questions of principle which were made by the Workers' representative on the Committee, the latter requested the Conference to regard Mr. William Freestone as duly accredited.

The reports of the Credentials Committee on these last two objections were approved by the Conference.

ADMISSION OF EGYPT INTO THE ORGANISATION

During the Session of the Conference the Egyptian Government informed the Secretary-General of the Conference that it would be willing to accept membership in the International Labour Organisation. When this communication was brought to its notice, the Selection Committee, through the intermediary of its Chairman, proposed that the Conference should invite Egypt to become a Member of the Organisation. This proposal was warmly supported by a large number of speakers, and the Conference unanimously adopted a resolution inviting the Egyptian Government to accept membership of the Organisation and requesting the Governing Body to arrange with that Government any questions arising out of its membership.

In reply to this communication Mr. Abdol-Fattah Assal, who was present at the Conference as Egyptian observer, informed the Secretary-General of the Conference, in a letter dated 19 June 1936, of the official acceptance by his Government of this invitation.

At the sitting held on 20 June 1936 the Conference formally welcomed Mr. Assal as Egyptian Government Delegate. Mr. Assal thanked the Conference on behalf of his Government, and referred to the friendly relations which had existed for many years between the Organisation and Egypt. He assured the Conference that his Government would endeavour to collaborate ever more closely with the work of the Organisation and pointed out that the Egyptian Government's programme of social and labour policy closely tallied with the various reforms referred to in the Constitution of the Organisation with a view to improving the conditions of the workers.

It is a matter of deep satisfaction that Egypt, which has played so great a part in the development of civilisation and which for many years has sent an observer to attend the Conference, will in future be fully associated with the work of the Organisation. This constitutes a further step in the direction of universality, which has always been the ultimate aim of the Organisation.

OFFICERS OF THE CONFERENCE

The Conference elected as its President Dr. C. V. Bramsnaes, Danish Government Delegate, former Minister of Finance, Senator and Governor of the National Bank of Denmark. Dr. Bramsnaes, who has been Chairman of the Governing Body of the International Labour Office, is one of the Organisation's oldest friends and has represented the Government of his country at most of the previous Sessions of the Conference.

As its Vice-Presidents the Conference elected Mr. John G. Winant, Government Delegate of the United States of America, Dr. Josef Vaněk, Czechoslovak Employers' Delegate, and Mr. Corneille Mertens, Belgian Workers' Delegate.

THE RECRUITING OF INDIGENOUS WORKERS

The first item on the agenda of the Conference was the second discussion of "the regulation of certain special systems of recruiting workers". For the purposes of this discussion, and on the basis of the replies to the questionnaire drawn up in accordance with the decisions of the 1935 Conference, the Office had drawn up the texts of a proposed Draft Convention concerning the regulation of certain special systems of recruiting workers and a proposed Recommendation concerning the granting of certain facilities to recruited workers and their families.

Following the usual procedure, these texts were referred to a Committee, which consisted of 24 members: 12 representatives of Governments, 6 representatives of Employers, and 6 representatives of Workers¹; the majority of the members came from countries directly concerned by the proposed regulations.

¹ The votes in this Committee, as also in the Committees on Holidays with Pay, Safety of Workers in the Building Industry, the Application of Conventions, Standing Orders, and Resolutions, were taken in accordance with the system known as the Riddell System, under which each Employers' member and each Workers' member has two votes, while each Government member has one vote. This should be borne in mind in considering the votes cast in these committees.

The Chairman of the Committee was Mr. Marchand, French Government Adviser ; Mr. Moeller, Belgian Employers' Adviser, and Mr. Ballinger, British Workers' Adviser, were the Vice-Chairmen ; Mr. Vernon, British Government Adviser and substitute Delegate, was the Reporter.

The proposals for a Draft Convention submitted by the Office concerned the definition of recruiting and the purpose and scope of the Convention ; general policy concerning the regulation of recruiting ; prohibition of recruiting by certain classes of persons ; subordination of recruiting to the issue of licences by the competent authorities and conditions of such licences ; special provisions for worker-recruiters ; administrative supervision of recruiting operations ; medical examination of recruited workers ; travelling conditions, travelling expenses, and repatriation of recruited workers ; limitation of advances to recruited workers ; interterritorial recruiting ; and procedure of application of the Convention.

Article 1 of the proposed Draft Convention laid down the obligation to be assumed by ratifying Members as to the regulation of the recruiting of indigenous workers in each territory in which such recruiting exists or may subsequently come into existence. In Article 2, "recruiting" was defined as including all operations for obtaining or supplying the labour of persons who do not spontaneously offer their services, and "indigenous workers" were defined as persons belonging or assimilated to the indigenous populations of dependent territories or to the dependent indigenous populations of fully self-governing countries. These Articles were adopted with a few drafting changes in Article 2, the most important amendment being the substitution of the words "the home territories of Members of the Organisation" for the words "fully self-governing countries". A proposal from the Workers' members to express in the text of the Draft Convention that the policy of the ratifying States should be the progressive elimination of recruiting was not accepted, but, as explained below, this proposal eventually led to the adoption of a Recommendation in place of the one proposed by the Office.

The Committee next examined the proposed exceptions to the field of application of the Convention (Article 23 of the Office text), and accepted them subject to the qualification that they should be allowed only when the competent authority considers that the local circumstances make such exceptions

desirable and on condition that no exceptions are permitted in the case of professional recruiting.

No substantial changes were made in the Articles concerning the limitation of recruiting with a view to the protection of indigenous communities. An important addition was, however, made by the adoption of a proposal of the Netherlands Government member to prohibit the recruiting of non-adult persons, subject to the proviso that the competent authorities may permit non-adults above a prescribed age to be recruited with the consent of their parents for light work subject to prescribed safeguards.

Another addition affecting non-adults and also women was made in the provisions concerning facilities for the workers to be accompanied by their families. It was considered that for every worker recruited there should be a separate act of recruiting so that the safeguards in the Convention should apply to all recruited workers. Accordingly, it was laid down that the recruiting of the head of a family should not be deemed to involve the recruiting of any member of his family.

The general proposals concerning the encouragement of workers to be accompanied by their families were approved, subject to certain changes increasing the guarantees that workers should not be separated from their families by the arbitrary action of employers or the authorities.

The discussion of these Articles brought to light the difficulty of deciding the line of demarcation between the regulation of recruiting and the regulation of the conditions of employment. As the whole of a worker's period of employment, including his repatriation, may be governed by the terms of the agreement entered into at the time of recruiting, it seemed to some members of the Committee to be desirable to insert provisions relating to conditions or circumstances of employment in the proposed Recruiting Convention. Amendments were moved, for example, to insert provisions for the abolition of the compound system and the truck system in connection with the employment of recruited workers. The Committee did not, however, enter into a discussion of the substance of these amendments, considering that their examination could more suitably be taken when the question of the conditions of employment of indigenous workers came before the Conference.

Little difficulty was experienced by the Committee in its next stage, the discussion of the proposals prohibiting recruiting

by public officers for private undertakings and by chiefs. The Articles were adopted subject to a strengthening of the clause forbidding the special remuneration of chiefs for assisting recruiting operations.

The proposed Articles subordinating recruiting to the issue of licences and the conditions of such licences also met with ready approval, the few amendments moved and adopted being intended to strengthen and clarify the text.

On the other hand, a marked difference of opinion showed itself on the proposals permitting, subject to certain conditions, the exemption of worker-recruiters¹ from the obligation to hold a licence. The Worker members of the Committee expressed grave doubts regarding the whole system of worker-recruiting. Possibly, too, the Committee was hesitant whether it should be guided by African experience, where, except in particular cases, notably in parts of East Africa, the system is regarded unfavourably, or by Asiatic experience, where it has been encouraged as a transition to a spontaneous offer of labour. No proposal was made for the deletion of the permissive exemption, but an important amendment was carried replacing a proposed limitation of the remuneration of worker-recruiters by the prohibition of any such remuneration.

No change was made in the proposed Article specifying the precautions to be taken to safeguard the health of the workers on their journey to employment. The question of the responsibility for their travelling expenses, however, led to considerable discussion in the Committee and to the most important change made in the Office's draft.

The general principle proposed by the Office was that the expenses of the journey of recruited workers to the place of employment should be borne by the recruiter or employer. This is the usual custom. In the Union of South Africa, however, the travelling expenses are borne by the worker, and in reply to the questionnaire the Union Government opposed the proposed principle on the grounds that wages would probably fall correspondingly and the voluntary labourer would disappear as he would find it more advantageous to be recruited in the ordinary way. To meet this situation the Office's draft proposed to qualify the general principle by the proviso that where the travelling expenses are not customarily met by the employer

¹ This term is used to describe persons who are commissioned to recruit other workers for the undertaking in which they are themselves employed.

or recruiter the requirement might be waived if the competent authority were satisfied that the employers in fixing wage rates had made reasonable allowance for the expenses of the workers in connection with their journey.

From the Workers' side a proposal was made for the deletion of the proviso. The amendment was opposed by the Government and Employers' representatives of the Union of South Africa for the reasons set out above ; it was also opposed by other members, not because they did not approve of the general principle of the payment of travelling expenses by the employer or recruiter, but because they thought that it would be unfortunate to adopt an amendment which might make it impossible for the Government of the Union to ratify the Convention. It was pointed out that, in regard to any Convention concerning indigenous labour, the Union was in a different position from other States Members. Although Article 35 of the Constitution of the Organisation gave certain powers to States Members in regard to the modification of Conventions in their application to dependencies, no such possibility existed in respect of the home territories of States Members. There was thus an undeniable difficulty before the Government of the Union, which, unlike other States ratifying a Convention concerning indigenous labour, was placed in the position of having either to accept the Convention in its entirety or to refuse to ratify it.

The Workers' representatives, however, were supported by other members in holding that the principle was too important to admit of compromise, and the amendment was adopted by 14 votes to 13. An amendment moved at the plenary sitting of the Conference to reinsert the proviso was rejected, 51 votes being given for the amendment and 51 against.

The next Article before the Committee, that concerning the repatriation of recruited workers who in various circumstances do not enter employment, was adopted unanimously. A suggestion by the Chinese Government representative for the introduction of provisions for workmen's compensation was not pressed when it was pointed out that this again was a question affecting conditions of employment rather than the recruiting operations covered by the Convention.

Similarly, an amendment concerning deferred pay, moved in connection with the proposed Article limiting advances to recruited workers, was withdrawn and the Article adopted unchanged.

The proposed provisions for interterritorial recruiting, which contain special measures of administrative control in the case of workers recruited in one territory for employment in another, were also approved unchanged. An amendment moved by the Indian Workers' representative to subordinate the granting of permission for such recruiting to the guarantee of certain rights to the recruited workers in regard to the acquisition of property, equal legal status, franchise rights, and provisions against discriminatory legislation was ruled out of order. Many of these questions appeared to concern workers who migrate under systems of spontaneous or assisted emigration rather than under systems of recruiting and it therefore appeared more appropriate that they should be examined in connection with problems of migration.

The last question treated in the proposed Draft Convention was the procedure of application. A special Article appeared necessary in the Convention in view of the fact that, except in countries such as the Union of South Africa, the Convention would generally have practical application in colonial territories where, in accordance with Article 35 of the Constitution, the ratifying States have certain discriminatory powers as to the non-application or the adaptation of the provisions of any Convention. The proposed Article therefore provided that to any ratification should be appended a declaration regarding the application of the Draft Convention to the various territories dependent on the State Member concerned. The Article was adopted after it had been pointed out that its stipulations in no way affected Article 35 of the Constitution.

After the discussion of the Draft Convention the Committee turned to the consideration of the proposed Recommendation concerning the granting of certain facilities to recruited workers and their families proposed in the Blue Report. An additional Recommendation had, however, been moved by the Workers' Group reintroducing the idea of the progressive elimination of recruiting raised in connection with Article 1 of the proposed Draft Convention. It was suggested in the Committee that the first Recommendation gave rise to many difficult questions of colonial policy and that the additional Recommendation, being drafted in far wider terms, was more acceptable. This opinion was generally supported and the proposed Recommendation eventually adopted by the Committee was based on the Workers' text.

The preamble of this text emphasised as a cardinal principle that the policy of States should be directed towards the progressive elimination of the recruiting of labour in favour of a spontaneous offer of labour. It was pointed out in regard to this principle that it might in some cases be preferable for the protection of the indigenous peoples themselves to organise recruiting efficiently rather than to encourage the spontaneous movement of the workers. The preamble was, however, adopted by 15 votes to 8.

The proposed Recommendation then invited steps to be taken to eliminate recruiting by the improvement of conditions of labour, the development of means of transport, the promotion of the settlement of workers in the area of employment, and the encouragement of the voluntary movement of labour. The Committee had no difficulty in adopting these proposals subject to the proviso that the settlement of workers should be subordinate to any general policy affecting such settlement in the areas concerned. The Committee also approved an addition originating from the Belgian Employers' representative concerning the educational development of indigenous peoples and the improvement of their standard of living.

On the conclusion of its work the Committee adopted the proposed Draft Convention by 19 votes to 0, and the proposed Recommendation by 22 votes to 0.

In the plenary sitting of the Conference similar unanimity in support of the general provisions of the Convention was displayed by the representatives who spoke on the Committee's report. Declarations in favour of the proposals were made by the Government representatives of Belgium, the British Empire, China, Peru, and Portugal, and by the British and Spanish Workers' representatives. An amendment by the Netherlands Government Delegate to repair an omission in the proposed Draft Convention so as to provide for the repatriation of a worker's family in the event of the death of the worker during the journey to the place of employment was approved without opposition. As already stated, however, an amendment moved by the South African Employers' Delegate to reintroduce the proviso concerning the payment of travelling expenses, which gave rise to a long discussion, was not adopted.

The proposed Draft Convention was adopted by 92 votes to 1 and was referred to the Drafting Committee.

The proposed Recommendation was adopted unanimously and similarly referred to the Drafting Committee.

The result of the final votes was the adoption of the Draft Convention by 123 votes to 0 and of the Recommendation by 119 votes to 0.¹ The South African Government Delegate stated that he was obliged to abstain from voting owing to the decision taken by the Conference concerning the travelling expenses of recruited workers.

HOLIDAYS WITH PAY

The question of holidays with pay was before the Conference this year for second discussion. The Committee set up to consider the question consisted of 68 members: 34 Government representatives, 17 Employers' representatives, and 17 Workers' representatives.² The Committee appointed as its Chairman first of all Mr. G. Cassimatis, Greek Government Delegate, and subsequently Miss Hesselgren, Swedish Government Delegate. The Vice-Chairmen were Mr. Kuntschen, Swiss Employers' Adviser, and Mr. Schürch, Swiss Workers' Delegate. Mr. Horszowski, Polish Government Adviser and substitute Delegate, was the Reporter.

The Committee was called upon to discuss the proposed Draft Convention and Recommendation prepared by the Office.

A full general discussion took place on the form in which the Committee's decisions were to be embodied, and the Committee finally decided to draw up a Draft Convention. In the vote on this subject there were 59 votes in favour of a Draft Convention and 34 in favour of a Recommendation.

Article 1 of the proposed Draft Convention dealing with its scope of application was very fully discussed. The Office had proposed that the scope of application should include, with a few slight amendments, that of the Washington Convention concerning hours of work in industry and that of the Geneva Convention concerning hours of work in commerce and offices, and in addition (a) establishments for the treatment and care of the sick, infirm, destitute, or mentally unfit, (b) hotels, restaurants, boarding-houses, clubs, cafés and other refreshment

¹ For the text of the Draft Conventions, Recommendations, and Resolutions adopted by the Twentieth Session of the Conference, cf. the *Official Bulletin* of the Office, Vol. XXI, No. 3, 31 Aug. 1936.

² Cf. the footnote on p. 294 above.

houses, (c) theatres and places of public amusement. Thus, all branches of industry, commerce, and occupations consisting of office work were covered in a sufficiently precise way by the drafting which was suggested.

Some members of the Committee suggested a drafting of a more general character not including any list of classes of undertaking. The drafting finally submitted by these members applied to all persons regularly employed in all undertakings, establishments, occupations or services, with the exception of those engaged in agriculture or maritime work.¹ This proposal was, however, rejected by 67 votes to 8, and the Office drafting was thus accepted as a basis of discussion.

It was made clear by an amendment adopted by 49 votes to 32 that printing undertakings were included in the scope of application of the Convention. An addition was also made to the paragraph which states that the line which separates the undertakings and establishments expressly mentioned in the Convention and those not so mentioned should be established by the competent authority in each country. The addition in question states that the principal employers' and workers' organisations are to be consulted by the competent authority.

Several amendments were submitted to the paragraphs dealing with the period of continuous service which confers a right to a holiday with pay and with the length of the holiday. Some of the amendments were intended to make the rules more generous than those proposed by the Office, while the others tended to restrict them. All these amendments were rejected, except one which stated that public and customary holidays and days of sickness should not be included in the holiday.

The drafting finally adopted institutes an annual holiday with pay of six working days after one year of continuous service. The holiday may either be comprised between two Sundays, which represents eight days' interruption of work, or may be taken partly in one week and partly in the next, which gives the worker seven days' consecutive rest.

The Committee rejected the principle of the carrying over of the annual holiday to a subsequent year in special circum-

¹ The question of holidays with pay for workers in the mercantile marine appears on the agenda of the next Session of the Conference which is to deal with maritime questions. In addition, preliminary studies have been begun with a view to the possible future preparation of international regulations on holidays with pay for workers in agriculture.

stances. It adopted by 50 votes to 24 an amendment stating that the division of the annual holiday into parts should be allowed only in the case of that part of the holiday which exceeds the minimum duration.

Proposals for fixing the rate at which the length of the annual holiday should be increased progressively with length of service were not adopted by the Committee. On the other hand, the Committee adopted by 37 votes to 35 an important amendment granting more favourable treatment to workers and apprentices under sixteen years of age, who are to be entitled to an annual holiday of twelve consecutive working days.

Two amendments adopted by the Committee indicate the basis on which the remuneration of the worker on holiday is to be calculated. The first states that he is to receive either his usual remuneration calculated under conditions to be determined by national laws or regulations or the remuneration determined by collective agreement. The second amendment adds that in the case of workers part of whose wages is paid in kind, the equivalent in cash of the remuneration in kind is to be paid in addition to the usual remuneration in cash.

The Committee also adopted an amendment providing that workers on holiday who engage in paid employment, not merely in their own trade or calling as was proposed in the Office draft, but in any paid employment, may be deprived of their pay for the holiday, as well as another amendment deleting the provision according to which a worker found to engage in paid employment during his holiday might be deprived of his right to a holiday in the next year in addition to forfeiting his pay for the holiday in question.

The Committee also adopted two additional Articles. The first states that a worker dismissed for a reason imputable to the employer before he has taken the holiday which is due to him is to receive one day's remuneration for every day's holiday due to him under the Convention. The second additional Article explicitly states that nothing in the Convention shall affect any law, award, custom or agreement between employers and workers giving more favourable treatment than that provided for by the Convention. An amendment providing for the possibility of ratifying the Convention in sections limited to certain classes of undertakings was rejected by 52 votes to 28.

The Committee adopted the proposed Draft Convention by 51 votes to 31.

The Committee then discussed the proposed Recommendation, which supplemented and further defined certain points in the Draft Convention by giving further details concerning the methods of application, such as the continuity of service necessary to entitle the worker to a holiday, the division or carrying over of the holiday, the progressive increase of the length of the holiday in accordance with length of service, the remuneration of workers paid wholly or in part on an output or piece-work basis, and the adoption of a more favourable system for young workers or apprentices under eighteen years of age. An additional paragraph was inserted concerning the division of the cost resulting from the granting of a holiday to a worker who has accomplished the period of service giving him a right to a holiday with more than one employer. The proposed Recommendation was adopted by the Committee by 34 votes to 28 with 3 abstentions.

The Committee also adopted four draft resolutions relating to classes of workers which it had not been thought possible to include in the scope of application of the Draft Convention. These resolutions request the Governing Body to place the questions of holidays with pay for domestic servants, hall porters (other than those in industrial and commercial undertakings and in offices), home workers, and agricultural workers on the agenda of one of the next Sessions of the Conference.

No amendments were made to the Draft Convention and Recommendation as drawn up by the Committee when they were discussed in the plenary sitting. The Draft Convention was adopted on the first vote by 95 votes to 16 and on the final vote by 99 votes to 15, and the Recommendation on the first vote by 91 votes to 14 and on the final vote by 98 votes to 15. The four resolutions dealing with holidays with pay for particular classes of workers were also adopted: that relating to domestic servants by 70 votes to 20; that relating to hall porters by 69 votes to 19; that relating to home workers by 63 votes to 22; and that relating to agricultural workers by 68 votes to 21.

REDUCTION OF HOURS OF WORK ON PUBLIC WORKS AND IN THE BUILDING AND CIVIL ENGINEERING INDUSTRY

The Conference decided at its third sitting to refer items III and IV of its agenda to a Committee on the reduction of hours of work on public works and in the building and civil engineering

industry, to consist of 39 members, 13 from each of the three Groups. The Committee held four sittings. The following officers were appointed : Chairman : Mr. Justin Godart, French Government Delegate ; Vice-Chairmen : Mr. Grafe, Belgian Employers' Adviser, and Mr. Hicks, British Workers' Adviser ; Reporter : Mr. McKeen, New Zealand Government Delegate.

The Committee decided to begin with a general discussion on the problem as a whole and then to take as the basis of its work the two proposed Draft Conventions prepared by the International Labour Office, providing for a 40-hour week in the building and civil engineering industry and on public works.

The Employers' Vice-Chairman, speaking on behalf of the Employers' members, made a preliminary statement defining their attitude in the Committee. They were prepared to discuss, as fully as might be necessary, the various technical and economic aspects of the question of the reduction of hours of work in building and civil engineering and on public works, but in view of their opposition to the principle of the reduction of hours of work, they were not prepared to take part in the drafting of international regulations.

The Workers' Vice-Chairman thanked the Employers' members for their collaboration in the general discussion, but added that the Workers' members would have preferred to have their assistance also in drafting the actual texts of the two proposed Draft Conventions.

A number of Employers' and Workers' representatives, together with the New Zealand Government Delegate, took part in the general discussion. From the beginning of the discussion it was apparent that the members of the Committee were in agreement in noting that in a considerable number of countries the building industry was gravely affected by unemployment, the extent of which it was important to reduce wherever possible. Moreover, although the Employers' representatives questioned the extent to which technical progress had occurred generally throughout the industry, the Committee was unanimous in considering that the workers were entitled to share in the benefits resulting from mechanisation and rationalisation. There were, however, differences of opinion as to whether a reduction in hours of work, with maintenance of the standard of living of the workers, would serve to reduce unemployment

and enable workers in the building industry to share in the benefits of technical progress.

The Employers' representatives put forward a certain number of objections to the proposed application of the reduction of hours of work to public works, building, and civil engineering.

Arguments in favour of the reduction of hours of work were put forward by the Workers' members of the Committee and by the New Zealand Government Delegate.

The Committee then proceeded to examine the texts of the two proposed Draft Conventions prepared by the International Labour Office.

The only amendment which was proposed was submitted on behalf of the Workers' members. Its object was to delete in Article 1 of both proposed Draft Conventions the clause making it possible to exempt persons occupying posts of supervision or engaged in technical control of operations from the application of the Convention under specified conditions. This amendment was adopted in both cases. The amended text, however, maintained the exemption for persons occupying positions of management.

The proposed Draft Convention on the building and civil engineering industry was adopted by the Committee by 21 votes to 10, and that on public works by 21 votes to 9.

The report of the Committee was discussed by the Conference in plenary sitting on 16 and 17 June.

The Chairman of the Committee said that while, owing to the general policy of the Employers, their representatives in the Committee were unable to collaborate fully, they had worked in common with an excellent spirit of co-operation. He further pointed out that the industries with which the Committee dealt were not dependent on export conditions and were therefore not open to competition from countries with low labour standards.

The Reporter for the Committee commended the proposed Draft Conventions to the Conference.

In the course of the discussion the Netherlands Government Delegate stated that his Government would be unable to ratify the Draft Conventions even if it was in favour of all their clauses, in view of the fact that the preamble of each draft confirmed the principle of the maintenance of the standard of living of the workers which was laid down in the 1935 Convention.

The Workers expressed the view that the time had now come for the international application of the proposed measure, which was in harmony with the progress already achieved and was fully justified from the economic point of view.

The Employers pointed out that they were as much in favour of social progress as any other Group, but that they were obliged to request the Governments and the Workers not to adopt measures for which there was no sound economic basis. It was also pointed out that in certain countries hours of work in the industries in question were regulated by a system of collective bargaining, and that it would be undesirable, by adopting an arbitrary Convention, to disturb the good relations existing between employers and workers on that basis.

The proposed Draft Convention on public works was adopted on the first vote by 67 votes to 40, and the proposed Draft Convention on the building and civil engineering industry by 64 votes to 39.

On the final vote, the Draft Convention on public works was adopted by 79 votes to 38, but the Draft Convention on the building and civil engineering industry failed to secure the necessary two-thirds majority, the voting being 71 for, 42 against.

The following resolution was then submitted to the Conference by Mr. Justin Godart and Mr. Winant, Government Delegates of France and the United States respectively :

The Conference decides to request the Governing Body to consider the convening of a tripartite technical conference of Governments and of employers' and workpeople's representatives in the building and civil engineering industry, with a view to reaching an understanding as to hours of work in this industry, account being taken of the report of the Committee on hours of work in building and public works of the present Session of the Conference.

After two amendments proposed by Mr. Leggett, British Government Delegate, had been rejected by 55 votes to 8 and by 55 votes to 7 respectively, the resolution was adopted by 60 votes to 26.

REDUCTION OF HOURS OF WORK IN THE IRON AND STEEL INDUSTRY

In connection with this question, the Conference had before it, in the conditions explained above ¹, a proposed Draft Conven-

¹ See above, p. 290.

tion drawn up on the basis of the Governments' replies to the questionnaire sent them by the Office.

The Committee which the Conference set up to discuss this question consisted of 39 members, 13 from each Group. The Chairman was Mr. Ferguson, Government Delegate of the Irish Free State, the Vice-Chairmen Mr. Gregorson, British Employers' Adviser, and Mr. Chevalme, French Workers' Adviser, and the Reporter Mr. Auribault, French Government Adviser.

After a general debate, in the course of which members of the three Groups restated their position in regard to the question, the proposed Draft Convention submitted by the Office was taken as the basis of discussion. This text began with a preamble referring to the principle of the maintenance of the standard of living of the workers laid down in the 40-hour week Convention adopted in 1935. An amendment to the preamble was submitted by the British Employers' member. If it had been adopted it would have implied the rejection of the proposed Draft Convention as a whole. A record vote was taken, and the Committee decided by 21 votes to 13 in favour of the maintenance of the preamble. The Employers' members then stated that they would not take part in either the discussion or the drafting of the various Articles of the proposed Draft Convention.

Three amendments to the draft submitted by the Office were adopted. As in the case of public works and building, the first was to delete the clause exempting from the scope of application of the Convention persons occupying positions of supervision or engaged in technical control of operations. Here, too, the amended text maintained the exemption for persons occupying positions of management.

The second amendment related to the calculation of the hours of work. In this connection the Government member of the United States of America stated that his Government did not in general favour the procedure of averaging hours of work. A counter-amendment to the amendment adopted by the Committee was submitted in the plenary sitting of the Conference by the French Government Delegate. The Government delegate of the United States expressed his agreement with this new drafting, which was adopted by the Conference.

The third amendment dealt with payment for overtime in cases where the limits laid down for hours of work may be exceeded.

The Committee also adopted by 20 votes to nil the addition

of a new Article proposed by the Polish Government member and supported by the United States Government member, according to which the Convention was to come into force six months after the ratification of two States Members belonging to the fifteen principal producing countries of iron and steel had been registered with the Secretary-General of the League of Nations. In moving his amendment, the Polish Government member said that the Polish Government delegation had no intention of denying the principle that the Draft Convention should be universally applicable. Its only aim was to make the regulation of labour conditions by the Convention a practicable thing. He pointed out that the iron and steel industry was largely concentrated in a certain number of countries, and the coming into force of the Convention would therefore have no meaning unless it was conditional on ratification by certain of the countries principally concerned.

On the proposal of the Czechoslovak Government member, and after a discussion in which the British Workers' member and the author of the amendment participated, it was decided to mention in the proposed Draft Convention the names of the fifteen principal iron and steel producing countries.

The proposed Draft Convention as a whole was adopted by the Committee by 19 votes to 15.

In the course of the Committee's discussions, the British Government member submitted a draft resolution concerning the desirability of convening a tripartite technical conference for the iron and steel industry with a view to reaching agreement on wages, hours, and working conditions. A debate took place on the draft resolution, and several Employers' members took part in it. The adoption of the proposed Draft Convention as a whole, however, implied the rejection of the draft resolution, which was accordingly not adopted by the Committee.

In the full Conference the only amendment submitted to the proposed Draft Convention as adopted by the Committee was the amendment of the French Government delegate concerning the calculation of hours of work which was mentioned above.

On the final vote the Draft Convention received 67 votes in favour and 40 votes against. The two-thirds majority was thus not obtained and the Draft Convention was therefore not adopted.

After the vote had been taken, the draft resolution which

had already been laid before the Committee by the British Government member and had been discussed, was submitted to the Conference. The resolution was as follows :

The Conference decides to request the Governing Body to consider the convening of a tripartite technical conference of Governments and of employers' and workpeople's representatives in the iron and steel industry with a view to reaching an understanding as to equitable standards based on adequate information concerning wages, hours and working conditions in the industry throughout the world.

In the course of the discussion on the draft resolution the British Employers' representative stated that the employers of his country would retain the system of voluntary collective bargaining and collective agreement which had long existed in the British iron and steel industry.

The draft resolution was adopted by 65 votes to 21.

REDUCTION OF HOURS OF WORK IN COAL MINES

The reduction of hours of work in coal mines was before the Conference for second discussion. The Committee set up by the Conference to consider the question consisted of 24 members, 8 from each of the three Groups. It elected as its Chairman and Reporter Mr. Anciaux, Belgian Government Adviser, and as its Vice-Chairmen Mr. Legrand, Belgian Employers' Adviser, and Mr. Vigne, French Workers' Adviser. The two Vice-Chairmen were instructed to assist the Reporter in his duties.

The composition of the Committee gave rise to certain observations, more particularly from the Workers' members, because the British Government had not expressed a desire to be represented on it.

The Committee took as a basis of its discussions the proposed Draft Convention prepared by the International Labour Office in accordance with the Governments' replies to the questionnaire sent them after the Nineteenth Session of the Conference. The draft was based on the provisions of the 1931 Convention, revised in 1935, limiting hours of work in coal mines, supplemented by provisions concerning the fixing of a shorter working week of 38 hours 45 minutes.

The Committee began its proceedings with a general discussion in which the Workers' members did not take part. The Polish and Czechoslovak Government members stated that they could not accept the proposed Convention unless it was

ratified simultaneously by the principal European coal-producing countries.

The Employers' members of Belgium, Czechoslovakia, France, Poland, and the Union of South Africa brought forward economic and technical arguments, as well as special reasons of a national character, in opposition to the proposal to reduce hours of work in coal-mines.

The preamble to the proposed Draft Convention was adopted after the Committee had rejected an amendment submitted by the British Workers' member proposing to delete from the preamble the clause relating to the maintenance of the standard of living of the workers and insert it as a special Article in the Draft Convention.

Only four amendments were made to the provisions of the proposed Draft Convention as prepared by the Office. Three of the amendments were intended to meet the special conditions concerning the regulation of hours of work in coal mines which are in force in the United States of America. They resulted from amendments submitted by the Government member from that country.

In paragraph 2 of Article 1 of the draft, which defines lignite mines, the Committee introduced a clause stating that the definition did not apply to the United States of America. By proposing this amendment the Government of the United States wished to make it clear that it did not desire to make use of the special provisions laid down by the proposed Draft Convention for lignite mines, as conditions of labour in the United States were the same in all mines. In this connection the Polish Government member expressed the view that it would be desirable to eliminate the special regime laid down for underground lignite mines, as this had been introduced into the 1931 Convention solely in view of the German Government's statement that it could not ratify the Convention unless it made provision for a special regime for lignite mines. The French and British Workers' members, however, pointed out that it would be better to maintain this special system in order to avoid increasing the difficulties of ratification, and the Polish Government member did not maintain his proposal.

In Article 6, which deals with special methods of calculation of the time spent in the mine in countries, such as the United States of America, where work at the face is taken as a basis, a clause was added, after prolonged discussion, providing for

a second limit relating to the time spent by the worker at his place of work, exclusive of breaks. This time may in no case exceed 7 hours per day or 35 per week.

Article 15, which deals with hours of work in open mines and which laid down a 40-hour week for such mines, was amended by the Committee so as to fix the same hours of work for open mines as for underground mines, though the competent authority may, after consultation with the organisations of employers and workers concerned, permit an additional period of work bringing hours up to 40 per week. Such a prolongation is, however, not allowed in countries where work at the face is taken as a basis. This amendment was proposed by the Government member of the United States of America in order to meet the situation in the United States, where hours of work are the same in all mines.

In consequence of an amendment submitted by the Polish Government member, the Committee added a new Article to the proposed Draft Convention laying down that the Convention is to come into force six months after the ratifications of two of the following States have been registered by the Secretary-General of the League of Nations: Belgium, Czechoslovakia, France, Germany, Great Britain, the Netherlands, Poland, and the Union of Soviet Socialist Republics.

The Committee also had to give its decision on various other points raised in amendments. The Government member of the United States of America expressed the view that the Convention should also apply to surface workers. The French Government and Employers' members pointed out that ever since the question of hours of work in coal mines had been on the agenda of the Conference, there had never been any question of dealing with surface workers, and that no preliminary studies had been made on the subject. The Government member of the United States of America therefore withdrew his amendment, but with the support of the Workers' member of his country expressed the desire that the question of the limitation of hours of work for surface workers should be taken up at some future time.

The Polish Workers' member proposed the deletion of the exemption for staff engaged in supervision. Some reservations were, however, made as regards the expediency of this amendment, having regard more particularly to safety measures in mines. The exemption was accordingly maintained.

With regard to the time spent in the mine an amendment

was submitted by the Polish Government member, supported by the Belgian Government member and the French Employers' member, fixing the time in question at 8 hours per day and 40 per week. This would have made coal mines subject to the same system as the other industries for which a reduction of hours of work has been proposed. The Government members of the United States of America and France, as well as the Workers' members, opposed the amendment and stated that it represented a step back as compared with the 1931 Convention, revised in 1935, which limits the time spent in the mine to 7 hours 45 minutes per day. The amendment was rejected.

The Committee adopted the proposed Draft Convention as a whole by 10 votes (5 Government members and 5 Workers' members) to 6 (6 Employers' members).

During the debates in the Committee, the British Workers' member asked that the attention of the Conference should be drawn to the need for action in order to expedite the ratification of the Convention, and suggested that if necessary recourse should be had to bilateral treaties for the improvement of conditions of work such as had been concluded on other subjects with States not Members of the Organisation, particularly Germany.

In the full Conference a general discussion took place after the Reporter had submitted the results of the Committee's work and had drawn attention to the great importance of the participation of the United States of America — a country which alone produces more than one-third of the coal extracted throughout the world — in the drawing up of the proposed Draft Convention submitted by the Committee.

The proposed Draft Convention was opposed by the British Government Delegate and the Australian, French, and Polish Employers' delegates. The British Government Delegate stated that his country was not opposed to the reduction of hours of work in mines: on the contrary, it was in favour of it, provided that attention was given to wages, on which the standard of living of the workers depended. The draft before the Conference did not give satisfaction in this respect. He was, however, in favour of the convening of a technical tripartite conference to study all subjects relating to the conditions of miners in the various countries, as well as the causes of unemployment in the coal-mining industry. The Employers' delegates laid stress on the fact that the reduction of hours of work proposed in the case of coal mines was greater than that pro-

posed for other industries, and that the consequences of such a reduction would be particularly noticeable since the limitation related to the time spent in the mine and not to the time spent in productive work. They also put forward economic and technical arguments which led them to fear that the proposed regulation would tend to aggravate unemployment and would be seriously detrimental to the interests of coal consumers.

The Government Delegates of the United States of America and France, and the Workers' Delegates of the United States of America, France, and Great Britain defended the proposed Draft Convention and put forward arguments to show its necessity. The Government Delegate of the United States of America expressed the view that the reduction of hours of work was one of the means of restoring the coal-mining industry to a normal situation. This was, however, only a first step, and other measures were necessary. The French Government Delegate gave information concerning the new French Act introducing weekly working hours of 38 hours 40 minutes in mines. The Workers' Delegate of the United States of America drew attention to the need of accompanying the reduction of hours of work by an increase in hourly wage rates. The French Workers' Delegate laid stress on the difficult and dangerous nature of the miners' work and the fact that output per miner is constantly increasing. The British Workers' Delegate expressed regret that the passage in the Draft Convention which relates to the workers' standard of living was placed in the preamble instead of being given the form of a special and definite Article in the Convention itself. He once more expressed his regret at the absence of a representative of the British Government on the Committee on Coal Mines.

The Polish Government Delegate declared that he would vote in favour of the Draft Convention, but that Poland could not contemplate ratification of the Convention unless all the countries mentioned in Article 18 of the draft undertook to ratify the Convention simultaneously.

On the final vote the proposed Draft Convention received 66 votes in favour and 37 against. The two-thirds majority was thus not attained, and the proposed Draft Convention was not adopted.

The Government Delegates of the United States of America and France then moved a resolution requesting the Governing Body of the International Labour Office to consider the con-

vening of a tripartite technical conference of Governments and of employers' and workpeople's representatives in the coal-mining industry with a view to reaching an understanding as to hours of work in this industry, account being taken of the report of the Committee on hours of work in coal mines.

After a general discussion dealing simultaneously with this resolution and the similar resolutions submitted with regard to the building and civil engineering industry and the iron and steel industry, the Conference rejected two amendments submitted by the British Government Delegate according to which the tripartite technical conference was also to reach an agreement on wages and other conditions of labour and was to take account of appropriate information concerning hours of work and wages in the coal-producing countries as well as of the Committee's report.

The Conference then adopted the resolution by 60 votes to 25.

REDUCTION OF HOURS OF WORK IN THE TEXTILE INDUSTRY

The question of the reduction of hours of work in the textile industry came before the Conference either for a first discussion in accordance with the usual double-discussion procedure or for a single and final discussion, as the Conference itself might decide.

Before the Grey-Blue Report prepared by the Office was referred to the Committee for consideration a lengthy preliminary discussion took place, which extended over three plenary sittings. As no fewer than twenty-one speakers took part in this debate it is impossible within the limitation of the present article to give more than a brief general outline of the principal arguments adduced.

From the standpoint of the Employers, whose spokesman opened the discussion, it was argued that there was not in fact one textile industry but at least eight industries, many with subsections, and the conditions in each of these varied so greatly that it would be impracticable to secure uniform regulation of hours of work by means of a single Draft Convention to be applied to all textile industries in all countries. The question of hours could not be considered apart from earnings, and an increase in wages would mean higher costs of production resulting in reduced demand, especially since the industry's customers were largely to be found among the poorer peoples of the world.

Consequently the change would mean more unemployment instead of less. In some cases the higher costs of production might lead to increased mechanisation, so that the reduction of hours would not reduce unemployment. A further difficulty was created by the shortage of skilled labour. The question of costs was of special importance in the textile industry owing to the fact that there was keen competition internationally — in this connection reference was made to the competition of the Oriental countries with the Occidental countries and of Japan with India — and that any increase in wages would bear most hardly on the countries already paying the highest wages. The representatives of the British employers laid stress on the undesirability of taking any action that would interfere with the regulation of hours and working conditions by means of voluntary collective agreements. The Indian Employers' Delegate argued that a 40-hour week would mean too great a reduction of the output of Indian textile workers, which was already relatively low on account of climatic conditions and the multiplicity of religious holidays. The Mexican Employers' Delegate pointed out that in his country there was no unemployment in the industry. Moreover, the mechanisation of the industry had not reached the same stage in all countries, and a reduction in the output of the national industry entailing an increase in imports might run counter to the social policy pursued by some States. In his view the solution of the problems of the industry must be achieved by increasing consumption rather than by reducing production.

The Workers' representatives argued on the other hand that the markedly international character of the industry made it specially suitable for international regulation and that indeed there was no hope for recovery from the depression in the industry without such regulation. The very high proportion of women and young persons employed in the industry was a further reason for reducing hours of work. The industry would have to be treated as a whole, for the various kinds of textile production were inextricably linked together and the technical peculiarities of the various branches did not present any special problems as regards the regulation of hours of work. The increase in labour costs due to the reduction of hours would not be considerable and would be offset by the increase in purchasing power created by more employment. Collective agreements were good, but insufficient to guarantee general

observance of shorter hours. The French Workers' Delegate in particular insisted that the Conference ought to take action in the matter speedily or it would be outstripped by events, for in France a Bill establishing a 40-hour week was about to become law. The United States Workers' Delegate laid stress on the intense rationalisation the industry had undergone, which enabled production to be maintained with a diminished number of workers. The fundamental problem of the textile industry in the world was excess of productive capacity and a stagnant market. The Indian Workers' Delegate held that the climatic conditions referred to by the Indian Employers' Delegate were an argument in favour of shorter working hours; experience had in fact shown that efficiency increased as hours of work were reduced. As for the religious holidays, these were simply substituted for the weekly day of rest. The Workers' delegates as a whole pressed strongly for the adoption of a Draft Convention at that Session after a single discussion.

The representatives of Governments who spoke in the debate expressed divergent views. The Delegates of the Governments of France, Spain, Venezuela, and the United States of America declared themselves in favour of the adoption of the Draft Convention. For the French Government Delegate reduction of hours of work had become a necessary consequence of economic development. France was already introducing the 40-hour week and the Government hoped that its example would be followed by other countries, though it was firmly resolved to take any necessary measures of protection against countries failing to observe international standards or continuing the old methods of exploiting labour. The Spanish Government Delegate referred to the high proportion of women and children employed in the industry, to the unhealthy character of many of the operations, and to the displacement of labour by mechanisation as arguments in favour of a reduction of hours of work, and urged that any difficulties due to an increase in costs of production, so far as not offset by an increase in consumption, were outweighed by the necessity of remedying unemployment and enabling workers to live a decent life and share in the benefits of technical progress. The Venezuelan Government Delegate also referred to technical progress and to the international character of the industry in supporting the proposal for a Draft Convention. The Government Delegate of the United States of America held that a 40-hour week was justified

as one means of attack on unemployment and was also imperative as a humanitarian measure against the increased stress of rationalised production. The 40-hour week in the United States of America had maintained employment and given increased leisure, aided the maintenance of mass purchasing power, relieved pressure on the labour market, and, coupled with an 80-hour restriction on machine operation, resulted in a limitation on production that was necessary as a temporary measure. Legislative action was necessary as the industry was highly competitive and included numerous small units.

The British Minister of Labour insisted that the question of hours of work could not be isolated from wages and other conditions. His Government attached great importance to the maintenance of the system of regulation of working conditions by voluntary agreement, and while it was not unwilling to impose conditions by legislation when voluntary action failed, it wished to be satisfied that other countries would undertake the same obligations with the same results and that the form of compulsion would be such as the workpeople could accept and the employers operate. Compulsory action to share work without safeguarding wages would not be acceptable in Great Britain. It was impossible to discuss hours without taking account of wages, nor could the effect on costs be overlooked. It was necessary also to consider the hours of work of the machinery as well as of the operatives.

The Japanese Government Delegate, while agreeing in principle with a reduction of hours of work as a means of mitigating unemployment, held that it was not yet certain that a compulsory reduction by law would be effective for this purpose in Japan. The Government earnestly desired to raise the standard of living of the workers and had already accomplished much. In the textile industry night work had been abolished, Sunday rest had been practically realised, and working hours had been reduced. In the cotton industry hours were $8\frac{1}{2}$ per day for a six-day week. Wages, while they might be nominally lower than in some other countries, were not so low when account was taken of the cost of living, of the fact that most of the workers were young country girls who spent only a few years in the factory, and of the advantages given to workers, such as lodging, meals, etc. The success of the Japanese industry must be ascribed to highly rationalised equipment and efficient management. There was still much to be done to improve

working conditions, but the high tariffs and other restrictions placed on Japanese goods by other countries were an obstacle.

At the conclusion of this general debate Mr. Justin Godart, French Government Delegate, moved that the procedure of double discussion should be suspended in the case of the application of the 40-hour week to the textile industry. Mr. Winant, United States Government Delegate, proposed "that the Conference should decide to set up a Committee to consider the question of the reduction of hours in the textile industries and should refer to it the Office report on the subject and Mr. Justin Godart's motion". Mr. Winant's proposal was supported by Mr. Godart and adopted by the Conference by 70 votes to 25.

The Committee set up by the Conference in pursuance of this decision consisted of 29 members (10 Government members, 9 Employers' members, and 10 Workers' members).¹

The Committee elected as its Chairman Professor Louis de Brouckère, Belgian Government Delegate, and as its Vice-Chairmen Mr. Thomas Ashurst, British Employers' Adviser, and Mr. Arthur Shaw, British Workers' Adviser. Its Reporter was Dr. E. Dreyer, Danish Government Adviser.

It will have been noticed that the resolution adopted by the Conference in plenary sitting did not decide the question whether there should be only a single discussion or whether the usual double-discussion procedure should be followed. The Committee, therefore, after a further general discussion on much the same lines as that which had taken place in plenary sitting, first took a decision on this question of procedure. The British Government member of the Committee proposed that the Committee should "recommend to the Conference to request the Governing Body to consider the convening of tripartite technical conferences for each of the textile industries with a view to reaching agreement as to equitable standards based on adequate information concerning the wages, hours and working conditions in the textile industries throughout the world". The Workers' members submitted the following resolution:

The Committee is of opinion that the reduction of hours of work in the textile industry is a matter suitable to form the subject of a Draft Convention and decides to proceed to the discussion of the proposals in Part II of the report of the Office.

The Workers' resolution was adopted by 15 votes to 10.

¹ The Employers' representatives were unable to nominate more than 9 of their number for membership of the Committee but nevertheless accepted the composition of the Committee as indicated.

This decision of the Committee was immediately reported to the Conference, which, however, after a short debate decided by 54 votes to 47 against the single-discussion procedure. In the ordinary course, therefore, the Committee would have had to discuss a list of points as the basis for a questionnaire to be framed by the International Labour Office and addressed to Governments. Meanwhile, however, the Committee had decided, in order to save time, to proceed with the examination in detail of the proposals for a Draft Convention submitted by the Office in its Grey-Blue Report. The second report of the Committee therefore included the full text of a proposed Draft Convention which it had adopted by 17 votes to 6. In view of the detailed examination to which this text had been submitted, the Committee deemed it unnecessary to devote further time to the preparation of a list of points for a questionnaire. It therefore recommended to the Conference that the question of the reduction of hours of work in the textile industry should be placed on the agenda of the Conference for 1937 and that the Office should be directed to frame a questionnaire on the basis of the proposed Draft Convention submitted by the Committee and in the light of the discussions which had taken place in the Committee.

When this report came before the Conference the proposal to place the question on the agenda of the 1937 Session was adopted by 71 votes to 29, while the proposed instruction to the Office in regard to the questionnaire was adopted by 67 votes to 25. By way of addendum to the Committee's conclusions, Mr. Winant, Government Delegate of the United States of America, proposed the following text :

The Conference decides to request the Governing Body to convene a tripartite conference which would include the necessary technical and expert assistance from textile-producing countries. It would be the purpose of this conference to consider how the work already undertaken by the International Labour Organisation in connection with the improvement of conditions in the textile industry could best be advanced and to take into account all those aspects of the textile industry which directly or indirectly may have a bearing on the improvement of social conditions in that industry.

This proposal was objected to by the Employers' delegates, not because they were opposed to further enquiry into the question, but because the purpose of the proposal appeared to be to secure a 40-hour week for the textile industry and to that they were opposed. The addition to the report proposed by the United States Government Delegate was adopted by 59 votes to 26.

THE SAFETY OF BUILDING WORKERS

When the Governing Body placed this question on the agenda of the 1936 Session of the Conference, it decided to limit it to matters of scaffolding and hoisting machinery. The question was before the Conference for first discussion, so that all that had to be done was to determine the list of points on which Governments were to be consulted.

The Committee to which the Conference referred the question consisted of 32 members: 16 Government members, 8 Employers' members, and 8 Workers' members.¹ It elected as its Chairman Mr. G. Stevenson Taylor, British Government Delegate; as its Vice-Chairmen Mr. Kurák, Czechoslovak Employers' Adviser, and Mr. Gryson, Belgian Workers' Adviser; and as its Reporter Mr. Winkel, Netherlands Government Adviser.

The Committee took as the basis of its discussions the Grey Report on the subject prepared by the International Labour Office. This report, in addition to the list of points proposed by the Office, also contained a draft Model Safety Code for scaffolds and hoisting appliances used in the building industry, prepared by the Correspondence Committee on Accident Prevention attached to the International Labour Office. The list of points was arranged under three main heads: safety code, inspection, and co-operation in accident prevention.

In considering the part concerned with the safety code the Committee decided, on the proposal of the French Government member and the British Employers' member, to regroup the subheadings in the following order: form of the regulations, scope of the regulations, substance of the regulations, and measures for enforcement and supervision.

As regards form, the Office report proposed that Governments should be consulted on two possibilities: (1) a Draft Convention incorporating a model safety code and (2) any other proposal. The Committee added specific references to two other possible forms: (3) a Draft Convention containing general provisions stating principles, the detailed technical provisions being incorporated in a Recommendation forming a model safety code, and (4) a Recommendation only, in the form of a model safety code.

¹ Cf. the footnote on p. 294 above.

As regards the scope of application, the Committee did not consider that the Governments should be consulted as to the exclusion from the regulations of small buildings or buildings on which only a small number of workers were employed. The general feeling was that small buildings, if perhaps not so dangerous as large buildings, still presented considerable risks, and further that safety precautions should not be made to depend upon the number of workers employed. The Committee adopted the other points in the section on the scope of the regulations but amplified them somewhat in respect of exemption procedure, the object being to allow for a question as to the desirability of requiring the competent authorities to consult employers' and workers' organisations before deciding upon exemptions.

As regards the substance of the regulations, the Committee accepted the Office proposal to take the draft Model Code prepared by the Correspondence Committee on Accident Prevention as the basis for the consultation of the Governments, but the Committee added that Governments should be invited to make proposals for amending, adding to, or deleting from this text. In the Committee itself the British Employers' member moved a number of amendments to the draft Code, but the Committee felt that it could not at the present stage enter into a detailed technical discussion and it was decided that these amendments should be brought to the notice of Governments by being included in the Committee's report. The Committee agreed that special attention should be drawn to two of these amendments specifying the duties of workers and other persons as regards co-operation in the promotion of safety.

The points dealing with enforcement and supervision were also amplified. The additions relate to the imposition of obligations on persons other than the employer and to the furnishing by the Governments, in the annual reports required by Article 22 of the Constitution of the Organisation, of information respecting any use that they may have made of the power to grant exemptions. In adding the reference to persons other than the employer the Committee had in mind not only the building workers themselves but also persons employed in any capacity on or about the works (draughtsmen, pay clerks, etc., who might unwittingly provoke an accident).

On the subject of inspection in the building industry, the

Office had proposed that Governments should be consulted as to the desirability of adopting a Recommendation. The Committee added a point to cover inspection by private or semi-private bodies, since such bodies are officially recognised as inspection agencies in some countries.

The Office proposal as to co-operation in accident prevention was adopted unchanged ; it is directed towards ascertaining the views of Governments concerning a Recommendation on this subject.

Lastly, the Committee decided to add a new heading to the list of points : technical education and other measures. The Committee's view was that safety could not be completely achieved until everyone concerned in building operations really believed in safe practices and was educated up to them. Governments will therefore be consulted as to the desirability of giving instruction in safety in technical and trade schools, and of supervising the training of foremen.

Among the other measures contemplated under this heading is State enforcement of safety precautions on public works carried out for the Government or other public authorities.

The Committee's report was adopted unanimously by the Conference, and the proposal to place the question on the agenda of the 1937 Session was adopted by 109 votes to nil. Next year, accordingly, the Conference will have before it draft international regulations for the promotion of safety in the building industry.

MIGRATION OF WORKERS

The question of the recruiting, placing, and conditions of work of migrant workers formed the subject of a "Green Report" ¹ which was submitted to the Conference in accordance with a decision of the Governing Body. The Conference decided to set up a Committee on the Migration of Workers to consider the report ; it consisted of 15 members, 5 from each of the three Groups. The Committee was also instructed by the Conference, in accordance with the proposal of the Committee on Resolutions, to discuss two draft resolutions submitted by Mr. Chu Hsueh-Fan, Chinese Workers' Delegate, concerning reciprocity of treatment for foreign workers and the establishment of an international labour exchange system.

¹ *The Migration of Workers. Recruitment, Placing and Conditions of Labour. Studies and Reports, Series O, No. 5.* Geneva, 1936.

The Committee on the Migration of Workers appointed as its Chairman Dr. Ivan Soubbotitch, Yugoslav Government Delegate. The Vice-Chairmen were Mr. Joseph Pavelka, Czechoslovak Employers' Adviser, and Mr. William Sherwood, British Workers' Adviser. Mr. Leopoldo Palacios Morini, Spanish Government Delegate, was Reporter.

A basis for the Committee's discussions was provided at the first sitting by a proposal of Mr. Jurkiewicz, Polish Government Delegate, which embodied, with two amendments, a draft resolution proposed by Mr. G. Cassimatis, Greek Government Delegate, at the eighth sitting of the Conference. Mr. Chu Hsueh-Fan's draft resolutions were withdrawn by their author. Mr. Jurkiewicz's resolution was finally adopted by the Committee and subsequently by the Conference.

The debates both in the Committee and in the full Conference showed that there was no opposition to the proposal, and that there was general agreement that the studies and researches undertaken on the subject of migration should be continued and brought to a conclusion as early as possible. Some suggestions were made with a view to extending the scope of the studies still further if possible.

It should be noted that the Committee expressed its interest in the problem of colonisation, which was mentioned not in the Green Report itself, but in other publications of the Office, as well as in the problem of the migration of workers, to which the report was confined. With regard to the settlement of colonists and other independent workers in a country other than their own, Mr. Jurkiewicz, Polish Government Delegate, Mr. Kupers, Netherlands Workers' Adviser, and Mr. Leon, Venezuelan Government Delegate, in turn emphasised the great immediate interest of the problem both for oversea countries of immigration, especially in South America, and for European countries of emigration. With regard to the migration of workers, an addition to the Committee's draft resolution was submitted in the full sitting of the Conference by Mr. Kadar, Hungarian Government Delegate, but was subsequently withdrawn after the Reporter had explained that the questions mentioned by Mr. Kadar in connection with the repatriation and rejection of immigrants were already contained implicitly in the draft resolution.

The Conference accordingly unanimously adopted the following resolution :

1. The Conference has noted with the greatest interest that the problem of the settlement of colonists and other independent workers in countries other than their own, more especially overseas, has been selected for discussion by the Migration Committee of the Governing Body. It welcomes the fact that this large and important problem is to be systematically studied, and expresses the hope that the work of the Migration Committee will lead as soon as possible to conclusions which can be laid before the Conference.

2. As regards the problems arising out of the movement of wage earners from the point of view of recruiting, placing and conditions of labour, with special reference to the problem of equality of treatment, the Conference, after taking note of the "Green" Report submitted to it at the present Session, expresses the hope that the Governing Body will take this subject into consideration with a view to placing it on the agenda of the International Labour Conference as soon as possible, that is to say, in 1938, if possible.

DISCUSSION OF THE DIRECTOR'S REPORT

The Conference devoted five sittings to the discussion of the Director's Report, in the course of which it was addressed by 65 speakers. They consisted of 35 Government, 12 Employers', and 18 Workers' representatives, 25 of whom came from Europe and 40 from oversea countries.

The chief emphasis in the debate, as in all recent years, was on the economic aspect of social problems. A number of speakers criticised autarky and economic nationalism, while others urged that "planned economy" and "planning" should be strictly limited. The value of public works as a remedy for unemployment was frequently mentioned, although some Employers' representatives maintained that they had not proved efficacious. Several speakers urged that the time had come for the convening of a new world economic conference. Others, however, suggested the necessity of national preparation before international economic action could become possible, and even the necessity of uniform economic organisation in each country. Some speakers, too, laid stress on the advantages of regional economic pacts. Several references were also made to the passage in the Director's Report emphasising the danger of excessive armaments.

In the discussion of social questions a wide range of subjects was covered. Among matters with which it was suggested that the Conference or the Office might deal were the settlement of collective disputes, the regulation of migration, the 40-hour week for employees in commerce, workers' health and medical treatment, further protection for commercial, agricultural,

and intellectual workers and for Native labour, and the extended application of Conventions to intellectual workers and to colonial territories. Reference was also made to the status of women in employment and considerable interest was shown in the Office's study of the question of nutrition.

Among questions directly affecting the International Labour Organisation many speakers referred to the success of the Santiago Conference. In connection with constitutional matters, it was suggested that steps should be taken to ensure that Draft Conventions were submitted to the competent authorities within the period required by the Constitution, and a proposal was made that the present double-discussion procedure of the Conference should be modified so as to allow the Conference to deal more rapidly with the items placed on its agenda. Several Government representatives announced the ratifications which their countries hoped to communicate in the near future.

The Director in his reply said that the period under review showed a considerable advance in the social field. It was now considered essential to economic and political stability that some measure of social justice should be the conscious aim of Governments. In particular it was remarkable how well the social insurance system had withstood the depression. The necessity was now recognised of adopting public policies aimed at the maintenance of purchasing power, of the volume of employment, and of the standard of living.

In reply to references to the working of the Organisation, he observed that the Santiago Conference had proved the possibility of regional discussions without diminishing the authority or universality of the International Labour Organisation. He thought that a technical discussion of some kind might perhaps replace the present first discussion of items on the agenda of the Conference. In answer to the various comments on the 40-hour week, he affirmed his unchanged belief in the inevitability of shorter hours and in their economic soundness, and in reply to the criticisms made maintained that public works had made a very important contribution to the struggle against the depression.

In regard to the economic situation, the Director said that the favourable effects of an expansionist monetary policy had been felt not only in the countries practising that policy, but also in other countries economically linked to them. If a real attempt was made to grapple with the causes of distress and

discontent by vigorous international action there would be an immediate relief of the political tensions which were keeping the world in a constant state of apprehension. The beginnings of the foundations of a new world economic conference could, however, be laid only if the necessary initiative were forthcoming from some of the countries whose part in the world's economic and financial affairs invested them with the greatest responsibility. What was now needed was to bring the causes of political discord into relation with the problems of social and economic policy. The darkness of the outlook was largely due to the fact that no such synthesis was yet contemplated in the international field. The Organisation had nevertheless continued to advance even during the depression and in contributing to the solution of social problems had pointed the way towards some of the economic measures adopted to combat the depression.

APPLICATION OF CONVENTIONS

As in previous years, the Conference set up a special Committee to examine the annual reports on the application of Conventions supplied by the Governments under Article 22 of the Constitution. This Committee was composed of 20 members, 10 from the Government Group, and 5 each from the Employer's and Worker's Groups.¹ The Committee appointed as its Chairman Mr. Mannio, Finnish Government Delegate; as its Vice-Chairmen Mr. Schmidt, Austrian Employers' Delegate, and Mr. Serrarens, Netherlands Workers' Adviser; and as its Reporter Mr. Dibdin, Indian Government Adviser.

The Committee had before it the usual summary of the Governments' reports, the reports received since the summary was made, the report of the Committee of Experts, and the replies of the Governments to the Experts' observations in so far as these had been received in time for examination. Oral statements were made to the Committee on behalf of a number of Governments, some in reply to the observations of the Experts, others with reference to remarks made in the course of the Committee's discussions.

Out of 630 reports due from Governments this year in respect of the application of 32 Conventions, all but 10 had been received by the time the Conference met. The Committee found matter for congratulation in these figures, and also in the large increase

¹ Cf. the footnote on p. 294 above.

in the proportion of reports received from the Central and South American countries, which may be attributed, in part at least, to the interest stimulated by the Santiago Regional Labour Conference.

In connection with the effective practical application of the ratified Conventions, the Committee laid special stress on the importance of adequate factory inspection services in the different countries and of reports and statistics concerning their work. The Committee heard with pleasure of the success of the regional conference of representatives of factory inspection services held in The Hague in the autumn of 1935, and of the intention of the Governing Body to convene further regional conferences of the same character. The Committee expressed the hope that the movement may be completed as early as possible by further conferences of this kind which, with those already held, will cover the whole of the territories of the Members of the Organisation. The Committee also laid special emphasis on the importance of the Governments supplying in their annual reports full particulars with regard to the practical enforcement of the Conventions.

With regard to the application of the Conventions in the colonies, the Committee associated itself with two desiderata laid down by the Governing Body and endorsed by the Committee of Experts, namely, that the decision not to apply a Convention to a particular colonial area should be a decision taken in good faith, after a careful examination of the local conditions, and that it is desirable to re-consider such decisions periodically in the light of any changes which may have taken place in those conditions. At the same time the Committee made it clear that it did not suggest any limitation of the discretion of the Governments in this connection which is not prescribed by the Constitution of the Organisation, particularly by Article 35.

The Committee of Experts had commented on the practice, fortunately confined to a very few countries, of sometimes ratifying Conventions without a full prior examination of all the obligations involved. The Committee of the Conference stated in emphatic terms that the ratification of an International Labour Convention is as binding an act as the ratification of any other international treaty and imposes on the ratifying Member State a definite obligation to give effect to its terms completely and punctually.

The report of the Committee was unanimously adopted by the Conference after a brief discussion.

STANDING ORDERS

The Committee which was set up to consider certain amendments to the Standing Orders of the Conference proposed by the Governing Body consisted of 16 members : 8 Government members, 4 Employers' members, and 4 Workers' members.¹ The Committee appointed Mr. Mahaim, Belgian Government Delegate, as its Chairman and Reporter, and Mr. Oersted, Danish Employers' Delegate, and Mr. Rieve, Workers' Delegate of the United States of America, as its Vice-Chairmen.

The first point considered by the Committee concerned the case of a vote in which a quorum had not been obtained in a vote by a show of hands. Hitherto, under Article 16 of the Standing Orders, when that situation arose the President had been entitled to take a record vote, and had been obliged to do so when a record vote was asked for by ten members of one group, but in either case the record vote had to be taken immediately. The Governing Body had come to the conclusion that the failure to reach a quorum at one particular sitting might be due to a fortuitous circumstance and had accordingly proposed that the President should also be empowered in either of the above cases to take a record vote at a subsequent sitting. The Committee shared that point of view, but decided that the vote should be taken not "at a subsequent sitting" but "at one of the two next following sittings" and that a second record vote could not be taken in the case of a final vote for the adoption of a Draft Convention or Recommendation. It was also decided, in order to bring the provisions of Article 16 into harmony with another Article in the Standing Orders, that the request for a record vote should in future be made by twenty members present instead of, as hitherto, by ten members of one Group. The Conference incorporated these amendments in Article 16 of the Standing Orders.

The Governing Body had also suggested that a time limit should be fixed within which a delegate who has not been nominated by his Group to sit on a single Committee may, under paragraph 3 of Article 7F of the Standing Orders, bring the matter before the Selection Committee, which then has the power to place him on one or more Committees. The Conference decided that any such request should be made to the Chairman of the Selection Committee at the latest at the sitting

¹ Cf. the footnote on p. 294 above.

following that at which this Committee has fixed the composition of the Committee or Committees in question, and amended the Standing Orders accordingly.

RESOLUTIONS

The Conference set up a Committee composed of 16 members (8 Government members, 4 Employers' members, and 4 Workers' members¹) to examine the draft resolutions submitted by various delegates seven days before the opening of the Conference in accordance with the Standing Orders.

This Committee, which is called upon to make a preliminary examination of the draft resolutions and, if necessary, to suggest to the authors any amendments which it may consider desirable with a view to facilitating the adoption of the resolutions by the Conference, appointed as its Chairman and Reporter Mr. Garcia Oldini, Chilean Government Delegate, and as its Vice-Chairmen Mr. Oersted, Danish Employers' Delegate, and Mr. Jensen, Danish Workers' Delegate.

On the report of this Committee the Conference adopted a certain number of resolutions and decided to refer certain others, which dealt with problems concerning migration, to the Committee which it had set up to consider the report submitted to it by the Office in regard to the recruiting and placing of migrant workers.²

The first resolution considered by the Committee was submitted by Mr. Fulay, Indian Workers' Delegate, and Mr. Kono, Japanese Workers' Delegate. It dealt with the question of the improvement of conditions of work in Asiatic countries. After referring to the successful results of the Labour Conference of American States held at Santiago in January 1936, this resolution requested the Governing Body to consider the desirability of giving effect as soon as possible to the resolution adopted in 1931 relative to the calling of an advisory tripartite labour conference of Asiatic countries. It also suggested that an Asiatic Committee should be set up within the framework of the International Labour Office, which would hold meetings at regular intervals in the Asiatic countries. This resolution, which is further evidence of the desire of the Organisation to develop its activities in extra-European countries, so frequently

¹ Cf. the footnote on p. 294 above.

² See above, p. 323.

expressed during recent years, was adopted by the Conference without opposition.

The Government Delegates of the United States of America, Mr. John G. Winant and Miss Frieda Miller, had submitted a draft resolution to the Conference concerning the steps to be taken to combat diseases due to dust. This resolution, which referred to the results of the international conference of experts on silicosis, held in Johannesburg in 1930, as well as to the steps taken subsequently by the Organisation in regard to silicosis, called attention to the advantage of making further investigations in regard to all diseases due to dust in the light of the knowledge acquired during recent years in the medical as well as in the technical sphere. In conclusion it requested the Governing Body to consider the desirability of calling a new international meeting of experts which would be asked to propose a programme of national and international action in order to achieve early diagnosis of diseases due to dust, adequate compensation for injuries caused by them, and the maximum prevention of such diseases. This resolution was adopted by the Conference without opposition.

The Conference also adopted without opposition a resolution submitted by Mr. Jurkiewicz, Polish Government Delegate, which laid stress upon the necessity for each State to make provision for a system of labour inspection, on which the application of national and international social legislation depends. It pointed out that the experience gained through the application of the Recommendation adopted in 1923 concerning the general principles for the organisation of systems of inspection now made it possible to contemplate the adoption of an international Convention on the same subject; it also called attention to the hopes expressed on this subject by various international meetings, and in particular by the Santiago Conference, and requested the Governing Body to consider the desirability of placing the question of labour inspection on the agenda of the 1938 Session of the Conference.

Freedom of association was the subject of a draft resolution submitted by Mr. John G. Winant and Miss Frieda Miller, Government Delegates of the United States of America. Referring to the Preamble of the Constitution of the International Labour Organisation, which lays down the principle of freedom of association, and also to the work undertaken by the Organisation in this field, the resolution suggested the inclusion in the

agenda of an early Session of the Conference of a question concerning the safeguarding of individual workers in the exercise of their freedom of association from pressure by private employers on account of their joint participation in labour activities which are lawful for individuals acting singly. This resolution, which gave rise to an interesting debate, was adopted without opposition.

Mr. Jouhaux, French Workers' Delegate, submitted a draft resolution to the Conference, the object of which was to give effect to a report concerning opium and labour ¹ which had been laid before the Conference by the Office. The resolution, which called attention to the injurious effects of the use of opium by workers, which, it maintained, were due both to unsatisfactory conditions of labour and to the official authorisation of the sale of opium to workers, proposed a series of suggestions for the improvement of the conditions of labour of the workers concerned as well as for the regulation of the sale of opium, and requested the Governing Body to bring those suggestions to the notice of the Governments and of the competent bodies. This resolution was adopted without opposition after various delegates had laid stress upon the injurious effect of the use of opium by the workers.

Two draft resolutions concerning the calling of economic conferences were submitted to the Conference by Mr. Jouhaux, French Workers' Delegate, and Mr. Kono, Japanese Workers' Delegate, respectively. The authors subsequently agreed to submit a joint resolution which, after calling attention to the danger of a prolongation of the economic depression and to the fact that the Monetary and Economic Conference of 1933 had arrived at no agreement on the measures proposed by the International Labour Conference of the same year, referred to certain improvements which had been obtained in some countries, and to the urgency of arriving at an international solution of the question. On these grounds it expressed the hope that the Governing Body would consider what steps might be taken to facilitate the calling, under the auspices of the League of Nations and with the close collaboration of the International Labour Organisation, of one or several conferences, in which the representatives of workers' organisations would participate, to discuss

¹ *Opium and Labour. Being a Report on a Documentary Investigation into the Extent and Effects of Opium-Smoking among Workers.* Studies and Reports, Series B, No. 22. Geneva, 1935.

all the problems concerning currency, production, trade, settlement of populations, and colonisation. This resolution gave rise to a long and interesting debate and was finally adopted without opposition.

The question of the nutrition of the workers, which was the subject of a report¹ submitted to the Conference and also of resolutions adopted by the Conference at Santiago, had led Mr. Schürch, Swiss Workers' Delegate, to submit a resolution on that problem to the Conference. This resolution, which was finally adopted without opposition, gave rise to a very long debate in which numerous speakers drew the attention of the Conference to the different aspects of this problem which arose in a particularly acute form at the present moment. This resolution, which called attention to the close ties existing between the nutritional requirements of the workers and their occupations, and also to the necessity of providing the workers with a satisfactory standard of nutrition, maintained that the nutrition of the workers should be considered as one of the most important problems with which the International Labour Organisation was called upon to deal. It requested the Governing Body to take all the necessary steps to enable the International Labour Office to continue its studies of the problem of the nutrition of the workers in collaboration with the competent international bodies, drew the particular attention of the Office to the importance of various aspects of the problem with which it was specially competent to deal, and finally requested the Governing Body to consider the possibility of placing on the agenda of the Conference certain questions relative to the aspects of the problem of nutrition to the solution of which the Conference might contribute in a constructive manner.

The question of calendar reform, which was referred to in a resolution adopted by the Santiago Conference, was the subject of a draft resolution submitted by the Chilean Government Delegation. This resolution, which was adopted without opposition, referred to a resolution already adopted by the Conference in 1928 and also to the work undertaken in this field by the Secretariat of the League of Nations in collaboration with the International Labour Office, and requested the Governing Body to call the attention of the competent bodies of the

¹ *Workers' Nutrition and Social Policy*. Studies and Reports, Series B, No. 23. Geneva, 1936.

League of Nations and of the Governments to the necessity of continuing to study this problem very closely.

Mr. Mertens, Belgian Workers' Delegate, submitted a draft resolution concerning public works. This resolution referred to the various occasions on which, since its first Session, the Conference had expressed the hope that public works would be co-ordinated and developed, in particular as a means of relieving unemployment. It pointed out that it was essential that in future the maximum effect should be obtained from public works, and expressed the hope that at the 1937 Session of the Conference, during which the question of the planning of public works in relation to employment would be considered, a Grey-Blue Report would be submitted so that it would be possible for the Conference to reach final decisions in 1937. This resolution was adopted without opposition.

The position of persons who, during recent years, have left Germany for political or racial reasons was the subject of a draft resolution submitted by Mr. Krier, Luxemburg Workers' Delegate. The resolution pointed out that such emigration had a serious effect on the labour market, particularly in countries bordering on Germany where the economic depression was serious, and that the solution of the problems to which this situation gave rise closely concerned the International Labour Organisation. In conclusion it requested the Governing Body to instruct the International Labour Office to follow the situation with the closest attention and expressed the earnest hope that the 1936 Session of the Assembly of the League of Nations would take all the necessary steps to arrive at satisfactory and final solutions of the problems in question. This resolution was adopted without opposition.

The unemployment problem was referred to in a draft resolution submitted by Mr. John G. Winant and Miss Frieda Miller, Government Delegates of the United States of America. This resolution, which was also adopted without opposition, drew attention to the necessity of making a close study of the nature and causes of unemployment, certain aspects of which were of a structural rather than of a cyclical type, and the prolongation of which gave rise to a serious social problem in many countries. In particular, the resolution suggested that the International Labour Office, in proceeding with its systematic studies of unemployment, should enquire into the effects of technological progress upon employment and study the

measures which might be taken in order to assure the security of the workers, and so harmonise the economic and social structure and the progress of technology that the economic order should be put on the sound basis of participation in its benefits by the whole of the working population.

Mr. Kono, Japanese Workers' Delegate, submitted a resolution to the Conference concerning an enquiry into the conditions of work of persons employed in textile industries. Referring to the resolution already adopted on this subject by the Conference in 1928, this resolution requested the Governing Body to consider the advisability of taking the necessary action to give effect to the earlier resolution. This resolution was adopted without opposition.

Finally, on the proposal of Mr. Fulay, Indian Workers' Delegate, the Conference adopted without opposition a resolution concerning the effect on the wages, employment, and standard of living of the workers due to the placing of large quantities of the manufactured goods of one country in another country, especially at very low prices. This resolution requested the Governing Body to investigate the problem concerned and to study the methods by which the normal industrial development of all countries may be promoted with a view to raising the standards of living generally.

At its next Session the Governing Body will as usual consider the effect to be given to the resolutions adopted by the International Labour Conference.

CONCLUSIONS

In so difficult a period as the present, the genuine and unswerving attachment shown by the States Members to the work of the International Labour Conference is an encouraging sign. The admission of a new State to the Organisation, the appreciable increase in the number of persons accredited to the Conference as compared with the previous year, and in particular the fact that the two great industrial States which recently entered the Organisation, the United States of America and the Union of Soviet Socialist Republics, are taking an increasingly active part in its work, are evidence of the interest taken throughout the world in social problems and in the proposals made at Geneva for their international settlement.

Some people may perhaps think that the methods of pro-

cedure which the Conference has laid down for its work are rather complicated and cumbrous, and the desire has been expressed that they should be simplified so that results may be achieved more rapidly. Yet it cannot be doubted that the Conference every year makes a contribution to the body of international labour legislation, the real value of which can to an increasing extent be measured in a tangible way by the practical application given to its decisions, whether immediately or after some delay. There are perhaps some who regret that the Conference cannot march in the van of social progress and take a bold line in proposing new reforms, instead of confining itself to laying down international standards on the basis of what has already been done by the most advanced countries. No one who realises the infinite complexity of international social life can, however, expect that the Conference should be too ambitious in introducing innovations. The function which it has to perform in building up the edifice of social legislation is not so much to lay the foundation stones as to supply the cement which makes the structure solid and lasting. At the same time, the Conference can help to promote new developments in social legislation by adopting resolutions calling for studies on questions which have as yet been little explored. Studies of this kind can later on serve as a basis for international legislation.

A survey of what was accomplished by the Twentieth Session of the Conference will show that though it was not able to arrive at definite conclusions on all the subjects placed before it, it nevertheless devised practical solutions for several problems of great importance, and even where its discussions did not lead to a definite conclusion it laid down the means by which the discussion of the problems still outstanding should be continued with a view to a final settlement later on.

The Conference extended the existing body of international legislation on Native labour by drawing up a Draft Convention and Recommendation dealing with the complicated problem of the recruiting of Native workers. These measures may be expected to result in an appreciable improvement of the position of Native workers and their families.

On the question of holidays with pay, a subject which is in some respects connected with that of the reduction of hours of work, the Conference adopted a Draft Convention and Recommendation which will no doubt exercise a beneficent influence

in the near future. It also adopted four resolutions dealing with the possible extension of holidays with pay to special classes of workers not covered by the general regulations.

Although the results achieved by the Conference as regards the reduction of hours of work did not fully meet the aspirations of the working classes, further progress was nevertheless made in the practical application of the principle laid down last year, since the Conference adopted a Draft Convention laying down the 40-hour week for a kind of work which is of special importance at the present day, namely, public works.

With regard to building and civil engineering, the iron and steel industry, and coal mines, the Conference proposed that tripartite technical conferences should be held to reach an agreement on hours of work in each of these industries, taking account of the discussions which have already taken place. The Governing Body will be asked to take the necessary action to give effect to these suggestions. The Conference also proposed that a tripartite conference should be held to discuss hours of work in the textile industry, and placed this question on the agenda of its 1937 Session. Thus the preliminary studies which have been carried out on hours of work in these industries will not be wasted, since appropriate measures are in contemplation with a view to arriving at a definite settlement.

The first stage of the double-discussion procedure on the question of the safety of workers in the building industry followed its normal course, and the second stage will probably lead to the adoption of detailed international regulations on this subject next year.

Apart from the decisions taken by the Conference on the questions definitely placed on its agenda, a number of resolutions on subjects of a very varied character were adopted.

The Governing Body was requested to consider the possibility of placing on the agenda of future Sessions of the Conference the questions of the migration of workers, diseases due to dust, factory inspection, freedom of association, and the nutrition of the workers. The Conference also adopted valuable resolutions laying down the lines on which the study of certain important questions relating to the economic depression and unemployment should be carried out.

If the work done by the Conference in connection with the supervision of the application of the Conventions is borne in mind, as well as the valuable and far-reaching discussion which

took place on the Director's Report, it will be seen that the Twentieth Session of the Conference was no less valuable than the preceding Sessions.

It is true that the question of the reduction of hours of work still holds the first place among the aspirations of the workers throughout the world, and from their point of view the success of the Conference will continue to be measured by the positive results achieved in this sphere. It may be hoped that next year's Session of the Conference, in addition to its work in building up social legislation on other subjects, will be able, as a result of the careful investigations which will be made in the meantime, to give fuller satisfaction to those who regard the reduction of hours of work as one of the most fundamental issues with which social legislators are at present faced.