

Except where more favourable provision is made for the employee, he is not entitled to this right for a period of more than a fortnight, and then only if he was employed for not less than six months before the occurrence of the hindrance in question.

The employee is entitled to this remuneration even if the employment ends before the expiry of the above-mentioned period of a fortnight by the employer's giving notice during the period of hindrance or by the employer's rescinding the contract prematurely through no fault of the employee. It should be noted, however, that the provisions of military legislation discussed above which prohibit the dismissal of the worker appear to have rendered the above provision superfluous.

If the employment lasts for less than six months, the employee retains his right to remuneration if for a sufficient reason he is unable to perform his work during a short period.

The employee may not renounce his rights in advance. The employer is entitled to deduct from the remuneration due to the employee any amount received by the latter during the period in question from public moneys, with the exception of sums received during a period of military training.

It follows from these provisions that a worker who has been employed for not less than six months may claim two weeks' remuneration if he is called up for military training or is prevented from carrying out his work for some other similar serious reason. Calling to the Colours in the event of war may certainly be regarded as a serious reason giving the right to payment of wages. On the other hand, if the worker has had less than six months' employment with the employer, his remuneration is due only if he is unable to perform his work during a short period for a sufficient reason. It does not seem that this provision can be applied to mobilised workers.

## **Wartime Measures Affecting Hours of Work and Rest Periods**

### **INTRODUCTION**

This survey of the regulation of hours of work and allied questions relates to measures adopted in anticipation or in consequence of the war in belligerent countries and in neutral countries which have mobilised. Particulars are given with regard to the action taken in Belgium, France, Germany, Great Britain, and Hungary.

It should be noted that this survey makes no claim to present a complete picture of the wartime system of hours of work in these countries. The measures themselves are not complete. In the first place, some of them apply only to certain categories of employment. In the second place, many of the measures do not themselves constitute

a system of regulation, but invest the national competent authority with powers of execution and application.

In certain cases, as will be seen from the detailed information given below, the measures taken in a particular country suspend the provisions of the legislation existing at the outbreak of the war while authorising the national competent authority to replace them by other provisions. In other cases the Decree or Order does not itself suspend the legislation, but authorises the national competent authority either to suspend it wholly or partially or to grant exceptions to its provisions.

One feature which is common to nearly all these wartime measures is the wide power granted to the national administrative authority to suspend, to modify, or to regulate. Only when this administrative action has been completed will it be possible to fill in the bare outlines of this first survey of the regulation of hours of work under the pressure of war conditions.<sup>1</sup>

## HOURS OF WORK

### *Belgium*

In Belgium a Royal Order issued on 26 August 1939 provides that, should additional classes be mobilised, the provisions of the Act of 14 June 1921 relating to the eight-hour day and the 48-hour week and Administrative Orders under the Act of 9 July 1936 instituting a 40-hour week in industries or branches of industry where work is carried on under unhealthy, dangerous or trying conditions may be departed from. Exceptions may be granted by the Minister of Labour and Social Welfare to specified undertakings or to entire industries, either unconditionally or subject to certain conditions.<sup>2</sup>

A communiqué issued by the Ministry of Labour and Social Welfare stated that there had never been any question of suspending the effects of the Eight Hour Day Act, and that the measures to be taken by the Government would relate only to exceptional cases concerned with national defence.

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<sup>1</sup> Measures relating specially to women and to young persons are not mentioned in this survey; they will be covered in a survey of the wartime regulation of conditions of work of women and young persons which is being prepared for a later issue of the *Review*.

<sup>2</sup> The Act of 1921 provides that the actual hours of work may not exceed eight in the day or 48 in the week; the daily limit may be extended to nine hours if the workers have a holiday on Saturday afternoon. These limits may be exceeded in the following cases, among others: (1) for seasonal industries and for some special industries; (2) to meet an exceptional rush of work (two hours a day and 30 days a year); (3) for preparatory and supplementary work; (4) in cases of accident or *force majeure*. In all these cases the remuneration paid for work in excess of the normal limits mentioned above must be not less than time and a quarter for the first two hours of overtime during the day and time and a half thereafter. Time and a half must be paid for overtime on Sunday. Up to the present the Act of 1936 has been applied to underground work in coal mines, metal mines, and workings for the extraction of potter's clay (45 hours of actual work per week), and to the work of loading and unloading in the ports of Antwerp, Brussels, Ghent, and Ostend (40 hours of actual work per week), and in the port of Bruges (42 hours of actual work per week).

*Application of the Act.*

On 23 September 1939 it was announced that the Cabinet had approved a draft Order regulating the application of the Eight Hour Day Act in undertakings executing urgent work for national defence. It was pointed out that the Act is kept in force in its entirety. The exceptions will be permitted in accordance with a provision of the Act itself. The Order lays down general rules to be applied in cases arising out of the war situation.

During the negotiations in connection with these special measures, the trade unions insisted that the effort which the workers were thus called upon to make should have a counterpart in the taxation of exceptional profits made as a result of the war.

*France*

In France several Decrees regulating hours of work have been issued. They include one of 1 September 1939 relating to industrial and commercial undertakings, one of 8 September 1939 relating to the central offices of Government departments, one of 10 September 1939 relating to underground work in mines and open workings, and one of 20 September 1939 relating to public administration. Decrees relating to hours of work in rail transport and in the mercantile marine are in preparation.

*Industrial and Commercial Undertakings.*

The Decree of 1 September 1939 regulates hours of work in the industrial and commercial undertakings covered by Book II, Section 6, of the Labour Code.<sup>1</sup>

*Limits of hours of work.* In virtue of the Decree, hours of work may be extended to 60 in the week, no special permit being necessary. They should be arranged so as not to exceed 11 in the day.

The labour inspector may however authorise work to be spread over a period other than a week, with a view to making up time lost through stoppages of work, provided that the working day may not exceed 12 hours.

The limit of 60 hours may be lowered for a particular locality or region, or for particular occupations or classes of workers, by Order of the Minister of Labour.

In continuous operations a maximum of 56 hours may be worked in the week, on an average calculated over a period of 12 weeks; the limit may be extended to 72 hours, subject to the grant of a permit by the labour inspector, in the case of work carried out in the interests of national defence or some public service.

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<sup>1</sup> The system of hours of work in industry and commerce existing in France prior to 1 September 1939 was that resulting from the Act of 21 June 1936 establishing the 40-hour week and the Decrees issued in accordance with it, the Legislative Decree of 12 November 1938 providing for additional flexibility in the system of hours of work, and the Decree of 21 April 1939 prolonging hours of work to 45 a week as a provisional measure, overtime rates being payable after 45 hours' work at 5 per cent. above the normal rates. Details of the standing and temporary exceptions authorised are given below.

*Exceptions.*<sup>1</sup> Besides the standing exceptions allowed under the previous system of regulation of hours of work, the labour inspector may provisionally grant other exceptions for preparatory or complementary work which must necessarily be carried on outside the limits fixed for the general working of the undertaking, or in the case of certain classes of staff whose work is essentially intermittent. These exceptions require confirmation by Order of the Minister of Labour in order to become permanent.

The temporary exceptions fixed by the previous regulations apply also to the 60-hour week referred to above.

As regards pressure of work arising out of national necessity, the duration of the exception and the conditions under which it may be utilised will be fixed by agreement between the labour inspector and the local representative of the Minister concerned.

*Organisation of work.* Subject to such arrangements for supervision as the labour inspector may prescribe, the organisation of work by roster or on a rota system is authorised, no permit being necessary. The labour inspector may however suspend the benefit of authorisation in cases where it is unjustified.

In the case of work connected with national defence, the decision to withdraw authorisation must be reached by agreement between the labour inspector and the local representative of the service concerned.

These provisions may not have the effect, unless this is authorised by the labour inspector by reason of exceptional circumstances, of reducing the rest period between two consecutive working days to less than ten hours.

*Remuneration.* Hours of work may be extended to 45 in the week without any change in the weekly wages hitherto payable for 40 hours of actual work.

For a period of six months, this provision will not be accepted as a justification for any reduction in the weekly wages paid for 40 hours

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<sup>1</sup> The exceptions provided for by regulation prior to 1 September 1939 were determined by a series of Decrees relating to the various branches of industry and commerce, in virtue of the Act of 21 June 1936 establishing the 40-hour week, the Legislative Decree of 12 November 1938 providing for additional flexibility in the system of hours of work, and the Decree of 21 April 1939 prolonging hours of work to 45 a week, as a provisional measure. The exceptions are either standing or temporary. Standing exceptions are granted for particular categories of work—preparatory and complementary work, essentially intermittent work, work relating to the loading and the unloading of goods, indispensable work for the co-ordination of the work of two successive shifts, etc. The categories of work or of workpeople, the duration of the standing exceptions, and also the conditions in which these exceptions may be granted, were determined in the various Decrees applicable to the particular branches of industry and commerce. During the last three years no important modification was made in the system of standing exceptions. Temporary exceptions are authorised in case of urgent work whose immediate execution is necessary to prevent accidents or repair the damage caused by them, to organise rescue and salvage measures, or to meet the needs of exceptional pressure of work. The system of overtime to meet the needs of exceptional pressure of work has been modified considerably in the last year. Temporary exceptions are also provided for in the case of work carried out in the interests of national safety and defence or in the interests of a public service by order of the Government.

of actual work in the case of persons whose hours of work are not increased to 45 in the week, nor may workers be dismissed on this account without permission from the labour inspector.

Hours worked in excess of 45 in the week will be paid for at three-quarters of the normal hourly wages calculated at one forty-fifth of the weekly wages hitherto paid for 40 hours of work. The remaining quarter will be paid by the employer to the Treasury as a contribution to a National Solidarity Fund for the payment of allowances to the families in necessitous circumstances of men serving with the forces.

These provisions relating to the remuneration of hours of work were modified by a Decree of 26 September 1939. From 2 October 1939 the remuneration corresponding to work done from the 40th to the 45th hour inclusive will be retained by the employer and paid to the Treasury for the National Solidarity Fund. Further, the rate fixed for the contribution from the payment made for time worked in excess of 45 hours is raised from 25 to  $33\frac{1}{3}$  per cent.

As from 1 October a national contribution equal to 15 per cent. of occupational earnings is payable by men between the ages of 18 and 49 who do not belong to any military unit. This contribution will be paid to the Treasury for the National Solidarity Fund mentioned above. The provisions will not apply to persons who are unfit for military service and in receipt of a pension payable under the regulations applicable to disabled ex-service men or civilians disabled during the war of 1914-1918.

*Supervision and collective bargaining.* The provisions of the legislation previous to this Decree relating to measures of supervision, and particularly to the timetable and the nominal roll of workers on each shift, remain in effect. Other methods of supervision may be determined by Orders of the Minister of Labour.

The Decree suspends the application of laws and regulations concerning conciliation and arbitration; but on 8 September 1939 a rectification of this provision was issued, according to which Decrees promulgated on the proposal of the Minister of Labour may determine a system of conciliation and arbitration for the duration of hostilities. The Decree of 1 September 1939 also suspends the application of any provisions concerning the review of wages in collective agreements and contracts of employment.

#### *Underground Work in Mines and Open Workings.*

The Decree of 1 September 1939 relating to hours of work in industrial and commercial undertakings required the Minister of Labour and the Minister of Public Works to issue a Decree to regulate hours of work for underground work in mines, open workings, and quarries. This Decree, which was issued on 10 September 1939, fixes working conditions on the basis of the provisions of the Decree of 1 September 1939. It applies to underground potash mines subject to the measures of adaptation necessitated by the application of the previous legislation covering hours of work in potash mines.

*Limits of time spent in the mine.* The maximum time spent by workers in mines and open workings may not exceed 52 hours and

30 minutes a week or 8 hours and 45 minutes a day, calculated over a period of six days a week.

Hours of work may be extended by a joint Order issued by the Ministers of Public Works and Labour within the limits laid down by the Decree of 1 September 1939.

The mining engineer may authorise the recovery of time lost as a result of collective stoppages of work, provided that the working day does not exceed 10 hours and 45 minutes and that the interval between two rest days for the same worker does not exceed three weeks.

*Exceptions.* In case of an accident or the likelihood of an accident and in case of *force majeure* or urgent work on machines, plant, or equipment, time spent in the mine may be extended indefinitely for urgent work the immediate execution of which is necessary for the organisation of salvage operations. Time spent in the mine may be prolonged indefinitely on one day and by two hours on the following days for other urgent work.

The mining engineer may authorise a special extension of time spent in the mine to cope with work required for purposes of national defence.

In addition to the standing exceptions laid down in previous regulations governing hours of work, the mining engineer may also, as a temporary measure, authorise other exceptions for preparatory or complementary work which must of necessity be done outside the time limits established for the general operation of the undertakings or for certain classes of workers whose work is mainly of an intermittent nature.

In order to facilitate the periodical changing of shift timetables, an Order approved by the mining engineer may authorise work in excess of the prescribed limits for workers whose presence is indispensable for the working of pumps, ventilators, and air compressors, and for the feeding of horses. For each of the workers of these categories, weekly time spent in the mine, calculated over a period of 12 weeks, may not exceed the limits established by the present Decree.

*Organisation of work.* The mining engineer may authorise the organisation of work by roster in a pit or shaft or in a part of a pit or shaft so as to allow such work to be carried on every day, including Sunday.

*Remuneration.* Hours of work may be extended to  $43\frac{1}{2}$  a week without any change in the weekly wages hitherto paid in underground undertakings.

For a period of six months, this provision will not be accepted as a justification for any reduction in the weekly wages corresponding to the statutory hours for persons whose working week is not extended to  $43\frac{1}{2}$  hours, nor may workers be dismissed on this account without permission from the mining engineer.

Time worked in excess of  $43\frac{1}{2}$  hours a week will be paid for at three-quarters of the normal hourly wages calculated by dividing by  $43\frac{1}{2}$  the weekly wages hitherto paid for the statutory hours of work

in 1936.<sup>1</sup> The remaining quarter will be retained by the employer and paid to the Treasury as a contribution to the National Solidarity Fund set up by the Decree of 1 September 1939.

*Supervision and collective bargaining.* The managers of underground mines and open workings must display at the mine-head the times at which shifts or groups of workers must begin and terminate respectively the descent into and the ascent from the mine. They must also enter in a special register, which must be kept at the disposal of the mining engineer and the miners' delegate, all extensions made in connection with urgent work, the recovery of time lost through stoppages of work, preparatory or complementary work, or other forms of work mentioned above.

The application of the laws and regulations concerning conciliation and arbitration is suspended, and likewise the application of any provisions concerning the review of wages in collective agreements and contracts of employment.

*Central Offices of Government Departments.*

On 8 September 1939 the President of the Republic issued a Decree relating to hours of work and weekly rest in the central offices of Government Departments. The effect of this Decree is to retain for the office staff the limit of 45 hours, provided for by the Decree of 21 April 1939. For other staff, hours of work remain 48 a week. The Decree fixes in detail daily hours of attendance and the distribution of hours over the week.

*Public Administration.*

On 20 September 1939 the President of the Republic issued a Decree providing that during the period of hostilities Departmental Orders will fix for each department the duration and the distribution of hours of work within the limits of 60 hours a week. Service is permanent for staff lodged on the premises. This Decree suspends until the cessation of hostilities the application of the above-mentioned provisions of the Decree of 8 September 1939 determining hours of work in central offices.

*Germany*

In Germany a National Defence Council was set up on 30 August 1939, with power to promulgate Orders having the force of law during the emergency period. On 1 September 1939 the Council made use of these powers to promulgate two Orders, one of which amends and supplements the existing labour legislation, while the other restricts the possibility of changes of employment. A further Order of 4 September 1939 deals with emergency economic measures.

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<sup>1</sup> That is, 38 hours and 40 minutes per week. Before 10 September 1939, in virtue of Decrees of 22 February 1939 and 10 May 1939, all overtime in mines—that is to say, hours worked beyond 38 hours and 40 minutes per week in underground work and 40 hours in surface work—was to be paid for at an overtime rate of 10 per cent. above the normal rate.

*Limits of Hours of Work.*

According to the Order of 4 September 1939 relating to emergency economic measures, the Minister of Labour has power in general to permit exceptions to the existing provisions concerning hours of work and other conditions of employment. The Order of 1 September 1939 amending the existing labour legislation lays down the following rules :

In so far as they regulate the hours of work of manual workers and salaried employees of the male sex over the age of 18 years during working days, the provisions of the Order of 30 April 1938 concerning hours of work, the Act of 29 June 1936 concerning hours of work in bakeries and pastrycooks' establishments, the Order of 13 February 1934 concerning hours of work in hospitals, and the rules made under Section 120 (f) of the Industrial Code (relating to unhealthy undertakings) are suspended.<sup>1</sup>

The labour inspectors, or in the case of hospitals the authorities responsible for supervising the enforcement of the regulations concerning hours of work, may restrict the application of this exceptional measure in certain undertakings or institutions if such a measure is considered indispensable for the protection of the workers.

*Remuneration.*

The workers are no longer entitled to extra pay for overtime and for work on Sundays or public holidays or at night. The stringency of these provisions may be mitigated in the workers' favour by measures concerning the tax on wages and concerning prices.

The Order relating to emergency economic measures provides for an appreciable increase in the rate of income-tax, but this increase does not apply to income not exceeding 2,400 marks—that is, not exceeding 234 marks a month or 90 pfennigs an hour.

Prices must be brought down in proportion to the savings effected on wages. In future, prices must be calculated on the basis of the rates of wages and salaries authorised by the Order.

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<sup>1</sup> The Order of 30 April 1938 provides that in industrial and commercial undertakings normal hours of work may not exceed eight in the day on each working day, or alternatively a total of 96 hours per fortnight, the maximum daily hours then being ten. It is possible however for the normal hours of work to be increased to ten on each working day by collective rules. Normal or exceptional work in excess of eight hours a day or 96 hours a fortnight, whichever system is adopted, must be paid for at the rate of time and a quarter, unless some different system is prescribed by the competent authority ; this does not apply to extensions due to *force majeure*. The Act of 29 June 1936 provides that in bakeries and pastrycooks' establishments normal hours of work may not exceed eight on each working day or 96 per fortnight. Collective rules may, however, increase the normal daily hours to ten. As a general rule, work at night, on Sundays, and on public holidays, is prohibited. Except in the case of extensions due to *force majeure*, time and a quarter must be paid for overtime during the day and for work at night, on Sundays, or on public holidays, unless some other system is prescribed by the competent authority. The Order of 13 February 1934 provides that hospital staffs may be called upon to work up to ten hours a day and 60 hours a week, including Sundays and public holidays. These limits do not apply to occasional urgent work which must be performed immediately. There are no provisions concerning remuneration for overtime.



*Supervision and Procedure.*

As in the past, the authorities set up by the National Labour Regulation Act of 1934—the Labour Trustees—are mainly responsible for fixing working conditions, by means of collective rules. The Minister of Labour may, however, issue Orders departing from the existing legislation concerning the establishment and substance of collective rules.

The procedure for fixing conditions of employment has been made more elastic. The Labour Trustee is no longer required to consult the statutory Committee of Experts when drawing up guiding principles relating to contracts of employment or collective rules. He has also the power to issue collective rules for a single establishment, whereas under the Act these rules could be issued only for a group of establishments.

*Application.*

A number of Orders have been issued by Labour Trustees and other authorities in application of the Orders of the National Defence Council of 1 and 4 September 1939.

The Labour Trustee for the District of Westphalia and Lower Rhine issued on 6 September an Order prohibiting the payment of increased rates for overtime, night work, and work on Sundays and public holidays.

The Labour Trustee for Hesse, in agreement with the Gauleiter, has taken steps to prescribe the manner in which deductions made from wages in accordance with the provisions of the War Economy Order should be utilised for the benefit of the community. This refers to the economies achieved by the abolition of extra pay for overtime, Sunday work, and night work, the suspension of holidays, and the stabilisation of all wages and salaries. All the savings effected in this way must be paid into a special account with the Reichsbank until the Government has taken a decision on the subject.

Another Order was issued on 6 September 1939 by the Prefect of Police in Berlin, altering the closing hours for food shops in order that workers may be able to buy their food later in the evening. In order to compensate the staff of food shops for this extra work, a break in the middle of the day has been made compulsory. The shops will now close at 8 p.m., a break being granted in the middle of the day from 12.30 to 3.30 p.m. The regulations concerning hours of work provide that normally shops should be closed to the public from 7 p.m. to 7 a.m.

*Great Britain*

In Great Britain, where the hours of work of adult males are in general regulated by collective agreement, discussions have taken place in certain industries with regard to the adaptations that may be necessary under war conditions. In addition, an Order has been made by the Minister of Transport with regard to the hours of road-transport drivers.

*Printing Trades.*

In the printing trades, at an informal conference which took place on 31 August 1939 between representatives of the British Federation of Masters Printers, the Newspaper Society, and the Printing and Kindred Trades Federation, an agreement was arrived at for a re-arrangement of hours to meet the exigencies of business during wartime. If work has to be suspended during an air raid, there will be no deduction of pay. A war emergency committee will be set up to deal with any difficulties that may arise owing to the emergency; these difficulties will be met by both employers and employees in a spirit of accommodation. The agreement came into effect on 1 September, but is subject to revision after 30 September 1939.

*Flour Milling.*

It was announced on 15 September 1939 that an arrangement in regard to time lost through air raids or warnings had been concluded in the flour-milling and cattle-food industries. Workpeople arriving late because of a raid or warning are to be paid from the time they were due to begin work. Those having to take shelter during their working hours are to be paid for this period of interrupted work. Those having to work after their normal shift finishes, as a consequence of delay in their relief because of a raid or warning, are to be paid at the ordinary rates for time worked.

*Shipbuilding and Engineering Trades.*

It was also announced on 15 September 1939 that at a meeting of the Executive Council of the Confederation of Shipbuilding and Engineering Trade Unions the possibility of revising hours and working conditions in order to expedite with safety the output of necessary war materials had been discussed.

*Road Transport.*

In the case of road-transport drivers, whose hours of driving are governed by legislative provisions, the Minister of Transport has made an Order under the Defence Regulations to the effect that Section 19 of the Road Traffic Act of 1930 shall not apply to motor vehicles while used for the haulage of material or supplies for Government purposes in defence services. Section 19 of the Act provides that it shall not be lawful for any person to drive, or cause or permit any persons employed by him or subject to his orders to drive, for any continuous period of more than five and a half hours, for continuous periods amounting in the aggregate to more than 11 hours in any period of 24 hours, or so that the driver has not at least ten consecutive hours for rest in any period of 24 hours calculated from the commencement of any period of driving.

The Order provides that the above limits shall be respected unless the holder of the licence of the vehicle enters, on the current records required to be kept by him, the fact that the driver is employed on the haulage of materials or supplies for Government purposes in defence services and unless the driver has at least ten consecutive hours of

rest after every occasion on which an excess period is worked under the Order.

### *Hungary*

In Hungary the Council of Ministers issued on 2 September 1939 an Order provisionally suspending certain regulations concerning the conditions of employment of persons employed in industry or trade. The maximum limits of working hours laid down in various Orders issued under the Act of 1937 relating to hours of work, wages, and paid holidays, or under the Order of 1935 giving the Government power to regulate conditions of employment provisionally, have thus been suspended.<sup>1</sup>

The industries and occupations affected are the following : printing ; shoemaking ; textiles and tapestry ; flour milling ; clothing ; butchers and pork butchers ; timber and bones ; chemicals and rubber ; metals ; paper ; leather ; furs and feathers ; stone work, glass works, and potteries ; breweries and manufacture of ices and non-alcoholic drinks ; retail shops ; hotels ; restaurants ; premises for the sale of drinks and all undertakings selling food or drinks for consumption on the premises ; banks ; insurance undertakings and all commercial undertakings other than retail shops ; transport undertakings ; and persons engaged as salaried employees in industrial undertakings.

### REST PERIODS

In France, Germany, and Great Britain, new regulations have been issued with regard to the suspension, modification, or retention, of certain provisions relating to rest periods.

### *France*

#### *Weekly Rest.*

In France, two measures have been taken relating exclusively to the weekly rest. The first of these, an Order of the Prime Minister, issued on 2 September 1939, under Book II, Section 49, of the Labour Code, temporarily suspends the weekly rest in undertakings belonging to the State and in undertakings where work is done in execution of State contracts or in the interests of national defence.

With a view to avoiding any error in the interpretation of this Order, a rectification was issued on 8 September 1939 to make it clear

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<sup>1</sup> In accordance with these Orders, normal hours of work are usually eight in the day and 48 in the week for workers in the various branches of industry ; they are eight in the day and 44 in the week for salaried employees in industry, transport, and commercial activities other than retail trade and the hotel industry. They are nine in the day and 54 in the week in retail trade, except in the case of provision shops in the larger towns, where they are ten in the day and 60 in the week. The ten-hour day and 60-hour week is also prescribed for hotels, restaurants, and cafés throughout the country. In commercial undertakings other than retail shops and in road-transport and forwarding undertakings, the hours of work vary, according to the different occupational groups, from nine in the day and 54 in the week to 12 in the day and 72 in the week. In all cases the minimum rate of pay for overtime in excess of the above hours is time and a quarter.

that the suspension is not an obligation, but a power which it is for the heads of the undertakings concerned to use in so far as the necessities of production may require.

The other measure, a Decree issued on 6 September 1939, provides that the weekly rest may temporarily be granted by roster in all undertakings where it is not suspended owing to mobilisation.

Provisions relating to the weekly rest also figure in the Decrees of 8 and 10 September relating to hours of work in Government departments and in mines.

As regards the central offices of Government departments, the Decree of 8 September provides that, as a temporary measure and for the duration of hostilities, Saturday afternoon and Sunday rest may be granted by roster.

For underground work in mines and open workings, the Decree of 10 September stipulates that, in accordance with the Decree of 1 September 1939, which temporarily sanctioned the grant of weekly rest by roster, the rest day need not be the same for all workers in the same undertaking and may be reduced to less than 24 hours provided that it exceeds 15 hours and that its average length calculated over three consecutive rest days is 24 hours.

### *Daily Rest.*

With regard to the daily rest, the Decree of 1 September 1939, as mentioned above in connection with hours of work, stipulates that the provisions relating to the organisation of work in shifts and by roster may not have the effect, unless this is authorised by the labour inspector by reason of wholly exceptional circumstances, of reducing the rest period between two consecutive working days to less than ten hours.

### *Germany*

In Germany, the Order of 1 September 1939, to which reference has been made above in connection with hours of work, stipulates that, subject to the right of the Minister of Labour to issue general measures, the higher administrative authorities or any other authority appointed by them may, in the case of manual workers and salaried employees over the age of 18 years in undertakings to be specified by the authority, wholly or partially suspend the provisions of the legislation relating to hours of work including Sections 105 (b) to (i) of the Industrial Code, which prohibit night work and Sunday work, fix shop-closing hours, prescribe breaks, etc.

### *Great Britain*

In Great Britain, the Order made by the Minister of Transport, to which reference is made above, stipulates that the provisions of Section 19 of the Road Traffic Act of 1930 shall be respected unless, *inter alia*, the driver has at least ten consecutive hours of rest after every occasion on which an excess period is worked under the Order.