

Collective Agreements in the U.S.S.R.

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Collective agreements in the U.S.S.R. constitute a formal acceptance by the parties concerned of certain obligations with regard to the application of the measures to be taken in each factory to improve the working and living conditions of the employees and to secure the fulfilment of economic plans. They also deal with a number of matters which the legislation in force specifically refers to the management and the trade union committee in each factory or plant. The author briefly outlines the development of collective agreements in Russia, first under the Tsars and then under the Soviet government, after which he describes the subject-matter of collective agreements today.

COLLECTIVE agreements as a legal system of regulating conditions of work in Russia originated in the revolutionary years 1905-07. They were a product of the struggle of the working class to overthrow the Tsarist system, a struggle which was both economic and political, as was reflected in the demands put forward by the proletariat.

The collective agreement concluded at the Kharkov locomotive works on 1 February 1905 may be taken as an example. It covered the basic conditions of employment, including hours of work (for which it stipulated a maximum of nine-and-a-half), wage levels and wage payment dates. Several of its provisions were included in response to political demands. It recognised the workers' right to elect at their meeting committees empowered to examine matters affecting their needs and problems, including dismissal grievances, and to consult with section managers regarding changes in piece rates.

Committees of this kind, which were set up in other undertakings as well, represented an organ of self-government for the workers—an embryonic form of occupational association.

At that time, however, collective agreements were not legally enforceable. An employer could not demand the return of wages paid under their terms; on the other hand, the workers could not take a defaulting employer to court, since these agreements were not officially recognised by the Tsarist government as having any legal status.

Recognition in law and generalisation in practice did not come until after the October socialist revolution. One of the first items of labour legislation passed by the Soviet authorities was a decree of the Council of People's Commissars (*Sovnarkom*) of the R.S.F.S.R., dated 2 June 1918, concerning the confirmation of collective agreements establishing wage scales and conditions of work. This decree not only gave collective agreements force of law; it also stated in detail what matters they should cover. These included engagement and dismissal procedures, hours of work and remuneration, and use of housing and canteen facilities provided by the undertaking.

The numerous agreements concluded during the first year of Soviet power played a very considerable part in establishing the pattern of Soviet labour legislation. The first Soviet Labour Code, issued in December 1918, incorporated all the essential elements of labour law already common in collective agreements.¹

The same basic elements were incorporated in the 1922 Labour Code, which is still in force.

Soviet labour laws are thus a direct reflection of the will of the working class regarding the statutory regulation of conditions of work. This will was expressed first of all in collective agreements and in decisions by the working-class party, and was subsequently reaffirmed in Soviet labour legislation.

ADOPTION AND REGISTRATION OF AGREEMENTS

In the Soviet Union collective agreements are concluded at the beginning of each year for a period of one year in all undertakings engaged in industry, transport, construction, communications, agriculture and forestry, trade and communal catering.

A draft is prepared by the management and the trade union committee in each factory and extensively discussed, first at department and shift meetings, and then at a general meeting or conference of all employees. Everybody is allowed to have his say and suggest improvements.

Once the draft has been approved by the general meeting or conference, it is signed by the director of the undertaking and the chairman of the factory committee and forwarded for registration to the higher trade union and economic bodies (*Sovprof*, the trade union council; *Sovnarkhoz*, the national economic council, etc.).

¹ This is the case, for example, with article 32, concerning examination prior to engagement; article 46, concerning grounds for dismissal; article 59, concerning indices for fixing wage scales; and article 69, concerning prohibition of deductions from wages. For further details see the article "Советский коллективный договор на первом этапе своего развития", by G. K. Moskalenko, in *Советское государство и право* (Moscow), No. 4, 1958.

These authorities examine any divergences of views that may have occurred between the management and the factory committee regarding the collective agreement.

Collective agreements are registered for three purposes : firstly, to ensure that their terms do not diverge from existing labour legislation and established planning figures ; secondly, to give the agreement force of law ; and thirdly, to permit calculation of the number of collective agreements signed throughout the country.

Registration is of very considerable legal importance. By registering the collective agreement, the State makes its provisions binding. Should an agreement for any reason not be registered, it has no legal force, and any dispute arising within its field of coverage is settled under existing legislation without regard to any additional guarantees which may have been provided for in the agreement (article 25 of the Labour Code).

CONTENTS OF AGREEMENTS

In the Soviet Union the principle is consistently applied that the terms of a collective agreement cannot be overridden by an individual employment agreement. Under article 28 of the Labour Code, conditions under an individual employment agreement which are less favourable to the workers than those provided by a collective agreement are null and void.

Soviet collective agreements deal with organisation of work and production, supervisor training, wages and the material and cultural welfare of employees.

Each agreement contains a section concerning wages and norms in which the responsibility of the parties for improving rate-fixing methods and streamlining the wage structure within available resources is laid down. The same section requires the management to inform each new employee of wage rates, to issue him a pay book and to keep the entries in it up to date. It also contains the officially established wage scales for industry, road transport, building and so on. It is specified that classification of jobs and employees should be based on the official wage schedules.

Collective agreements specify the length of pay periods. In major undertakings, such as the Likhachev motor vehicle works in Moscow, these periods vary from department to department.

They also contain provisions relating to review of production norms in accordance with the order issued by the Council of Ministers on 15 August 1956 to amend the procedure for revision of production norms ¹ and the order of 14 December 1957 concern-

¹ *Социалистический труд* (Moscow), 1956, No. 9, p. 55.

ing the state plan for the development of the national economy of the U.S.S.R. for 1958 (paragraph 11).¹

In conjunction with the factory committee, the management gradually replaces old production norms throughout the year as technical, economic and organisational innovations designed to increase productivity are introduced. Temporary production norms, and inaccurate ones impeding increases in productivity, are reviewed in the same way.

In fulfilment of its responsibility for increasing productivity, and in accordance with the organisational and technical plans, the management fixes dates for the replacement of old production norms in the different departments and trades with a view to the general introduction of technically proved standards. The workers are informed of new production norms and piece rates not less than two weeks before their introduction.

While new production methods are being introduced, the management may fix temporary production norms for periods not exceeding three months, after which permanent ones must be introduced.

In large-scale or mass production, norms and rates are displayed on notice boards in each department. The work done and the piece rate earned are then recorded on each individual worksheet after checking by the technical inspection service. In piece-rate operations, where there are no established norms, the management must issue worksheets before work begins.

The functions of factory committees include the following: ensuring that properly established wage systems and legislation concerning labour and wages are fully complied with, seeing that the proper wage rate is assigned for the job and the man and that workers' qualifications are fully used according to their particular skills; maintaining constant supervision to ensure that the correct wages are paid at the proper times and to take firm action to ensure that arrears do not occur; making daily checks to see that the proper worksheets and other documents upon which payment of wages is based are issued; and keeping employees informed of the results achieved and wage levels.²

Regulations concerning the rights of factory trade union committees adopted by the Presidium of the Supreme Soviet of the U.S.S.R. on 15 July 1958 provide that various matters concerning wages and production standards may be regulated by collective agreements. Article 6 states that collective agreements are to

¹ *Сборник постановлений СССР (СП СССР)*, No. 1, art. 1.

² Such provisions are found, for example, in the collective agreement for the Kompressor works in Moscow.

indicate which occupations and jobs are to be remunerated on a time or a piece basis respectively or at the rates fixed for work in hot, difficult or dangerous conditions, and also the procedure for the classification of particular operations and the grading of workers according to the table of rates and qualifications.

Collective agreements also lay down the conditions for bonus payment by output or by time, on the basis of standard specifications, and also the categories of employees affected by other bonus schemes and the amounts payable.

A full complement of qualified supervisors, facilities to teach the workers improved methods, the organisation of technical training and the systematic improvement of the levels of qualification of engineering and chemical and technical staff, and of the standards of the training given to all employees, are essential to enable new techniques to be introduced more rapidly and the rate of technical progress to be accelerated.

The collective agreement for each undertaking includes a plan for the training of new employees and for further training of employees at all levels. The arrangements made include provision for the training of a certain number of new employees in branches essential to the running of the undertaking (machine-tool operators, fitters, smiths, etc.) as well as facilities to enable workers to improve their skills or learn new trades. New workers are taught either in courses or by group instruction with individual supervision. Further training facilities are provided at modern training schools, through special-purpose courses, at production courses and at courses for technical staff, supervisors, foremen, rate-fixers, accountants and other categories.

Under the 1961 agreement for the Likhachev motor vehicle works in Moscow the management undertook to provide training through set programmes for 2,233 new entrants and further training facilities for 7,131 supervisors and 1,213 members of the engineering and technical staff and salaried employees—a total of 10,577 persons.

The management backs up the supervisor training programme by undertaking—

(a) to attach new, unskilled workers to skilled workers for group and individual instruction ;

(b) not to transfer employees to other work during their training, and after completion of such training to use them for work corresponding to the skills acquired ;

(c) to provide the necessary premises for classes, and to supply stationery and visual aids ;

(d) to arrange the hours of work of persons studying at evening schools or at courses in such a way as to leave them free to attend classes ;

(e) to ensure that instruction proceeds normally on the days set aside for the purpose.¹

The trainees themselves undertake to attend classes regularly and to perform the tasks set by instructors and teachers according to the established programme.²

Collective agreements devote particular attention to providing conditions under which young employees can work satisfactorily and improve their qualifications. The management undertakes to make use of them in the particular trades they have learned, assigning them to the appropriate wage category. It also arranges for them to follow further training courses, and ensures that those still at school are offered jobs in shifts which do not coincide with their class times and are not kept at work which prevents them from pursuing their studies.³

In order to raise the cultural and technical levels of workers and their productive skills, as well as to increase labour productivity, managements and factory committees organise a system whereby constructors, scientists and other engineering and technical personnel take workers under their care and whereby supervisors are assigned to give particular attention to young workers or workers who fail to reach output norms.²

The factory committee undertakes to co-operate in assigning particularly skilled workers and technical personnel as instructors, to encourage attendance and to improve the level of instruction. It also takes an active part in organising schools, courses and small groups to generalise new methods and provide technical and industrial instruction. It further ensures that the management carries out its pledges regarding supervisor training.⁴

In collective agreements considerable importance is attached to measures designed to secure healthy working conditions. They are specifically required to include provisions concerning the further improvement of the protection of workers and of industrial safety and health techniques, better ventilation and sanitary arrangements, improved medical services and the organisation of rest and sanatorium treatment for workers.

¹ Example taken from the collective agreement for the Third Watch-making Factory in Moscow.

² Example taken from the collective agreement for the Kalibr works.

³ Example taken from the collective agreement for the Krassnaya Pryessnaya works.

⁴ Example taken from the collective agreement for the Manomyetr works in Moscow.

Collective agreements specify the total sums to be allocated for measures to improve conditions of work, specify the principal steps to be taken and require the management to take the measures agreed upon with the factory committee, regarding protection of workers and safety techniques, which are set out in an appendix to the agreement.¹

The management also undertakes to see that everything necessary is done to prepare work premises for winter (e.g. making sure the heating system is in order, insulating doors), to provide satisfactory lighting, to provide in good time for the issue of special clothing, footwear and protective equipment conforming with established standards, to ensure that shower-baths and other sanitary installations are kept in good working order and to provide satisfactory rest rooms for women workers. It is also the management's responsibility to see that no new employee and no employee transferred to a new job is allowed to start actual work without previous instruction in safety techniques at the new workplace. The management also arranges for displays of safety posters in sufficient numbers in work premises, holds talks and discussions for employees on workers' protection, safety techniques and occupational hygiene, and also organises courses on the technical aspects of occupational safety and health.

One of the management's most important tasks is the making of systematic arrangements to ensure safe working conditions and to eliminate all occupational hazards; this involves thorough investigation into the circumstances of any accidents that occur.

In order to reduce occupational disease, the management and the factory committee keep records of all persons who are sick frequently or for long periods and the observations of the dispensaries on their cases; cases of sickness are analysed month by month according to their causes.

Factory committees promote better working conditions and recreation for the employees by undertaking educational activities designed to prevent employment injury and occupational disease; they periodically consider at their meetings the latest standards in the field of workers' protection, industrial safety and health, and provide a number of free passes to rest homes and sanatoria.

Another function of factory committees is the systematic enforcement of legal regulations concerning hours of work, rest periods and special conditions for women and young workers. They also supervise the protection of employees in the various

¹ The 1961 collective agreement for the Likhachev motor vehicle works in Moscow provides for 31 different measures designed to improve conditions of work; the total expense involved is 456,000 roubles—67,000 for ventilation, 178,000 for sanitary facilities and 211,000 for safety techniques.

departments, the implementation of agreed measures to improve conditions of work and of the standard health plan and the provision of medical treatment and the issue of certificates by the medical services.¹

The regulations of 15 July 1958 concerning the rights of factory trade union committees open wide possibilities of extending the scope of collective agreements towards achieving and consolidating further improvement in conditions of work. Article 9 authorises managements, in agreement with factory committees, to establish schedules of jobs and occupations in which workers are entitled to be issued with soap or (in work involving harmful conditions) with milk. The most effective way of using these schedules and making them widely known is to incorporate them in collective agreements as an appendix to the sections concerning workers' protection.

Through their organisational work the trade unions have a most valuable contribution to make towards the successful fulfilment of the ambitious programme aimed at providing housing and cultural and other amenities.² Collective agreements therefore contain special sections stating the obligations of the two parties with regard to the full implementation of plans for the construction of housing, institutions for children, hospitals, schools, shops, restaurants, and communal amenities. The same section provides for regular and expert repair to housing and cultural amenities, proper upkeep of factory grounds and provision of green spaces.

Collective agreements also cover the supply of fuel to employed persons and improved maintenance and equipment of communal dwellings.

Article 12 of the regulations of 15 July 1958 states that allocation of living space owned by the undertaking shall be decided upon through joint decision by the management and the factory committee. Outstanding production workers of all grades, supervisors, war invalids and victims of occupational accidents, families of persons killed on military service and employees with large families have priority.³

Managements provide fuel to all employees who are in need, and particularly to the families of persons killed while on military

¹ Example taken from the collective agreement for the Fryezer works in Moscow.

² The U.S.S.R. Government is constantly concerned with the improvement of workers' housing conditions and of the communal facilities available to them. This is clearly reflected in the vast volume of housing construction. In the first two years alone of the Seven-Year Plan, wage earning and salaried employees moved into 4,600,000 new and well-appointed dwellings.

³ Example taken from the collective agreement for the Grinding-Machine Works in Moscow.

service, to war invalids and victims of occupational accidents, and to employees with large families, at prices fixed in agreement with the factory committees.

Factory committees are responsible for keeping a constant check on progress in the provision and standards of housing and cultural amenities and on the modernisation and general maintenance of housing, particularly communal dwellings. Occupants of factory-owned accommodation are taught ways of looking after their dwellings.¹

Collective agreements contain a separate section dealing with improved shopping and restaurant facilities and providing for assistance for workers who keep gardens or breed animals. Restaurants and snack bars serving employees on factory premises pay nothing for premises, lighting and water, while fuel for cooking and transport facilities are provided at cost. In order to encourage collective vegetable growing and gardening, managements and factory committees undertake to assist by allotting ground, turning over the soil and purchasing seeds and plants, as well as by providing equipment, repairing containers made out of materials left over from the production process, and supplying transport facilities.

The factory committee organises systematic and comprehensive supervision of restaurant and snack bar facilities and takes decisive action against any violation of the rules governing commercial transactions in the U.S.S.R.

In recent years, with the progressive introduction and development of the principle of democratic centralism in the administration of the national economy, including the field of labour, a series of legal questions of ever-increasing variety have arisen which call for action by local economic and trade union bodies. This is why there are now more standard-setting regulations in collective agreements, some examples of which follow.

Under paragraph 12 of the agreement for the Karagandin Metal Works, and under similar arrangements elsewhere, women workers with small children are allowed nursing breaks after every three hours' work and of a total duration of one hour in a seven-hour working day.

Nearly all agreements stipulate that, as workers increase their qualifications, the management shall transfer them to more skilled jobs, their rates of pay being increased after they have passed a test. Workers engaged for three successive months in jobs requiring greater skill have a prior right to promotion to a higher wage grade. Many collective agreements, particularly in the engineering industry, stipulate that a worker employed in a category below his normal

¹ Collective agreement for the Krassni Proletari factory in Moscow.

one is entitled to have any difference in piece rates made up provided that he fulfils production norms and that the difference is of more than one grade.

New progress brings with it new and increasingly important legal problems, which are regulated in collective agreements.¹

MATTERS SPECIFICALLY RESERVED BY LAW FOR SETTLEMENT IN COLLECTIVE AGREEMENTS

On 13 February 1928 the People's Commissariat for Labour of the U.S.S.R. issued an order providing that schedules of occupations for which non-regulated hours of work are permitted were to be prepared by the competent trade union committee in conjunction with the economic authority and incorporated in collective agreements.² In accordance with the rules governing regular and additional leave of 30 April 1930 (article 8), employees whose hours of work are not regulated may be granted additional leave of not more than 12 working days.³

Many collective agreements therefore contain appendices listing jobs where hours of work are not regulated, indicating the amount of additional leave to be granted in each case (6 or 12 working days).⁴

In an order dated 23 May 1957, the Council of Ministers of the U.S.S.R. stated that advance payment of wages in respect of the first half of the month should be subject to agreement by the management and the trade union organisation when the collective agreement is concluded but should in no case be at a level less than the rate fixed for the particular worker for the time worked.⁵

MATTERS LEFT TO THE PARTIES FOR SETTLEMENT IN COLLECTIVE AGREEMENTS

As a corollary to the increased rights of factory managers and trade union committees in the field of labour, an increasing variety of legal questions relating to conditions of work are being referred to them for decision. Many of these questions are suitable for regulation in collective agreements.

¹ Y. L. Kiselev quotes some 20 standards laid down in collective agreements in recent years and mentions a number of legal questions regulated in collective agreements. See *Советское государство и право*, 1957, No. 12, pp. 39-41.

² *Известия НКТ* (Moscow), 1928, Nos. 9-10.

³ *Ibid.*, 1930, No. 13.

⁴ Example taken from the collective agreements for the Moscow Refrigeration Plant and the Moscow *Krassni Ohtyabr* Confectionery.

⁵ *СП СССР*, 1957, No. 6, art. 68.

An order issued by the Council of Ministers on 15 August 1956 empowered factory managers—subject to the agreement of the trade union committee—to replace existing production norms in the course of the year as new technical, economic and organisational measures making for increased productivity are introduced into industry. The same order recommends that heads of undertakings fix dates for the replacement of existing production norms in each department or trade with a view to the complete assimilation of technically proven production standards.

Dates are actually specified in some agreements, such as the 1961 agreement for the First State Ball-Bearing Works. This agreement provides for due preparation for the introduction of new standards, with adequate advance notice for the workers, who must consider how best to reduce the time spent on individual operations, to make fuller use of working space and to streamline operations.

The regulations of 15 July 1958 concerning the rights of factory committees leave wide scope for the laying down of local standards in matters of labour law in collective agreements. These powers are used to settle many questions relating to the organisation of labour, to wages and to improvement of living and working conditions. In an order issued by the All-Union Central Council of Trade Unions on 20 December 1958 concerning the signature of collective agreements for 1959 it was stressed that the role of collective agreements had developed considerably since the Presidium of the Supreme Soviet of the U.S.S.R. had adopted the ukase confirming the regulations governing the rights of local and factory trade union committees.

Article 6 of those regulations states that collective agreements may lay down the principles governing allocation of wage grades according to the table of rates and qualifications in force. The management and the factory committee may agree to establish and include in collective agreements schedules of jobs and occupations payable by time and piece rates, or by rates for work in hot, difficult or harmful conditions, following the standard schedules for each branch of industry.

In recent years, particularly as regards adjustment of wages, legislation has required the managements and the local trade union organisations to clarify a large number of questions in the light of circumstances peculiar to each undertaking. For instance, an order issued by the Central Committee of the Communist Party of the Soviet Union and the Council of Ministers of the U.S.S.R. on 2 July 1959 stated that engineering and technical personnel not covered by standard bonus arrangements but actively helping to fulfil and exceed production targets should be paid at premium rates if the works manager so decides in conjunction with the trade union

organisation.¹ It is as well to specify which categories of employees this order applies to in the texts of collective agreements, since those concerned know that they can count on bonus rates for good work. Many more such examples could be given.

Thus collective agreements in the U.S.S.R. in their present stage of development are a mutual acceptance of standards by which the parties aim to improve the organisation of work and production and conditions at work and outside, and of standards covering matters left by labour legislation for settlement by the management and the factory committee.

¹ ЦП СССР, 1959, No. 14, art. 88.