

# Labour Inspection in the USSR<sup>1</sup>

G. RAKITIN<sup>2</sup>

## Historical background

THE FOUNDATION and continuing development of an effective system of labour inspection to protect the labour force in its conditions of work and life has always been a prominent feature of administration in the USSR since the beginnings of Soviet power. The system has been put into effect through labour legislation which the trade unions have largely helped to formulate.

Another significant feature to be noted by the reader is that the function of labour inspection, in the course of its evolution in the USSR, has been increasingly shared between state bodies and trade union bodies, until the greater part of what may be termed "general" inspection is done by the trade unions, while they contribute appreciably to factory (or "technical") inspection.

The first Soviet Labour Code was drawn up in 1918. This was an important piece of legislation which set forth a detailed programme of action for labour protection and summarised the main provisions of socialist labour law. It remained in force until November 1922, when the end of the civil war and the need to start reconstructing a peacetime national economy made it essential to bring labour legislation into line with the new economic and political conditions. The second Labour Code of the Russian Soviet Federal Socialist Republic (RSFSR) was adopted in that month and provisionally extended—with their agreement—to the other Union Republics. The latter subsequently drew up their own codes. At the present time the relevant statute is the Fundamental Principles governing the labour legislation of the USSR and the Union Republics

---

<sup>1</sup> For earlier articles in the *Review* on participative aspects of labour inspection see Berger Ulsaker: "Local labour inspection in Norway" (Vol. 96, No. 1, July 1967, pp. 92-99) and René Pêtre: "Workers' labour inspection delegates in Belgium, with particular reference to mining" (Vol. 97, No. 5, May 1968, pp. 429-445). Further articles in this field to be published in forthcoming issues of the *Review* will be concerned with the effects of the new Occupational Safety and Health Act in the United States, and with Japanese experience of the application of labour legislation and labour inspection to small-scale undertakings.

<sup>2</sup> The author acted as co-director of the two ILO Inter-regional Seminars on the Labour Inspection System in the USSR, held in Moscow in 1968 and 1969.

(Act No. 2-VIII) adopted by the Supreme Soviet of the USSR in July 1970; these lay down high standards of conditions of work and provide every possible safeguard for the protection of labour.

Labour inspection, first entrusted in 1918 to the People's Commissariat of Labour—a body set up to handle labour matters throughout the country, draft labour legislation and organise state supervision in the field of labour protection—became in 1933 the responsibility of the All-Union Central Council of Trade Unions (AUCCTU), when in June of that year the People's Commissariat of Labour was abolished and its functions vested in the AUCCTU.

In order to ensure that labour legislation was properly implemented by the various institutions and bodies concerned, a number of state and trade union agencies were then set up at the central level, in the Republics and also in the different industries.

### **Distribution of labour inspection responsibilities**

The state bodies concerned with evolution of basic labour standards, maintenance of "socialist legality" in regard to the labour laws, general surveillance of labour inspection work, and with the provision of certain direct services themselves in technical or occupational fields, are:

- the State Labour and Wages Committee of the USSR Council of Ministers (operating from the All-Union level);
- the Committee on Occupational Safety Inspection in Industry and Mines (COSIIM) and similar committees operating in the Union Republics (except the RSFSR, which is served by branches of the central COSIIM);
- the Ministries of Health of the USSR and the Union Republics, through their sanitary-epidemiological services, which deal also with occupational health;
- the staffs of the Procurator-General of the USSR and the Procurators-General of the Union Republics, who attend to the employment field and, in conjunction with the courts, constitute the ultimate investigative and enforcement authority.

Other state services formulating and enforcing labour standards, though in narrower fields of specialisation, are the Ministry of Energy and Electrification of the USSR, which operates the inspectorates supervising the safety of all electrical and thermal installations, the fire services inspectorates of the fire departments throughout the country, and the special inspectorates of the Ministries of Marine and Civil Aviation.

In addition, the numerous ministries at central and Union Republic level operating particular sectors of the economy all have their own Departments of Labour, Wages and Personnel which formulate subsidiary labour standards appropriate to their field of economic activity and are

held responsible for ensuring observance of all labour legislation in their undertakings or establishments.

On the trade union side, the bodies responsible for shaping labour standards, for general supervision of the state of compliance with labour legislation, and for the provision of various supporting and labour inspection services are:

- the AUCCTU, at the Moscow headquarters, with its Labour Protection Department, chief inspectors, Permanent Exhibition on Labour Protection and research establishments;
- the central committees of the sectoral trade unions, with their corresponding labour protection services and chief inspectors of labour supervising the field inspectorates;
- the councils of trade unions at Union Republic level, co-ordinating the activities of the field inspectorates in general and providing some technical inspection services for non-industrial sectors;
- the republican committees of constituent trade unions, undertaking both general labour inspection and an increasing amount of technical inspection in their particular industries;
- the regional, area and town branches of these councils and committees, undertaking labour inspection services locally;
- the trade union committees at undertaking or establishment level, which do the bulk of the general labour inspection.

This brief sketch of the distribution of labour protection and labour inspection roles among various organs of the State and the trade union movement helps to illustrate the feature which gives the Soviet system its originality: the fact that the State's responsibility and function is complemented by workers' supervision, exercised through the trade unions. It should be noted also, before we go on to examine the structures and the work of these bodies in greater detail, (a) that the trade unions have taken over a substantial part of the "technical" inspection work as well; and (b) that the system as a whole is co-ordinated through close liaison between the state and trade union inspectorates, from central down to local level.

Because the trade unions deploy the more generalised inspectorate system and a numerically greater field staff in the inspection function as a whole, which is thereby continuously operative in all workplaces, this article will deal first with their system and then go on to describe the more specialised functions of the State.

### **The trade union role in labour protection and in formulating labour legislation**

Soviet trade unions, with a membership of more than 89 million workers in all types of occupations and some 2.5 million inspectors and

other activists<sup>1</sup> engaged in the labour inspection function, enjoy wide powers vis-à-vis the management organs both of the economy as a whole and of individual undertakings; hence they are in a strong position to defend and promote workers' interests, notably by keeping a constant watch to ensure that labour legislation is observed.

The trade unions are organised on the "vertical" or economic sectoral pattern—in other words all the workers in a particular undertaking, organisation or institution belong to the same trade union. The trade union organisations of the same Republic, region or district are also linked horizontally by the councils of trade unions, which co-ordinate the work of the various industrial trade union committees and other bodies at their respective levels.

The highest trade union authority between congresses is the All-Union Central Council of Trade Unions. It initiates action within the appropriate state organs on questions of production, labour, welfare and culture. It also plays a role in the drafting of legislation on such matters applicable either to the USSR as a whole or to individual Union Republics. The general rules and regulations for safe working in the coal- and ore-mining industries, for instance, receive the AUCCTU's assent before being ratified by the Committee on Occupational Safety Inspection in Industry and Mines. With regard to existing legislation, the AUCCTU adopts resolutions, provides interpretations of legal texts, fixes standards and issues instructions, rules and regulations in connection with technical matters, including occupational health and safety. Such instruments are of general application throughout a number of economic sectors.

The central committee of each sectoral trade union is responsible (particularly in the case of industries) for drawing up the more specific rules and regulations on occupational health and safety applicable to all undertakings and organisations in the relevant branch of the economy. Industrial regulations of this sort receive official sanction in different ways: by a resolution of the central committee concerned adopted in agreement with the appropriate ministry or department; by a ministerial order issued in agreement with the central committee; or, again, by joint or co-ordinated resolution of the two.

Other regulations issued for particular economic sectors, and subject to ratification by the State Labour and Wages Committee in agreement with the AUCCTU, deal with the use of human resources, the organisation of work and remuneration. They list the obligations of workers and management and define the extent of responsibility incurred if such obligations are not discharged.

On the basis of the various rules and regulations (both general and sectoral), the managements of undertakings themselves issue instructions on safe working in different occupations. All these documents are subject

---

<sup>1</sup> Workers who assume voluntary activities either within their plant or in the community on behalf of the trade unions.

to prior approval by the undertakings and workshop trade union committees.

### **Labour inspection by trade unions**

The "labour protection services" operated by the trade unions have, among other duties, to carry out labour inspection. Industrialisation and the growth of modern technology have necessitated a considerable amount of specialisation in this function. In broad terms, the labour inspectorates of the trade unions have two main categories of inspector: technical and general. The inspectorates are organised, however, on geographical and economic sectoral lines, rather than by category of inspector.

While their activities are closely co-ordinated both by the AUCCTU and by the central committees of the sectoral unions, a distinction may be made between the inspectorates run by: the republican central councils of trade unions for all branches of economic activity in general and for service, trade and minor industrial branches in particular; those run by the republican committees of unions in the major industries, which organise the technical inspection appropriate to their particular sectors and supervise the more general type of inspection; and the undertaking trade union committees which do virtually all the general inspection work.

Except at the level of the undertaking, each inspectorate is headed by a Chief Trade Union Technical Inspector and, at intermediate regional, area and town levels, by a Trade Union Technical Inspector. The other type of inspector, whose work we shall describe later, is the trade unions' General Labour Inspector.

### **The trade union technical inspectors**

The role of the technical inspectors, who are employed full-time by their respective trade union authorities, is supported by that of part-time technical inspectors and of the general labour inspectors (also part-time) operating in the undertakings or establishments. Because of the numbers and ubiquity of such part-time inspectors—trade union "activists" drawn from and acting on behalf of the workforce—the workers may well be said to be the eyes and ears of the trade union technical inspector, helping him in his work by watching for infringements of the regulations and making sure they are not repeated.

The full-time technical inspection staff has constantly increased until today it numbers some 3,500. Well over half now work for the industrial trade unions, the rest for the various councils of trade unions.

The duties of the technical inspector are laid down in the Regulations respecting trade union technical inspectors of 26 August 1966.<sup>1</sup> Under the terms of this text, those inspectors appointed by the presidium of the central committees of trade unions for particular industries are

---

<sup>1</sup> ILO: *Legislative Series*, 1966—USSR 1.

responsible to their respective central, republican, regional or district trade union committees, whereas the other technical inspectors (appointed by the presidiums of republican central councils of trade unions for a variety of economic sectors) are responsible to the trade union councils. The latter inspectors are now relatively fewer in number and usually supervise the non-industrial branches (commerce, catering institutions, etc.).

The special officials referred to earlier as chief inspectors are appointed by the presidiums of the AUCCTU or of the all-union committees, as the case may be, to co-ordinate the work of technical inspection. The heads of the labour protection services of the trade unions and the councils of trade unions, at other levels, have the same powers as chief technical inspectors.

Full-time technical inspectors must have had a higher or secondary technical education, with at least three years' practical experience in the industry concerned. Constant efforts are made to improve the qualifications of the technical inspectorate. Seminars and meetings are held to permit an exchange of practical experience, and study courses are organised to give inspectors a better grasp of engineering skills. These training activities are carried out by the central committees of the industrial trade unions.

Each technical inspector has certain undertakings assigned to him and he is responsible for ensuring that their operations are conducted in full compliance with the labour laws and regulations in force. To this end he must carry out both over-all, general inspections and routine inspections of particular aspects of labour protection. He is guided by his knowledge of local working conditions and of the accident and occupational disease hazards inherent in the particular type of production concerned. The inspection itself may be carried out in different ways: by committees, by individual visits, with the aid of readings recorded by specialised measuring instruments, or by direct visual observation. But in every case it has one main purpose—to discover the causes of occupational accidents and diseases and to introduce appropriate preventive measures.

The inspector sits on committees which have to approve the plans and specifications for buildings, workshops and new types of machinery and equipment. He can demand changes and improvements in technical processes which do not comply with health and safety standards. He assists the responsible authorities and the factory or workshop committees in checking that the labour protection measures laid down in collective agreements are duly implemented. He is responsible for ensuring that the causes of accidents are thoroughly investigated. And besides all this, the inspector is kept constantly busy with reports and analyses of accidents, and with finding ways and means of improving unpleasant working conditions.

Technical inspectors are vested with the authority required to carry out their work effectively. They can visit at any time the undertakings

for which they are responsible. They can require managements to produce any necessary documents and to supply written or oral explanations. They can instruct officials to remedy breaches of labour protection laws, and check to ensure that they have done so within the specified time-limit.

The trade union technical inspectors are empowered to require managements to call in specialists from any of the state inspectorates mentioned earlier to effect a technical examination of the premises, machinery and other equipment. In cases of emergency, inspectors can order work to stop in any production section or on any machine or piece of equipment until the defects discovered have been put right. However, in cases where a large number of workers would be made idle—for example if a workshop or whole undertaking had to be closed down—the decision is taken on the inspector's recommendation by the presidium of the republican council of the trade unions or republican committee of the union concerned.

If necessary, the technical inspector can take action against administrative and technical staff found guilty of infringing labour legislation. Such action may take the form of public censure, administrative remedy, court proceedings, a fine imposed directly by the inspector, etc.

The trade union technical inspector provides the necessary liaison between managements' safety and inspection services and the trade union and state inspectorates. In addition he supervises managements' standards of equipment, including such things as laboratories, instruments, and individual protective devices.

Besides the full-time inspectors whose rights and duties have been described above, the trade unions have enlisted more than 40,000 helpers (engineers, technicians with an engineering background, and some skilled workers and production leaders) to act as part-time technical inspectors. These do inspection work without extra pay, in addition to their normal employment in the undertaking, or in another nearby undertaking. They have the same powers as the full-time inspectors, with the exception of the right to impose fines. By a combination of training courses and individual study, they soon succeed in mastering the relevant legislation and the practical organisation of supervision, and experience shows that they perform an enormous amount of invaluable work.

Regular inspection reports (quarterly, half-yearly, yearly) to the appropriate higher trade union authorities make it possible to review results and draw up plans for the immediate and more distant future. Many problems are settled in conjunction with the state inspectorates, and here the trade union technical inspectors play a co-ordinating role.

### **The general labour inspectors at undertaking level**

The undertaking is the basic economic unit of society, since it is here that the material wealth of the country is produced. For this reason the

trade unions are concerned to ensure effective labour protection through supervision and inspection at the undertaking level, and in this they receive the full and unreserved support of the State.

In addition to the many existing instruments setting out trade union rights, the Presidium of the Supreme Soviet of the USSR issued an order on 15 July 1958 entitled "Regulations respecting the rights of factory, works and local trade union committees". These define the legal position of the basic trade union unit, i.e. the primary (or undertaking) trade union, in questions of production, labour, welfare and culture, and in the life of the country at large, and guarantees the legal rights of the factory, workshop and local trade union committees.

Such trade union committees in undertakings must see that the management implements labour legislation, observes the occupational health and safety regulations, and takes whatever steps are necessary to create safe and healthy working conditions. The main instrument for the constant improvement of working conditions in undertakings is the collective agreement, and more particularly that section of it dealing with labour protection (including safety, health and welfare). The factory's trade union committee and its general labour protection and inspection staff play an extremely important and practical part in this work.

Each production section forms a trade union group (comprising from twenty-five to thirty workers), which elects one of its members as an activist to serve as a part-time labour inspector. Both at the workshop level and in the undertaking as a whole, special bodies—called "labour protection commissions"—are then formed from among these inspectors. Each commission elects a senior labour inspector as its chairman and spokesman. The senior inspector of a workshop is also a member of the union's general committee at that level, while the senior inspector of an undertaking is a member of the main trade union committee of the undertaking.

The undertaking- and workshop-level labour protection commissions are responsible for organising the work of their activist inspectors. They hold regular meetings to discuss a variety of problems connected with the application of labour standards, and their decisions are binding on management.

The commissions receive periodical reports from the management on occupational health and safety conditions, as well as on other topics related to conditions of work and leisure as they affect the undertaking. With a view to increasing the effectiveness of their inspection activities commission members are divided into separate groups responsible for such problems as occupational health and safety; hygiene and cleanliness; revision of labour regulations; employment of women; employment of minors; safety training; and so forth. The groups keep a watching brief over conditions in their respective areas and may call on the manage-



ment to submit reports to meetings of the commission or of the factory or workshop trade union committee on any points that appear to require clarification.

The part-time inspectors assume responsibility for on-the-spot supervision of the implementation of labour standards generally, including the less technical of the occupational health and safety requirements. They supervise matters of workshop cleanliness, hygiene, ventilation, lighting, the issue of special clothing, individual protective devices, hours of work and rest, work schedules and leave, work-loads of women and young persons, safety instruction and training, etc. Each production section has a special register for recommendations by these inspectors, and the management must take the necessary steps to implement these recommendations within a fixed time-limit.

The part-time inspector is an influential figure deriving his authority from powers vested in him by the community in which he works. He takes it in turn to do inspection work and, when on such duty, wears a red arm-band. He is issued with a certificate attesting to his authority and no decision relating to labour protection is taken in the section, workshop or undertaking without his knowledge and consent.

Training is essential to the activists' efficiency and has received great attention from the factory committees and the district and regional trade union committees and councils. Permanent seminars and special courses are organised. The training, which is free, takes place both during working hours, in which case inspectors are released from their work on full pay, and during spare time. The study programme is divided into three parts—discussion of occupational health and safety problems; study of labour legislation and legal problems; and exchange of work experience, including practices and methods of inspection.

Recently there has been considerable development of what are known as Universities of Trade Union Labour Protection, offering two- to three-year courses held outside working hours. Here, too, the training is free and certificates are issued to participants who complete the course successfully.

Experience to date with the trade unions' participation in labour protection work has shown it to be a powerful element in the drive for safer, healthier and pleasanter working conditions. We shall now proceed to consider the various organs through which the State exercises supervision in this field.

### **Labour inspection by the State**

#### **The State Labour and Wages Committee**

The State Labour and Wages Committee was set up by an edict of the Presidium of the Supreme Soviet of the USSR on 4 May 1955.

The Committee is a central organ of the USSR Council of Ministers. It has a generally co-ordinating role in regard to labour between state bodies and with the trade unions, and is responsible for supervising the work of "industrial" ministries and departments in respect of labour and wages in all the Union Republics. It has, for this purpose, five main divisions controlling eleven sectoral inspectorates for main groups of industry or trade. It also drafts Bills (or participates in their drafting) and adopts resolutions on labour questions.

The Committee concentrates on the problems of greatest importance in the application of existing labour legislation. It exercises strict supervision to ensure that the interests of both the workers and the State are respected, and in so doing contributes to the constant improvement of legislation. In cases where fuller and more expert supervision is required, the Committee can call upon the services of specialists from the All-Union Central Council of Trade Unions, the central committees of the industrial trade unions, certain institutes, and the undertakings and ministries themselves. In certain cases it carries out joint inspection with the inspectorates of the trade unions or of other state bodies. Important activities undertaken by the Committee include analysing the reasons for infringements or defects which have been discovered and then ensuring their elimination; drawing up proposals for the improved use of human resources and better labour productivity; and preparing scientifically tested criteria and standards for labour protection and health.

If for any reason working conditions in a given undertaking cannot immediately be brought up to the desired standard, the Committee may require that the workers concerned receive certain compensations and advantages. It can, for instance, shorten the working day to six, five or even four hours; it can add from six to thirty-six working days to the annual leave entitlement; it can authorise a free issue of milk or special health foods; and it can order an increase in wages and salaries.

The flexible way in which the Committee's supervisory functions are exercised means that it has a variety of methods at its disposal for protecting the health and material interests of the workers.

In supervising the work of industrial ministries, departments, undertakings, institutions and other organisations, the Committee can suspend orders and instructions issued by these entities if they are inconsistent with the legislation in force. It can also receive and examine statements and reports from the administrations of economic sectors and industries and require them to supply any necessary accounts, documents or statistics.

On the basis of its inspection findings, the State Labour and Wages Committee can issue binding rules and regulations for application by industrial ministries and departments. It can also draw up and present appropriate proposals for new or amended legislation to the USSR Council of Ministries.

**The Committee on Occupational Safety  
Inspection in Industry and Mines (COSIIM)**

The COSIIM occupies a special position in the state system of labour inspection in that it is responsible for the more hazardous and technologically complex industrial sectors.

The COSIIM inspectorates supervise safety measures in the mining and quarrying of coal and ores, the chemical and metallurgical industries, oil and gas production and processing, and geological surveys. They are responsible, also, for ensuring compliance with safety regulations in the construction and use of lifting apparatus, boiler installations, pressure vessels and steam and hot water conduits. They supervise the application of safe working methods in blasting operations and in the extraction, transport, storage and utilisation of gas. In addition, they supervise the correct working of mineral deposits, and the prevention of unnecessary wastage during extraction.

Within this general range of responsibilities, the COSIIM inspectorates have the following main specific tasks: inspection with regard to safety regulations and the introduction of preventive measures to avert injury and accidents; supervision of undertakings working mineral deposits; introduction of standard regulations for occupational safety and other matters; working out ways in which labour protection legislation could be improved; and introduction of general rules for labour inspection and for reporting and investigating accidents.

The network of COSIIM inspectorates has wide powers to enable it to carry out these tasks. Most of the various Union Republics have corresponding committees of their own, deriving their authority jointly from the Councils of Ministers of the respective Republics and from the All-Union COSIIM.

The COSIIM machinery at Republic level is subdivided, to permit greater specialisation, into a number of sections corresponding to the different industrial sectors and, for geographical convenience, into regional departments and district inspectorates—except in a few Republics with very little industry, where inspection is handled directly by the republican body.

In those Republics without a COSIIM structure of their own the supervision of safety in industry and mines is the responsibility of area departments and regional, district and other inspectorates working directly under the All-Union COSIIM. The geographical distribution of the inspectorates thus depends on the degree and dispersion of industrial development in different parts of the country. In general they are to be found in the areas of greatest industrial concentration. The assignment of inspectors to particular undertakings depends on the hazards involved in their production processes, their geographical location, their size, and so on. Similar factors, and the number of undertakings to be inspected,

determine the size of the district inspectorate staffs, all of whom must have high technical qualifications.

The central COSIIM keeps abreast of new research in the field of occupational safety and the protection of mineral resources; it collects information on the most important relevant scientific, technological and practical advances, and publishes a monthly journal entitled *Safety in Industry*.

Besides being responsible for direct supervision of working conditions, the specialist divisions of the COSIIM have many additional functions. They prepare both general and sectoral safety rules and regulations, which are then adopted in agreement with the AUCCTU, the central committees of the industrial trade unions, and the appropriate ministries and departments. They also ensure that once regulations are adopted they are published and put into effect. The COSIIM further ensures co-ordination between sectoral regulations and instructions relating to particular types of mining, geological surveying, the optimum working of mineral deposits, and so on.

In order to ensure standardised safety requirements in industry, the All-Union COSIIM and its equivalents in the individual Republics must give their prior approval to the publication of all technical documentation that touches upon their sphere of competence. They also issue the permits required by law for the installation and use of industrial machinery.

COSIIM bodies are constantly in contact with the trade union technical and general inspectorates. They draw up common programmes of action, carry out joint surveys and analyse accidents with a view to finding ways of eliminating them.

### **The sanitary-epidemiological services of the public health authorities**

Inspection in the field of hygiene and health, including occupational health, is carried out by the specialised sanitary-epidemiological services of the USSR Ministry of Health and the corresponding ministries of the Union Republics. These services are responsible for introducing and enforcing measures to prevent and eliminate environmental pollution, to improve unhealthy working and living conditions, and to prevent occupational and other diseases. They are guided in their work by the laws concerning occupational safety and health, the main provisions of which are embodied in the Fundamental Principles governing the health legislation of the USSR and the Union Republics adopted by the Supreme Soviet of the USSR in 1970.

The over-all head of the sanitary-epidemiological services is the Chief Health Inspector of the USSR, who is the All-Union Deputy Minister of Health and as such is appointed by the USSR Council of

Ministers. Each administrative division—Republic, region, district, etc.—also has its Chief Health Inspector, who is appointed by the Council of Ministers of the Republic in question.

Occupational health inspection plays an extremely important part in the work of these services. And legislation in the field of occupational health is continuously being improved. The agencies participating in its formulation include the health inspectorate itself, research institutes doing work on labour hygiene and occupational diseases, and other interested organisations which have been instrumental in introducing a large number of health regulations in all sectors of the economy. There are now in existence regulations prescribing the maximum permitted concentrations of more than 500 potentially harmful substances used in industry, as well as the acceptable limits with regard to noise, vibration, electro-magnetic fields, radioactive substances, ionising radiations, and so forth.

The functions of the health inspectorate are both preventive and supervisory. That is to say, its task is to ensure observance of the regulations dealing with hygiene and health matters generally (and occupational health in particular) when an undertaking, for instance, is still at the planning or construction stage, as well as when it is in operation.

State health inspectors have clearly defined rights and duties. They are responsible for seeing that all provisions of health legislation are strictly enforced in the undertakings under their care. They co-operate with managements and other agencies in the preparation of preventive measures, help to organise compulsory medical check-ups for workers in industries presenting hazards to health, and make practical recommendations for the reduction of diseases. They make a close study of working conditions with a view to analysing the general state of health in industry and taking any action that may be necessary. And they also carry out various educational activities in the field of hygiene and occupational health.

Occupational health and hygiene regulations, the construction standards approved in agreement with the health inspectorate, and other similar standards are of course binding on industrial designers. Every year the health inspectorate examines the plans of some 25,000 new industrial projects and approves a large number of alterations to premises and the installation of new technological processes and equipment. It considers proposals for lessening work strain or hazards through rationalisation, mechanisation, automation, remote control, and so forth. The health inspectorate also keeps an eye on the process of construction or reconstruction of some 3,000 major industrial units annually, and these units cannot be put into operation without its prior approval.

Health inspectors have extensive powers. They can oblige ministries, departments, undertakings, institutions and individual citizens to take whatever action is necessary to combat health and hygiene risks. They can

prohibit, as we have just seen, the occupation of newly constructed industrial, municipal and other premises if these do not measure up to prescribed health standards, at the same time indicating the steps needed to put the situation right. Where infringements are discovered, the health inspection bodies may institute disciplinary or criminal proceedings against offenders, or impose a fine.

Guided by its practical findings and experience, the health inspectorate draws up proposals for improving industrial hygiene and occupational health measures, and prepares draft legislation and other standards with the same purpose in mind.

The combination of technical progress, improved health and hygiene standards at the workplace and the many preventive measures now required by law has resulted in a sharp fall in occupational health hazards, while in many industries occupational diseases have completely disappeared. Among the large number of diseases to have been eradicated are those due to high environmental temperatures, foundryman's fever and poisoning by carbon monoxide or benzene.

The replacement of poisonous substances by harmless ones is a major objective of health inspection. Successful results have been obtained through a ban on the use of white lead paints, mercury preparations, and so forth. Rules have been introduced for the prior testing of toxic properties of any new substances used in industry. Standards have been laid down to ensure that proper safety precautions are taken and to prohibit the use of particularly poisonous substances. The health inspectorate contributes to this preventive work in industry by the use of suitable measuring instruments and laboratory analyses.

The work described above is carried out by health inspectors specialised in industrial hygiene and working within the sanitary-epidemiological services, which also include many other types of specialists. The health inspectors work closely at all times with other labour inspectorates and are assisted, within undertakings, by the trade union labour inspectors.

### **The Office of the Procurator-General**

The Procurator-General of the USSR has over-all responsibility for enforcing compliance with the laws of the land, including labour legislation.

His Office's main concern is with supervising the work of other state agencies responsible for the enforcement of labour legislation, but it does also have direct dealings with undertakings, institutions, organisations and industrial ministries and departments, and deploys an investigative staff for these purposes.

The over-all supervision exercised by the Procurator-General's Office on behalf of the State extends throughout the USSR and to all

legislative acts. The Procurator-General is assisted by procurators appointed by him in the constituent Republics and in the various regions and districts. His Office thus comprises a good many branches whose work is interdependent and complementary.

In supervising the application of labour legislation and as part of his general duties, the Procurator-General protects the rights of citizens and the interests of state and other public organisations by taking steps to examine actions or omissions which conflict with legal requirements, to establish the reasons for their occurrence, and to identify offenders with a view to having them warned, removed from office or prosecuted. He may ask for necessary documents, carry out on-the-spot checks to ensure that the laws are being observed, demand explanations and collect all relevant data. Other measures by which he endeavours to strengthen the rule of law include follow-up checks, analysis of inspection findings, the convening of workshop meetings, the organisation of lectures, the publication of articles and the use of specialists to carry out expert investigations. The organs of the Procurator-General's Office further promote strict observance of the law by examining complaints and statements made by workers, instituting inquiries and, where necessary, taking steps to restore the rights and defend the legal interests of citizens.

It has been found that one of the most effective ways of enlisting popular support for the struggle against infringements of labour legislation is to present actual case studies for discussion by gatherings of workers' spokesmen in the undertakings. Recently a great deal of attention has been paid to another means of associating the rank and file with the work of the Procurator-General's Office. This involves getting trade union activists to serve as assistants, i.e. to carry out such tasks as drafting letters, warnings and representations.

In practice the Procurator-General has a choice of sanctions he may impose on offenders: he may issue warnings, make representations, demand disciplinary or administrative action, raise the question of an offender's material liability, or institute criminal proceedings.

A warning is the commonest form of sanction. This is a written document requiring that the infringement in question be remedied. The Procurator-General subsequently ensures that the necessary measures have been taken within the specified time-limit and obtains all the relevant factual information.

A representation is a written instruction by which the appropriate organs or officials are required to take specific steps to remove the cause of an illegality and prevent its recurrence. They are also required to take action against persons guilty of permitting infringements, and to report to the Procurator-General within a given time-limit.

Disciplinary and administrative action is usually restricted to cases of systematic or gross infringements where there is no basis for criminal proceedings. The Procurator-General may deal with the matter by means

of a representation or an order for the institution of administrative or disciplinary procedures. The order contains a report on the circumstances and a detailed analysis of the offence committed, the precise contents of the law and the manner of its infringement, a summary of the explanation given by the offender, and a time-limit within which the Procurator-General must be informed of the action taken.

The Procurator-General may also decide that a person should incur material liability for damage caused by infringements of the law, in which case the matter can be handled by means of a representation or a special order, or again by bringing an action in a subordinate court. This procedure enables the State to obtain compensation in cases of damage caused by an unlawful act. It also serves as a deterrent to prospective offenders.

Once the Procurator-General establishes that an indictable breach of labour legislation has been committed and once he knows the full circumstances of the offence, he immediately institutes criminal proceedings by means of an appropriate order. The various labour inspectorates already described do not prosecute in the courts. In practice, however, criminal prosecution is rare, because there are so many other ways of dealing with offenders.

It will be clear from the above that the inspection activities outlined in this section help in a variety of ways to uphold justice through sound application of the laws everywhere. Working in close co-operation with other state supervisory organs (the specialist inspectorates) and with the trade union labour inspection machinery, the Office of the Procurator-General performs a valuable task in the interests of the national workforce.

### **Other special services of the State**

The economic sectoral ministries reinforce their supervision and inspection in regard to labour matters of the undertakings under their authority by ensuring that full responsibility for labour protection in such units is borne by the director and the chief engineer, and in other establishments by the chief executive. It is required by law that there should be a "labour protection service" in every such unit and in its divisions, departments and sections.

In industrial undertakings these services are headed by a senior engineer and/or a safety engineer. Their inspection work corresponds to that of the labour protection services of the trade unions and they are responsible directly to the management for seeing that heads of divisions and workshops observe labour protection legislation, for helping to introduce measures to improve working conditions, and for recording and investigating accidents. The labour protection services of management are also supervised by the undertaking trade union committees.

The state electrical inspectorates and fire services inspectorates referred to earlier are required to examine the relevant safety precautions in



all undertakings, establishments and workplaces subject to hazard. Plans for new installations, buildings and extensions or adaptations thereof have to be approved by these services from an early stage, and inspection is continued during and after completion of the work. All accidents arising from electrical or fire risks have to be notified to whichever of these services is concerned (often to both); their inspectors then investigate them jointly with the undertaking safety officers, trade union technical inspectors and, usually, inspectors of the COSIIM.

### **Conclusions**

Labour inspection in the Soviet Union can thus be seen to be carried out by a network of interdependent state and trade union agencies, covering all undertakings, institutions and organisations in every economic branch. The State has endowed the inspection services with the necessary legal status and wide powers.

The existing structure of the state and trade union supervision machinery does much to facilitate inspection work. The system comprises both vertical and horizontal links. State supervision is assured by the Council of Ministers of the USSR, through its various committees, industrial ministries and the Office of the Procurator-General. Parallel supervision is exercised by the trade unions, headed by the All-Union Central Council of Trade Unions, with the help of millions of worker activists and both full- and part-time trade union labour inspectors.

The chief characteristic of the labour inspection system in the Soviet Union is therefore its dual nature—the existence of both state and trade union supervision. The important role played by the trade unions brings the mass of rank-and-file workers into close touch with the work of labour inspection and this in turn ensures that a constant day-to-day watch is maintained over working conditions.

---