

INTERNATIONAL LABOUR OFFICE

THE
I.L.O.
YEAR-BOOK
1938-39

NINTH YEAR OF ISSUE



GENEVA, 1939

PRICE: 10s. 6d.; \$2.75

INTERNATIONAL LABOUR OFFICE

GENEVA, SWITZERLAND

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551345

GENEVA
1939

341.25



First Edition, June 1939
Second Impression, August 1939

PRINTED BY ALBERT KUNDIG, GENEVA

PREFACE

The *I.L.O. Year-Book 1938-39* contains, in a more concentrated form, the information usually given in this annual publication of the International Labour Office, of which this is the ninth issue. Like previous issues, the volume sets out the outstanding events in industry and labour during the period under review, which is, in the main, the year 1938, though as far as possible mention has also been made of events in the first quarter of 1939.

A few changes have been made in the general plan of the work.

First, the former "General Introduction", which used to fall into two distinct parts, now forms the subject-matter of the first two chapters. Chapter I deals with the strictly official aspect of the International Labour Organisation; it gives the changes in the membership of the Organisation and the state of ratification and application of international labour Conventions and briefly mentions the work performed during the period under review by the Organisation's constituent bodies, the International Labour Conference and the Governing Body of the International Labour Office. Chapter II, under the general title of "Industrial Organisations and Social Movements", describes the chief events in the life of all the bodies throughout the world which, through the aims that they pursue or the tasks that they perform, help to forward the work of the International Labour Organisation: employers' and workers' organisations, private international organisations and the great religious movements.

Secondly, the former chapter on "Living Conditions", which had long been a feature of the *Year-Book* but was suppressed in last year's issue, has been revived. In addition to the three sections which used to form this chapter—"Housing", "Workers' Spare Time" and "Co-operation"—a new section on "Nutrition" has been added. It is of modest proportions at present, but the International Labour Office intends in future to expand it as much as possible.

Apart from these two changes, it may be noted that the section on scientific management has been included in the chapter on "Conditions of Work", under the title "Social Aspects of Management", to emphasise the angle from which the Office approaches this question.

With these alterations the *Year-Book 1938-39* is therefore arranged as follows:

Chapter	I. The International Labour Organisation
"	II. Industrial Organisations and Social Movements
"	III. Economic Developments
"	IV. Conditions of Work
"	V. Social Insurance
"	VI. Remuneration of Labour
"	VII. Employment and Unemployment
"	VIII. Migration
"	IX. Labour Law
"	X. Living Conditions
"	XI. Special Problems of Certain Categories of Workers.

The appendix contains as usual a number of tables and the available statistics on the membership of trade union organisations.

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CHAPTER I

THE INTERNATIONAL LABOUR ORGANISATION

During 1938 the International Labour Organisation suffered a diminution in the number of its Members owing to the withdrawal of certain States from the League of Nations and from the Organisation. On the other hand, some States which have withdrawn from the League of Nations have intimated their intention of remaining in the International Labour Organisation.

Chile gave notice of withdrawal from the League of Nations on 14 May 1938, but will remain a Member of the International Labour Organisation. The International Labour Office was informed of this decision in a letter of 4 June 1938 from Mr. Garcia Oldini, the representative of Chile accredited to the International Labour Organisation.

The notice of withdrawal from the League of Nations given by Guatemala and Honduras expired on 26 May and 10 July 1938 respectively. These two States have not addressed any special communication to the Office, and they have ceased any active participation in the International Labour Organisation.

The withdrawal of Nicaragua from the League of Nations and from the International Labour Organisation became effective on 26 June 1938. In a letter informing the Office of this withdrawal, the permanent delegate of Nicaragua was good enough to state that the Nicaraguan Government continued to feel the same admiration for the objects for which the International Labour Organisation was set up and wished the Office every success in pursuing them. In a further letter of 29 August 1938 the acting chargé d'affaires of Nicaragua in Paris informed the Director that the Government of Nicaragua intended to remain bound by the thirty Conventions to which it had adhered.

As regards Venezuela, which has also given notice of withdrawal from the League, the Minister for Foreign Affairs stated in a telegram to the Office dated 21 July 1938 that the Government of Venezuela would continue its participation in the International Labour Office and would co-operate in its valuable work.

After the withdrawal of Japan from the League of Nations, full co-operation with the International Labour Organisation had been maintained by that country. On 2 November 1938, however, a letter was addressed to the Director of the Office by the Japanese delegate to the Governing Body of the International Labour Office

informing him that the Japanese Government had decided to discontinue the co-operation it had maintained with the organs of the League since its withdrawal from the latter, and that this decision applied to Japan's collaboration with the International Labour Organisation.

On 8 April 1939 the Peruvian Minister for External Relations gave notice to the Secretary-General of the League of Nations of the withdrawal of Peru from the League. A telegram informing the Office of the intention of the Peruvian Government to continue its collaboration was addressed to the Director by the Minister of External Relations on 13 April 1938.

Notice of the withdrawal of Hungary from the League of Nations was given to the Secretary-General by the Hungarian Minister of Foreign Affairs on 11 April 1939. On the same day a telegram was addressed to the Director by the Minister for Foreign Affairs stating that Hungary intended to continue to take part in the work of the International Labour Organisation for bettering the condition of the workers.

The situation of Paraguay remains in abeyance, as indicated in the *Year-Book 1937-38*.

The Director of the Office, Mr. Harold Butler, resigned his position in the course of the year, his resignation becoming effective at the end of 1938. On 4 June 1938 the Governing Body elected Mr. John G. Winant to succeed him. The Governing Body also decided that the post of Deputy Director of the International Labour Office, which had been vacant for several years, should again be filled. Mr. E. J. Phelan was appointed to be Deputy Director as from 1 June 1938.

Contact between the Office and the extra-European countries has developed still further in the year under review.

A visit to the East was paid in the winter of 1937-38 by Mr. Harold Butler, Director of the Office. Mr. Butler visited Malaya, the Dutch East Indies and India, and contact by the Office with these distant countries was thus materially strengthened.

The assistance of the Office was requested by the Government of Venezuela in drafting a Labour Code as well as legislation on social insurance and migration. In response to this request, certain officials of the Office spent several months at Caracas in order to lend their assistance to the Government of Venezuela in these tasks.

At the invitation of the Government of the Union of South Africa, a delegation from the Governing Body visited that country at the beginning of 1939. This invitation was a much-valued indication of the interest taken by the Union of South Africa in the activities of the Organisation, and the opportunity of establishing closer contact between the Governing Body of the Office and the Union of South Africa and of obtaining first-hand information on Native labour conditions in South Africa was very highly appreciated.

Further, an invitation was received from the Government of Cuba to hold a second Regional Conference of American States Members of the International Labour Organisation at Havana in 1939. This invitation was gratefully accepted by the Governing Body.

A certain number of changes have taken place in the various delegations accredited to the League of Nations and the International Labour Office, or to the Office only.

As a result of the cessation of co-operation by Japan the Japanese delegation has been closed.

The delegations of Poland, Venezuela and Czecho-Slovakia have also been closed, but in the case of Poland Mr. Komarnicki, the former accredited delegate, who is now Polish Minister in Berne, continues to represent Poland in its relations with the Office.

On the other hand, a permanent delegation has been instituted by the Government of Peru, which has appointed Dr. Pedro Ugarteche as permanent delegate accredited to the International Labour Office.

A list of the permanent delegations, with the names of the present delegates, will be found in Appendix II.

Ratification and Application of Conventions

The number of ratifications registered between 16 March 1938 and 15 March 1939 was 57¹. The following particulars may be given concerning the ratifications during this period.

The 57 ratifications in question came from 18 States and applied to 34 Conventions. The progress of ratification continues in all parts of the world: 18 ratifications came from Europe, 11 from America, 5 from Asia, and 23 from Australia and New Zealand. A non-European country, New Zealand, made the largest contribution, with 22 ratifications. The Governments of the United States of America, Iraq and Turkey communicated their first ratifications of Conventions, with five, two, and one ratification respectively. The Brazilian Government communicated four new ratifications. Of the European countries, Belgium ratified five and Denmark and Sweden each three Conventions.

The total of 57 ratifications is considerably higher than the figure for the preceding period (16 March 1937-15 March 1938), which was 43. It should also be noted that in several countries (Denmark, France, Mexico, Netherlands, Union of South Africa) the competent authority has decided in favour of the ratification of a large number of Conventions. In addition, in Argentina the

¹ See Appendix III for the distribution of these ratifications by Conventions and by countries.

Executive Power has recommended the approval of 17 Conventions to Congress.

The Conventions which made the most progress during the period were No. 45, Underground Work (Women), 1935, ratified by Brazil, Hungary, India, New Zealand and Turkey; No. 53, Officers' Competency Certificates, 1936, ratified by Belgium, Brazil, Denmark, Estonia, New Zealand and the United States of America; No. 57, Hours of Work and Manning (Sea), 1936, ratified by Australia, Belgium, Sweden¹ and the United States of America; and No. 58, Minimum Age (Sea) (Revised), 1936, ratified by Belgium, Brazil, Sweden and the United States of America.

As a consequence of the new ratifications registered, the Recruiting of Indigenous Workers Convention, 1936 (No. 50), comes into force on 8 September 1939, the Holidays with Pay Convention, 1936 (No. 52), on 22 September 1939, the Officers' Competency Certificates Convention, 1936 (No. 53), on 29 March 1939, the Shipowners' Liability (Sick and Injured Seamen) Convention, 1936 (No. 55), on 29 October 1939 and the Minimum Age (Sea) Convention (Revised), 1936 (No. 58), on 11 April 1939.

During the year under review, the working of the special machinery in the shape of a standing committee of independent experts and a committee of delegates set up each year by the Conference for the purpose of supervising the application of Conventions made further and satisfactory progress.

These Committees between them reviewed or examined 634 reports in respect of the application of 36 Conventions during the year 1936-1937.

It is worthy of note that in addition to these reports the Government of Burma supplied a report on the application in Burma of the 14 Conventions which India had ratified before Burma ceased to be a part of India on 1 April 1937 under the Government of India Act, 1935.

The main conclusion reached by the Committee of the Conference was that "the great majority of the Governments have endeavoured to fulfil their obligations loyally and most of them have removed more or less speedily discrepancies that existed between the provisions of the ratified Conventions and those of their own national legislation". It was noted, however, that in certain cases the Governments have not yet found the means of bringing their national legislation into harmony with the provisions of the Conventions that they ratified a number of years ago. These Governments were reminded that for countries ratifying international labour Conventions these Conventions impose international obligations in the same way as any other treaties and each State that ratifies a Convention assumes an international obligation to ensure, as from the entry into force of the Convention for that

¹ Conditionally.

State, the effective application of its provisions without any modification, restriction or reservation.

The Committees once more emphasised the fundamental importance of factory inspection as a factor in the enforcement of national labour legislation and, consequently, of the ratified Conventions.

It was also noted with satisfaction that the extension of the application of Conventions to colonies and other dependent areas is making steady progress.

Two members of the Committee of Experts, Mr. Raphael Erich (Finnish) and Mr. Shunzo Yoshisaka (Japanese) resigned their seats on the Committee on 21 October and 12 November 1938 respectively.

The International Labour Conference

The International Labour Conference held its Twenty-fourth Session in 1938 (Geneva, 2-22 June), meeting for the first time in the Assembly Hall of the new League of Nations building. Fifty States sent delegations, numbering 157 delegates and 259 advisers¹. The delegations included 15 women as delegates or advisers.

The agenda of the session comprised the following subjects²:

1. Technical and vocational education and apprenticeship.
2. Regulation of contracts of employment of indigenous workers.
3. Recruiting, placing and conditions of labour (equality of treatment) of migrant workers.
4. Regulation of hours of work and rest periods of professional drivers (and their assistants) of vehicles engaged in road transport.
5. Generalisation of the reduction of hours of work.
6. Statistics of hours and wages in the principal mining and manufacturing industries, including building and construction, and in agriculture.

With the exception of the last, all these items had been placed on the agenda for the first stage of the double-discussion procedure. For items 1 to 4 the Conference adopted lists of points as the bases of questionnaires to be sent to Governments in preparation for a second discussion by the Conference in 1939. As regards item 5, the Conference decided to subdivide the scope of the question. In respect of industry, commerce and offices, the Conference adopted a list of points for a questionnaire and placed the question on the agenda for second discussion in 1939. In respect of coal mines, the Conference accepted, without further consideration in detail, a list of points recommended by a technical tripartite meeting which had been held in May 1938 and decided to place the question on the agenda of its next session as a separate item with a view to final discussion. In respect of transport by railway, inland waterway, etc., the Conference adopted a resolution

¹ See Appendix IV for the number and composition of delegations in successive years.

² For more detailed information on the work of the Conference on each of these questions, see under the corresponding headings in subsequent chapters.

requesting the Governing Body of the Office to summon in 1938 or 1939 one or more preparatory technical tripartite meetings and to place the question of the reduction of hours of work in transport on the agenda of the Conference as soon as the results of the work of these meetings were received.

The sixth item had been placed on the agenda for first or single discussion as the Conference might decide. The subject having already been examined by a technical conference of labour statisticians, the Conference decided to follow the single-discussion procedure and a Draft Convention was adopted without opposition.

Other matters before the Conference were: the report of the Director of the International Labour Office; the annual reports from Governments on the measures taken to give effect to Conventions ratified; decennial reports on the working of five Conventions; and a number of resolutions in addition to that already mentioned. The Conference also adopted a number of important amendments to its Standing Orders affecting the procedure for dealing with proposals for the adoption of Draft Conventions and Recommendations.

Governing Body and Committees

The composition of the Governing Body of the International Labour Office, the last elections to which took place at the Twenty-third Session of the International Labour Conference in 1937, was given in the last issue of the *Year-Book*¹. The changes which have since occurred are given below.

The Governing Body has suffered a severe loss by the death of Mr. Ernest Mahaim, Belgian Government deputy member, who was one of the pioneers of the International Labour Organisation and whose work, both in the Governing Body and at the Conference, will always hold a great place in its history; it also has to deplore the loss of Mr. Christian Jensen, Workers' deputy member, Denmark, and of Mr. Marjan Szydowski, Employers' deputy member, Poland, who did valuable work both in the Governing Body and the Conference for many years.

Mr. Kitaoka, Japanese Government representative, Mr. Yonekubo, Workers' member, Japan, and Mr. Zen, Employers' deputy member, Japan, have resigned from the Governing Body.

The seats for Employers' deputy members left vacant by the resignation of Mr. Zen and Mr. Camuzzi have been filled by the appointment of Mr. Erlandsen (Norway) and Mr. Jules Lecocq (Belgium).

The Governing Body appointed its Officers at its Eighty-fifth Session (October 1938). Mr. Paal Berg, Norwegian Government representative, was elected Chairman and Mr. Oersted (Denmark)

¹ Cf. *I.L.O. Year-Book 1937-38*, p. 7.

was reappointed Employers' Vice-Chairman and Mr. Mertens (Belgium) Workers' Vice-Chairman.

Since the period covered by the last issue of the *Year-Book*, the Governing Body has held the following sessions: the Eighty-third Session, from 28 to 30 April 1938; the Eighty-fourth Session, from 31 May to 17 June 1938; the Eighty-fifth Session, from 25 to 27 October 1938; the Eighty-sixth Session, from 2 to 4 February 1939; and the Eighty-seventh Session, from 20 to 22 April 1939. The Eighty-fifth Session was held in London at the invitation of the British Government; the other sessions were held in Geneva.

One new Committee has been set up by the Governing Body during the past year: The Emergency Committee. The Governing Body has decided also that the Committee on Automatic Coupling may be regarded as having ceased to exist, on the understanding that it may be reconstituted later if this should become necessary.

The Governing Body made various changes in the composition of certain Committees¹.

² See Appendix V for the composition of the new Committee, and for the list of changes made in the composition of Committees. The full list of the members of all the Committees was published in the *I.L.O. Year-Book 1937-38* and will not be given again until the 1940-41 volume.

CHAPTER II

INDUSTRIAL ORGANISATIONS AND SOCIAL MOVEMENTS

Workers' Organisations ¹

FREE TRADE UNIONISM

The membership of the International Federation of Trade Unions is now stated to be 21,138,500, organised in 25 countries of five continents, the entry of the New Zealand Federation of Labour in the latter part of 1938 marking the expansion of the International Federation to Australasia.

On the other hand, the German-speaking section of the Czecho-Slovak Federation of Trade Unions (*Zentralgewerkschaftskommission des deutschen Gewerkschaftsbundes*) has ceased to exist, and this has resulted in a loss of membership to the Federation.

A further modification of the position of the European trade union movement is the change in the status of the workers' organisations in Rumania, owing to the promulgation on 11 October 1938 of a Royal Order which provided for the constitution of corporations whose object is to investigate, defend and promote occupational interests on a national basis only, having regard to the higher interests of the State. Such corporations may neither be affiliated to international organisations nor be represented at international demonstrations or congresses, except by explicit permission of the Rumanian Ministry of Labour.

The general state of political uncertainty and the large-scale policy of rearmament have been factors which have not afforded favourable opportunities to the trade union movement to secure a reduction of working hours and the advancement of other trade union activities. With the exception of France, no large-scale movement has been undertaken in Europe in furtherance or in defence of shorter working hours. In France, the trade union movement proclaimed a general stoppage of work on 30 November

¹ See Appendix VI for statistics of membership of the organisations.

1938 following the promulgation of the Decrees of 12 November 1938 modifying the application of the 40-hour working week. Organised labour in France sought in this way to demonstrate its fervent attachment to the legal 40-hour week, an achievement won by its efforts in 1936. The American Federation of Labor in the United States has continued to pursue its policy of securing, through collective agreements, the adoption of the 30-hour week.

The Norwegian Federation of Trade Unions gave a carefully considered definition of its attitude to the 40-hour working week at its 15th Congress, held in May 1938. While expressing its readiness to support the movement for shorter working hours by political as well as by trade union action, the Congress considered that the question might arise whether the reduction of hours of work should not be introduced by stages both as regards the number of hours and the industries covered, in view of the difficulties which a sudden change to a 40-hour working week might create for industry and the effects this might have on the workers' standard of living. This is a confirmation of the general attitude of the trade unions in the Scandinavian countries during recent years.

The General Council of the International Federation of Trade Unions at its meeting held at Oslo in May 1938 decided not to proceed further with negotiations for affiliation with the Central Council of Trade Unions in the U.S.S.R. This decision confirmed the attitude taken by the Executive Committee after it had received a report of negotiations from the delegation which visited Moscow in the autumn of 1937. The text of the resolution voted by the General Council by 14 votes to 7 was as follows:

“The General Council of the International Federation of Trade Unions (I.F.T.U.) assembled at Oslo 17th to 21st May, 1938, having regard to the conditions now existing in the U.S.S.R. and to the views expressed by the National Centres affiliated to the I.F.T.U. decides not to proceed further with negotiations with the Central Council of Trade Unions of the U.S.S.R.”

In the Latin-American countries a development took place of outstanding importance to the international trade union movement. In September 1938 a Latin-American Congress was held at Mexico City under the auspices of the Confederation of Mexican Workers (*Confederación de Trabajadores de México*). At this Congress the Confederation of Latin-American Workers was formally constituted. The principal task of the Latin-American working class was declared to be “the attainment of full economic and political independence of the Latin-American nations and the liquidation of the semi-feudal survivals” which characterised them. This organisation of the workers of Latin-American countries called for the right of association, the right to strike, the right of collective bargaining and liberty of the press.

The congress called upon the trade unions of the Latin-American countries to apply for membership of the International Federation of Trade Unions and a further resolution pledged the new Confederation to achieve collaboration with the International Labour Organisation.

Among the questions dealt with by national trade union centres mention may be made of those items which are of international interest.

The *French Confederation of Labour* at its Congress held at Nantes in November 1938 urgently demanded the convocation of an international Congress to settle political and economic problems the continuation of which threatened the maintenance of peace. The Congress considered that an agreement between trade union organisations with regard to an international conference of this character should be the starting point for the achievement of international trade union unity.

The breach between the *American Federation of Labor* and the movement for industrial labour organisation in the United States still persists. The Committee for Industrial Organization has now been converted into a permanent central body under the name of the Congress of Industrial Organizations. The *Congress of Industrial Organizations* at its inaugural session in Pittsburgh in November 1938 empowered its executive officers to seek collaboration with the International Labour Office and to open negotiations for affiliation with the International Federation of Trade Unions.

Negotiations to establish peace between the A.F. of L. and the C.I.O. have been initiated on the suggestion made by President Roosevelt.

The *Trades and Labour Congress of Canada*, which comprises trade unions affiliated with the American Federation of Labor operating in both the United States and Canada, continues to be deeply concerned with this division in the trade union movement of the United States. As a result of negotiations between the American Federation of Labor and the Trades and Labour Congress of Canada it has been decided that those unions in the Dominion which are affiliated with the Congress of Industrial Organizations are to be suspended from affiliation to the Trades and Labour Congress.

The Canadian Congress has continued to urge the Federal Government of Canada to take steps to amend the British North America Act in order to give the Canadian Government wider power in the enactment of labour legislation.

The *All-Australian Council of Trade Unions* has continued to lead the national movement in favour of the general establishment of the 40-hour working week and has been closely concerned with the introduction of national health and pensions insurance in the Commonwealth of Australia.

The *National Trades Union Federation* and the *All-India Trade Union Congress* have agreed to continue to work in unison in the interest of one national trade union movement in British India and to maintain the compact made between them in 1938.

In the Union of South Africa a working alliance has been made between the two principal trade union centres, the *South African Trades and Labour Council* and the *Cape Province Federation of*

Labour Unions, which will overcome the demarcational difficulties of previous years. It has been recognised that a properly defined working arrangement between the Federation and the Council for future organisation of the trade union movement will be of mutual advantage.

No new development has taken place to modify the organic relations between the International Federation of Trade Unions and the *International Federations of Crafts and Industries* (international trade secretariats) which have been under discussion for a number of years and will be dealt with again at the next International Trade Union Congress, to be held at Zurich in the summer of 1939. A memorandum on this subject was submitted to the Congress of the International Transport Workers' Federation held at Luxemburg in November 1938 but it was agreed that the best course would be for trade unions who desired reorganisation of the international trade union movement to take the matter up through the respective national trade union centres. The *International Transport Workers' Federation* also passed a resolution requesting the International Labour Office to consider the establishment of a separate department to deal specially with the problems of the various branches of transport, namely railways, roads, docks, sea, inland navigation and air. During 1938 the *Miners' International Federation*, the *International Boot and Shoe Operatives' and Leather Workers' Federation*, the *International Metal Workers' Federation* and the *International Stone Workers' Federation* have held congresses where, among other matters, reviews were made of relations with the International Labour Office and the desirability of continued collaboration with it was repeatedly stressed.

CHRISTIAN TRADE UNIONISM

The *International Federation of Christian Trade Unions* experienced in 1938 new losses in membership owing to the events in Central Europe. It is true that the Central Committee of Christian Manual and Non-Manual Workers' Organisations in Austria, which at the end of 1937 had approximately 150,000 members, was not a trade union organisation in the strict sense of the word. In fact, since 1934 the right of coalition no longer existed in Austria and when the socialist trade unions were dissolved the Christian trade unions were compelled to transfer all their trade union activities to the official organisation, the Trade Union Federation of Austria. Consequently, the Central Committee had to confine itself to mere educational activities based on the traditions of the Christian trade unions and to an endeavour to influence official trade unionism in the direction of Christian traditions. For this reason the Austrian Christian Federation was not allowed to retain its organic association with the International Federation of Christian Trade Unions, and since 1935 was only recognised by it as an associate organisa-

tion. On the other hand, the disappearance of the German-speaking Christian manual and non-manual workers' trade unions in Czecho-Slovakia towards the end of 1938 deprived the International Federation of Christian Trade Unions of active and fruitful collaboration in that part of Europe. There the movement was a movement of young workers directed by young persons, which over a period of ten years had made tremendous strides and which since 1933 had constituted a most important German-speaking section of the Christian Trade Union International, by whom this loss has been all the more specially felt.

This loss was partially compensated by a new effort in the expansion of the membership of the Christian trade unions in *Belgium* and the rather important progress achieved in a certain number of other countries, and as a consequence the Christian Trade Union International had at the end of 1938 still more than 1,300,000 members. Moreover, negotiations are being conducted with Christian organisations in various countries, particularly in *Poland*, *Canada* and certain republics of *Latin America*, which may result in further additions of strength to the Christian Trade Union International.

From the point of view of doctrine no new development can be recorded in 1938. Nationally as well as internationally the Christian Trade Unions still adhere to the principles enunciated in the world economic programme adopted by the Congress held at Innsbruck in 1922 and the policy elaborated at their Congress in Paris in 1937. In accordance therewith the *Federation of Christian Workers* in *France*, although opposed to the general strike which took place in France on 30 November 1938, has not changed its attitude to the 40-hour working week, which it continues to advocate energetically in the same way as the *Federation of Christian Trade Unions* in *Belgium* is doing in that country. In the international field the International Federation itself and also the different international trade secretariats have again on several occasions in the course of 1938 expressed themselves in favour of an international generalisation of reduction of hours of work. Moreover, the Christian trade unions continue as in previous years to regard the International Labour Organisation as the clearing house of all efforts towards a realisation of international social progress. All pronouncements of the Christian trade union movement on this subject favour active collaboration with the I.L.O. and call for the development and consolidation of relations with it. In this connection the Christian trade unions in *France* and the Catholic trade unions in *Canada* have again in 1938 addressed to their respective Governments a demand to be represented, as in the case of other countries, in the workers' delegation to sessions of the International Labour Conference, while the International Federation itself maintains its candidature for the Governing Body of the International Labour Office and for membership of the technical committees of the Office to which its representatives have not yet been elected.

TRADE UNIONISM IN THE U.S.S.R.

The trade unions in the U.S.S.R. have taken steps to implement the decisions taken by the Sixth Plenary Assembly of the *Central Council of Trade Unions* in May 1937 and are inducing the workers to participate in greater measure in trade union activities by means of numerous Councils and Committees. The growing number of voluntary workers within the trade union movement has entailed an enormous reduction in the number of trade union officials (from 56,240 in 1936 to 28,321 in 1938).

The Seventh Plenum of the Central Council, which met in September 1938, emphasised, among other matters, the importance of greater trade union participation in the regulation of wages. It called upon the various organisations to extend their activities in favour of an improvement in the conditions of life of the workers. Criticism was made at the Plenum because the trade unions had not carried out fully their mission in the domain of labour protection and safety. Consideration was also given to the Model Rules which had been prepared for adoption by affiliated trade unions.

Towards the end of 1938 an active part was played by the Soviet trade unions in the campaign which was instituted to strengthen discipline in factories and workshops. With this object in view, the Central Committee of Trade Unions promulgated, in collaboration with the Central Committee of the Communist Party and the Council of People's Commissaries, a Decree which prescribed rigorous sanctions against those workers who were guilty of infringements of discipline and amended the legal provisions with regard to paid holidays, the cancellation of labour contracts and social insurance.

TRADE UNIONISM IN JAPAN

During 1938 the *Japan Seamen's Union* and the *Japanese Mercantile Marine Officers' Association* withdrew from membership of the *Japanese Trade Union Congress*. The Japan Seamen's Union was the largest organisation affiliated to the Congress and the withdrawal has made it necessary to reorganise this national trade union centre. The remaining eight organisations comprising the Congress decided to revise its constitution and to become the principal body associated with an organisation known as the *Japan National Labour Policy Association (Nihon Rodo Kokusaku Kyokai)*. The object of this association is stated to be the rendering of service to Japan through industry and the formulation of national industrial and labour policies. This was defined as the improvement of labour and social legislation and the amelioration of the living conditions of Japanese workers. Subsequently, with the withdrawal of Japan from the International Labour Organisation, the President of the *All-Japan Trade Union Federation*

(*Zen-Nihon Rodo Sôdemi*), one of the bodies affiliated to the Japanese Trade Union Congress, made the following statement in an article which appeared in the official journal of the Federation:

"It is indeed regrettable that Japan has completely severed relations with the International Labour Organisation, but I believe that this was unavoidable under the present circumstances"

"Although we were compelled by force of circumstances to sever relations with the I.L.O., we should not forget the merits of the I.L.O., which have proved that internationalism in the true sense of the word can contribute toward human civilisation."

Employers' Organisations

INTERNATIONAL ORGANISATIONS

The *International Organisation of Industrial Employers* in 1938, as in the past, held the annual meeting of its General Council immediately before the International Labour Conference. At that meeting it considered all those aspects of the International Labour Organisation's work which affect the employers' associations.

The seventh session of the *International Conference of Catholic Employers' Associations* met on 11 December 1938 at Antwerp and dealt with respect for private initiative in the organisation of social insurance and the place of social insurance in the sphere of occupational organisation.

NATIONAL ORGANISATIONS

The subject which received most attention from employers' organisations, as their most important meetings showed, was the development of sincere collaboration between employers and workers. This tendency was specially marked in overseas countries. Thus the *Canadian Manufacturers' Association*, which met at Ottawa from 1 to 3 June 1938, through the mouth of its retiring President, Mr. F. C. Brown, expressed its pleasure at the diminution in the number of strikes and attributed this largely to the spirit of co-operation that had always existed in Canadian industry. Government intervention had thus been unnecessary and Canadian industry had preserved its independence better than in other countries, to the general welfare.

The desire to see industry overcome its difficulties by its own efforts and for that purpose secure the fullest possible co-operation of the workers' organisations was the basis of a programme for American progress adopted by the Annual Congress of the *National Association of Manufacturers of the United States*, held in New York from 7 to 9 December 1938. While recognising that mistakes

had been made in the recent past and that some of the responsibility for them lay with the leaders of industry, the resolution emphasised that private enterprise and economic opportunity were closely bound up with the preservation of the liberties which were fundamental American principles. "Labour relations" were the subject of a special resolution amplifying the principles laid down in the programme for progress. Co-operation between workers and employers was essential to the success of industry and this could only be the result of mutual confidence, which was not to be attained by legislation. The proper function of government was to ensure equal rights for employer and employee, with due regard for the public interest and the rights of individual citizens. Statements of a similar nature had already been made at the annual meeting of the *Chamber of Commerce of the United States*, from 2 to 5 May 1938, at Washington.

In India the question of industrial relations received the same close attention as in the previous year¹ from the *All-India Organisation of Industrial Employers*, at its fifth annual meeting, in the course of which its president stated at Delhi on 2 April 1938 that the importance of industrial peace could never be exaggerated.

Previous issues of the *Year-Book* have frequently given extracts from resolutions adopted by employers' organisations emphasising the danger of over-hasty social reforms, especially when their economic consequences have not been carefully examined. Such a warning is given in the report submitted to the *Luxemburg Manufacturers' Federation*, at its general meeting in Luxemburg on 16 March 1938. The report concluded as follows:

" . . . the Federation, while not wishing to neglect any means of improving the lot of the professional and manual worker, nevertheless feels bound to see that any such improvements shall not hinder national industries from successfully competing with foreign countries, both as regards home and foreign trade. The Federation considers it essential that the Government should realise fully and precisely the economic possibilities of the country, and should act in accordance with that realisation if a future fraught with danger is to be avoided."

A resolution couched in somewhat similar terms was adopted by the *Federation of Industrial Corporations of Yugoslavia* at its meeting at Bled on 4 August 1938. It expressed the desire that State socialisation should be limited and opposed the adoption of new laws of an anti-economic character and the ill-considered enforcement of existing laws.

Attention should also be drawn to the report submitted to the general meeting of the *General Confederation of French Employers*, held in Paris on 18 March 1938, which emphasised the lack of balance between purchasing power and the prices of manufactured articles.

It would be impossible to give a detailed account of all the proposals for the furtherance of economic and social progress made

¹ Cf. *I.L.O. Year-Book 1937-38*, p. 21.

at employers' meetings during the year under review. Special mention should however be made of the 40th annual congress of the *Association of Chambers of Commerce of South Africa*, held from 7 to 10 November 1938 at Bloemfontein, and of the 21st convention of the *South African Federated Chamber of Industries*, held from 10 to 12 October 1938 at Durban. These meetings asked for detailed examination of the question of Native labour and for improvement in Native wages, housing and health.

A particularly important resolution was adopted by the national congress of commerce and industry convened at Buenos Aires on 11 and 12 November 1938 by the *Argentine Federation of Associations for the Protection of Commerce and Industry*. It asked for the institution of economic councils, with proportional representation of working capital, production, labour and the liberal professions. These councils would be permanently responsible for advising the public authorities in the direction and co-ordination of the economic life of the nation.

Private International Organisations

The Executive Committee of the *International Association for Social Progress* met at Geneva on 17 June 1938, with Mr. Justin Godart in the chair. As a result of this meeting the Officers of the Association decided that the General Assembly should meet at Liège on 2 and 3 June 1939. It placed on the agenda of this meeting the questions of vocational guidance, education, improvement and retraining and of the nutrition of the people.

The Thirty-fourth Conference of the *Inter-Parliamentary Union* which was held at The Hague from 22 to 27 August 1938 placed the following questions on the agenda of its committees on economic and social questions and intellectual relations: social insurance in relation to economic policy in general and commercial policy in particular; technical education and apprenticeship; unemployment among intellectual workers; protection of the interests of agricultural workers; labour arbitration and collective agreements; and workers' spare time.

At its Twenty-second plenary Congress, held at Copenhagen from 4 to 9 July 1938, the *International Federation of League of Nations Societies* adopted, among others, a resolution concerning the International Labour Organisation. The resolution particularly draws the attention of national societies to the question of ratification of Conventions and suggests that societies' committees on social questions should consider the regulation of migration, the organisation of public works, and vocational training and apprenticeship, etc. It also asked the Standing Committee and the Secretariat of the Federation to assist national societies in this sort of work, in particular by sending them summaries of important I.L.O. documents.

The *International Peace Campaign* convened at Geneva on 5 and 6 February 1938 a world peasants' conference for peace, which paid special attention to the position of agriculture and the activities in that respect of the International Labour Office. After this conference the Secretariat of the I.P.C. completed its documentation by a special report. The I.P.C. also concerned itself with various general economic and social questions considered in their relation to the international political situation.

The second Congress of the *World Youth Movement*, held in New York from 18 to 25 August 1938, adopted a number of general resolutions setting forth the claims of the younger generation in the social field. Some of the resolutions concern the International Labour Organisation: campaign against unemployment of young persons, vocational training, arrangement of hours of work, wages, hygiene, etc.

The 27th annual Conference of the *International Students Service*, which met at Les Avants (Switzerland) from 28 July to 4 August 1938, examined the position of the student in relation to social questions.

The *Save the Children International Union* convened at Belgrade from 2 to 7 October 1938 the second Balkan Congress for the Protection of Children, the agenda of which included the protection of children in the countryside.

The Executive Committee of the *International Temperance Union* met in Berlin from 22 to 24 August 1938. It dealt, among other matters, with the questions of accidents, spare time and alcoholism in African colonies. The next international congress, in July 1939, at Helsinki, is to include discussion of various social problems.

The Churches

THE CATHOLIC CHURCH

The protection of "human personality" against the ideologies which sacrifice it to the State and the condemnation of exaggerated nationalism have been of special concern to the hierarchy.

On 15 July 1938 the Pope denounced exaggerated nationalism as "erroneous and dangerous; it raises barriers between peoples and is contrary to the law of God and to the Creed that we repeat in *all* the cathedrals of the world". On 21 July 1938 the Holy Father stated that catholic meant universal, and not racist, nationalist or separatist; on 28 July he said that "the human race forms one big family. In this universal race there is room for special races and for nationalities, but human dignity arises from the fact that we form one big family, the human race".

The Sacred Congregation of Seminaries condemned, among other errors, the theory that "man exists only by and for the State and that his rights are entirely derived by concession from the State".

The Assembly of Cardinals and Archbishops of France stated that it was "concerned by the evil influence of reckless theories which under the revived tyranny of paganism are crushing truth, justice, freedom and the dignity of human personality".

Cardinal van Roey, Archbishop of Malines, declared that it was erroneous that "the individual was of only relative value and essentially subordinate to the race, which is the only absolute value".

Such theories, said Cardinal Verdier, Archbishop of Paris, are destructive of Law and impose on humanity "the law of the jungle, under which only the strongest have the right to live".

Cardinal Schuster, Archbishop of Milan, rebuked the theory that "man and the family exist, not for themselves, but for the race, the needs and value of which create ethical and social justice".

Cardinal Cerejeira, Patriarch of Lisbon, recalled the fact that Catholic Action is by nature strictly religious and excludes any "ecclesiastical control of the State and any State control of the Church". When totalitarianism endeavoured to absorb the whole of man's activities and to impose an all-inclusive conception of life, it left room neither for Catholic Action nor for human individual freedom.

The same desire to protect human dignity, but from the point of view of some of its practical applications, emerges from statements made by a number of bishops, the chief of which are the following.

Cardinal Verdier, Archbishop of Paris, adopted a definitely favourable attitude to the provision of pensions for aged workers. Mgr. MacNicholas, Archbishop of Cincinnati, demanded for the working classes really humane conditions of work, an increase in wages and security in sickness and old age. In Australia Mgr. Kelly, Archbishop of Sydney, declared his attitude in the mining dispute and urged that the workers' claims should be granted. Mgr. Laffitte, Archbishop of Cordoba, in Argentina, pointed out that an effective guarantee of social peace was the observation of justice, the humane treatment of the workers and especially the payment of really fair wages.

The Holy Father had recommended the Catholic University of Washington to draw up a constructive programme for social action suited to local needs and likely to enlist the support of all men of good will. The American episcopate saw in this recommendation an encouragement of its traditional attitude of fidelity to the free institutions of the country; it recommended that the people should be instructed in the true nature of Christian democracy.

In Ireland Mgr. Dignan, Bishop of Clonfert, urged the right of every man to work and the payment of fair compensation in case of unemployment.

The same concern for the defence of human personality formed the background of the programmes of nearly all the Social Weeks

held during the year. In *France* the subject of the Rouen Week was "Freedom in Social Life"; to escape the insidious power of mass mentality, it recommended that intermediary public and private bodies should stand between the individual and the State, to act as the guardians of freedom and to ensure its enjoyment through self-imposed discipline. The Mulhouse Week was devoted to the position of the Church in the present state of economic and social evolution. In *Belgium* the French-speaking and Flemish-speaking Weeks at Louvain studied totalitarianism, planned economy, credit reform and the present position of the workers' movement. In *Great Britain* the Catholic Summer School at Oxford defined the various conceptions of the State according to totalitarian, liberal and Christian doctrine; it continued to uphold the principles of the League of Nations and considered the International Labour Organisation the best guarantee of social progress. In *Ireland* the Dublin Week examined the methods by which the classes could collaborate and occupational organisation be set on foot. In *Yugoslavia* the Zagreb Week reviewed the social programmes of the various contemporary movements: capitalism, marxism, fascism and national-socialism. At Hanoi, in *Indo-China*, the Circle for Catholic Studies, at Days organised on the model of the French Social Weeks, studied the relations between capital and labour. At Bogota the second Social Week in *Colombia* decided to undertake a great campaign to spread Christian social doctrine in all quarters. In *Ecuador* the first Workers' Congress at Quito discussed questions of trade unionism, agrarian reform and social insurance and demanded the generalisation of holidays with pay. The Cordoba Social Week in *Argentina* continued the studies begun at Buenos Aires the year before on the Encyclical "Divini Redemptoris". The sixth session of Social Weeks in *Canada*, at Sherbrooke, discussed one by one the constituent elements of a "Christian society" and gave prolonged attention to the practical questions of collective agreements, the closed shop, social insurance, workers' spare time and corporative organisation. Special mention should finally be made of a congress held at Milwaukee, Wisconsin, in the *United States*, from 1 to 4 May 1938, which was attended by 25 bishops, 750 priests and 10,000 laymen. It may be said to have been the most important demonstration of social catholicism in the United States during the past year. The central theme was "What is necessary to establish a Christian Social Order". After recalling the general principles of Christian teaching on labour, wealth and occupational organisation, the Congress approached the problems peculiar to each calling: automobiles, railways, steel, printing, insurance, coal mining, textiles, building, agriculture, medicine, etc. Special sittings were devoted to the housing question and the question of negroes in industry. The conclusions adopted urged that the national income should be more fairly distributed, by lessening the share of capital and increasing the share of labour, which should be guaranteed a minimum annual wage of 1,500 dollars.

Weeks specially for the clergy have greatly developed, particularly in the *United States, Great Britain, France, Poland and Hungary*, as have also vacation courses for students; in the United States they were attended by 40,000 persons. In Great Britain the Oxford Catholic Social Guild directs over 400 study circles.

One of the most important meetings held during the year was the *International Catholic Congress for Peace* at The Hague, which analysed the political and economic causes of the present unrest, condemned exaggerated nationalism and autarkic tendencies and upheld the international organisation of States in accordance with the principles of Benedict XV. Its conclusions urged Catholics to value at its true worth the endeavour which the present League of Nations represents and to support it and the International Labour Organisation in every field in which these institutions are working for the greater good of the human family. In the *United States* the *Catholic Association for International Peace* and the *Conference of Student Peace Federations* met at Washington and declared that "economic justice" was the best guarantee of peace.

The *International Conference of Catholic Employers* at Antwerp took as the subject for its annual meeting "Respect for private initiative in the organisation of social insurance and the place of social insurance in occupational organisation". The Committee of the Conference had adopted at Rotterdam two resolutions, one requesting the continuation of the campaign for the ratification of the international Conventions on accidents and social insurance, and the other urging employers to develop social services in their undertakings.

The *Apostolatus Maris Internationale Concilium* devoted its congress at Glasgow to the development of Catholic action among seamen, to social works, seamen's clubs and works to assist women employed on board ship.

The Study Week of the *Maritime Secretariat of St. Malo* was based on the conception of the "common welfare" and examined the means of realising it in the fishing industry and allied undertakings, in the mercantile marine and in maritime transport.

In *Ireland* the *Muintir na Tire* movement studied the depopulation of the countryside and decided to create in every village an agricultural workers' guild.

Various activities were evidence of the vitality of youth organisations: the "Pax Romana" Congress at Ljubljana, the *Catholic Association of Belgian Youth* at Liège, the *Women's Christian Agricultural Youth Association* at Lourdes and the *French Federation of Catholic Students* at Toulouse.

The "Jociste" Movement (Christian young workers) continued to progress: in *Colombia*, where it has 97 men's and 30 women's sections, it held at Bogota its first national congress, which was attended by 10,000 members. From Colombia the movement has spread to *Venezuela* and *Ecuador* and it has taken firm root in *Peru*. In *Brazil* there are now more than 73 sections. A beginning has been made in *Argentina*. The *British "Jocistes"* held their

national congress in London. In *Hungary* there are now 35 affiliated sections. In *Switzerland* "Jociste" activity has been directed towards the wages question; in *Belgium* and *France* (in each of which country the membership exceeds 200,000) towards moral conditions of employment, spare time, apprenticeship and vocational guidance.

ANGLICAN, ORTHODOX, PROTESTANT AND OLD CATHOLIC CHURCHES

After the restatement of principles which was the work of the Universal Conference at Oxford in August 1937¹, the "Life and Work" Movement, which unites these Churches, was occupied in 1938 by preparation for the *World Council of Churches*.

The proposal to set up this Council is the natural outcome of the two movements "Life and Work" and "Faith and Order"; after a period of preliminary study, the constitution of a single body to represent the Churches and to concern itself with the interests of these two great movements was approved at the 1937 World Conferences, at Oxford and Edinburgh. The proposal to set up the new Council was accepted at a special meeting convened at Utrecht from 9 to 13 May 1938.

The World Council of Churches now in formation will include all the Churches which accept its doctrinal basis. Its duties will be: (1) to carry on the work of the two world movements "Faith and Order" and "Life and Work"; (2) to facilitate common action by the Churches; (3) to promote co-operation in study; (4) to promote the growth of œcumenical consciousness in the members of all the Churches; (5) to establish relations with denominational federations of a worldwide scope and with other œcumenical movements; (6) to call world conferences on specific subjects as occasion may require, such conferences being empowered to publish their own findings.

The component parts of the World Council are: (1) a general Assembly which will meet every five years and will consist at most of 450 members; (2) a Central Committee of 90 members at most appointed by the Churches or by groups of Churches.

The Assembly is specially to ensure, by means of suitable committees, the continuance of the work of the "Life and Work" and "Faith and Order" movements. At a meeting of the Provisional Committee of the World Council, held at St. Germain-en-Laye (France) from 28 to 30 January 1939, the Committee appointed Dean Henri P. Van Dusen Chairman of the Research Commission for the "Life and Work" movement. The principal subject for the work of this Committee will be: "The existence and presence

¹ Cf. *I.L.O. Year-Book 1937-38*, pp. 31 *et seq.*

of the Church in the world". The Provisional Committee also decided to create in 1940 a review entitled "Koinonia".

The Secretariat-General of the World Council of Churches is entrusted to Dr. W.-A. Visser't Hooft, the Rev. William Paton and Dr. Henry Smith Leiper.

In relation with the World Council and in collaboration with several international Christian organisations, especially the World Alliance for International Friendship through the Churches, the *International Christian Press and Information Service* has given continuous attention to social questions. In addition to extracts from the annual Report of the Director of the International Labour Office, an analysis of the *Year-Book* and communiqués on migration for colonisation and the application of Conventions, it has published in particular an important article by Professor Adolph Keller on "Social Christianity and the International Labour Office".

In the national field the Churches have continued, as circumstances have led them, to show their interest in labour problems. This interest has been especially marked in the English-speaking countries. In the United States the celebration of the thirtieth anniversary of the foundation of the Federal Council of the Churches of Christ in America gave evidence of the great attention paid by that body to social activities. On the basis of a programme which contains all the elements of a legal code for the protection of workers, a considerable amount of practical work was accomplished during the period. The objective enquiries made by the Church and Social Service Department and by the Department of Research and Education of this Council have often greatly influenced public opinion and led to definite reforms. In 1938, attention was specially directed to the co-operative movement and to conciliation in industrial disputes. The "Labor Sunday Message" once more laid stress on freedom of association and the respective responsibilities of employers' and workers' organisations. In Great Britain the Christian Social Council continued the task of providing information in general and making known the results of the Oxford Conference, at the same time urging special and definite reforms, as is shown by its recommendations on the fight against unemployment. In addition, a conference of delegates of the Christian Churches of England and Scotland, convened at Lambeth Palace at the beginning of December 1938, laid down the main lines for a Christian policy to solve the contemporary problems which the nations are facing. It stated in particular that the standard of living must be raised and the masses freed from the burden of the present insecurity, which causes anxiety and discontent, by meeting the general desire for greater ease and by satisfying the demands of mankind, which desired nothing better than to be able to work. Finally, the National Council of Evangelical Free Churches, which met at Bradford on 9 March 1939, also asked for vigorous action to remedy unemployment and to improve the conditions of the urban and rural population.

INTERNATIONAL CHRISTIAN ORGANISATIONS

In order to adjust its methods and programme the *International Missionary Council*, in continuation of the Conference convened ten years ago at Jerusalem, held a meeting at Madras (India) from 12 to 29 December 1938, in which 471 persons, coming from 69 countries, took part. "The Church and the changing social and economic order" was among the subjects considered. In its conclusions on this point the Madras Conference noted the obstacles which the present system constantly opposes to the realisation of social justice and the responsibilities of Christians and of the Churches in this regard. It especially emphasised the importance of social changes and their influence on the individual. It declared the need of ensuring greater respect for human personality and of abolishing discriminations of race, birth, colour, class or culture. In this connection, it repudiated, from the Christian standpoint, an economic system which disregards the personality of the worker and, for the profit of the few, condemns the many to soul-destroying work or corrupting idleness. It also urged a just distribution of economic goods among the nations and within each nation. The Conference also alluded to the trade union movement and claimed that labour should be given the same opportunity for organisation and collective bargaining as is given to employers. As regards the Church itself, it must not only help the victims of the social order, but build an order of brotherhood based on co-operation and justice. The Conference pointed out in this connection that it is a common mistake not to think enough, behind economic problems, of the situation of individual men. It affirmed that in dealing in these activities Christians were not crossing the barrier of their rightful domain but were creating the only circumstances in which the whole man can be built up.

The *World's Young Women's Christian Association*, at meetings held in Geneva and Muskoka (Canada) re-defined its responsibilities and its methods of action socially and internationally. It emphasised its interest in the efforts of organised and unorganised workers to obtain a share in the management and profits of industry and agriculture. It asked its national associations in this connection to make increased and more positive endeavours to understand these efforts and to collaborate with them. The World's Y.W.C.A. Industrial Department has continued to make known the work of the International Labour Office, to emphasise the necessity of the ratification of labour Conventions and to give the Office the benefit of some of its own enquiries.

At its plenary session at Stockholm in May 1938 the Committee of the *World's Alliance of Y.M.C.A.s* considered migration, among other questions.

The *World's Student Christian Federation*, at a meeting at Bièvres (France) in August 1938, decided to undertake a three-year programme of study of social questions.

CHAPTER III

ECONOMIC DEVELOPMENTS

Economic tendencies in 1938 were governed in the main by four principal factors: political uncertainty; deliberate attempts on the part of Governments to check and reverse economic depression; development by the State of investment activities, largely with a view to national self-sufficiency and defence; and the further evolution of the two conflicting methods of carrying on international trade. Some of these factors were favourable to social progress. In particular, they tended to some extent to improve employment. But on the whole the events of the year were inimical both to economic development and to social advance. The economic system in almost every country is being distorted by armament production and self-sufficiency programmes. Schemes for social improvement have been postponed or actually abandoned in view of the overriding necessity of national defence. The menace of war makes all calculation for the future extremely uncertain, with the result that business confidence and social progress are alike impaired.

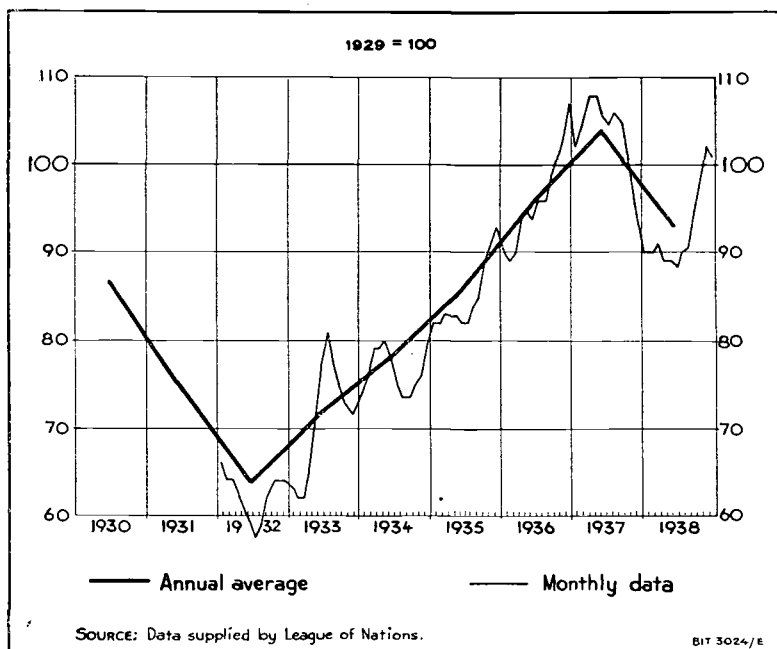
Production, Prices, Employment and Trade

The accompanying diagram of world industrial production gives a general impression of the total development over recent years. Largely owing to the deliberate measures taken in the United States, the precipitate recession of the latter half of 1937 was checked in the middle of 1938 and an upward movement initiated. For the first time in economic history what might have been a severe and long-continued depression was warded off by calculated action on the part of Governments. On the other hand, full recovery has not been attained. This is due in large part to political unsettlement adversely affecting business confidence; but it is probable that a more profound influence is also at work. It is becoming increasingly dubious how far an adequate and reasonably steady volume of investment can be maintained by the traditional methods of private enterprise. The State has shown its ability to prevent a recession from degenerating into a more severe depression. What has yet to be shown is how business men, working under present-day

conditions, can co-operate with governments to consolidate this success.

The curves of industrial production for a number of the more important industrial countries (Figs. II and III) hint at the various economic policies followed. In the United States the recession of the latter half of 1937 was reversed by a process of deliberate reflation. Milder measures were at first essayed, making money

FIG. I. — WORLD INDUSTRIAL PRODUCTION ¹

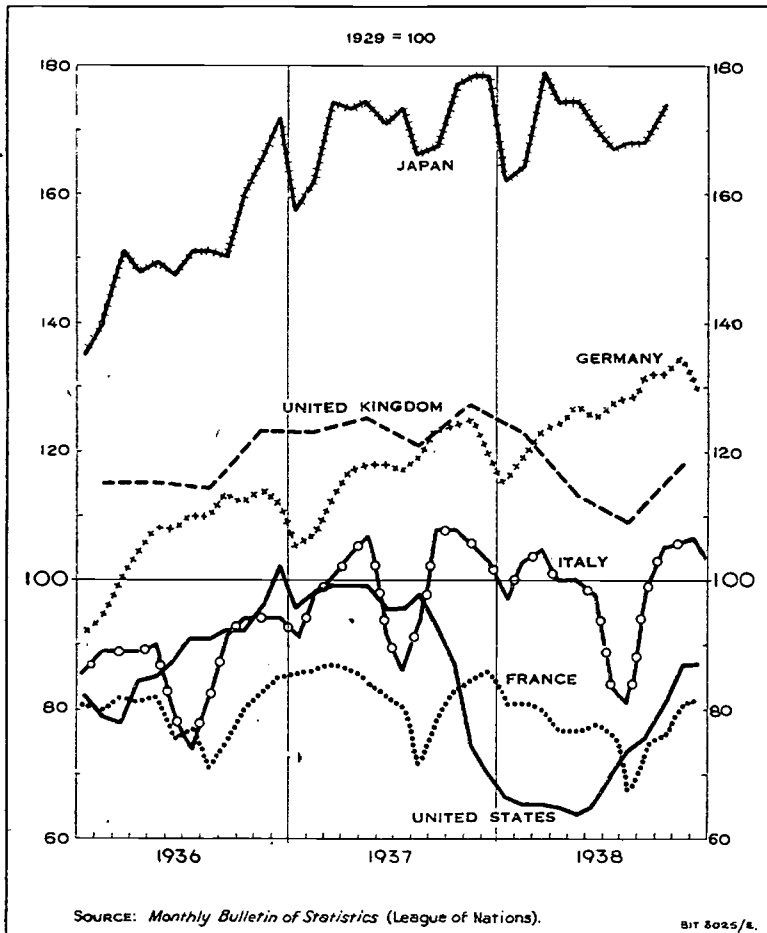


¹ Excluding U.S.S.R.

cheap, plentiful and easily available to industry. When these attempts failed to have sufficient effect, large-scale schemes of relief and of public works were put on foot, financed by means of loans. The deficit deliberately incurred in the Federal budget for the year 1938-1939 amounted to approximately \$4,000 millions. This at once had the necessary effect upon business psychology, and the index of industrial production turned upwards well before the actual influence of the increased expenditure was felt. In the United Kingdom, the decline in business activity was less marked than in the United States but gave evidence of being more deep-seated. The measures eventually taken against it were fundamentally similar to those adopted in the United States, though widely

different in appearance. The reflationary influence was here obtained by financing the enlarged armaments programme of 1939-1940 principally by means of loans. Whereas in the preceding year £274 million was raised from revenue and £132 million by loan, the

FIG. II. — INDICES OF INDUSTRIAL PRODUCTION ¹

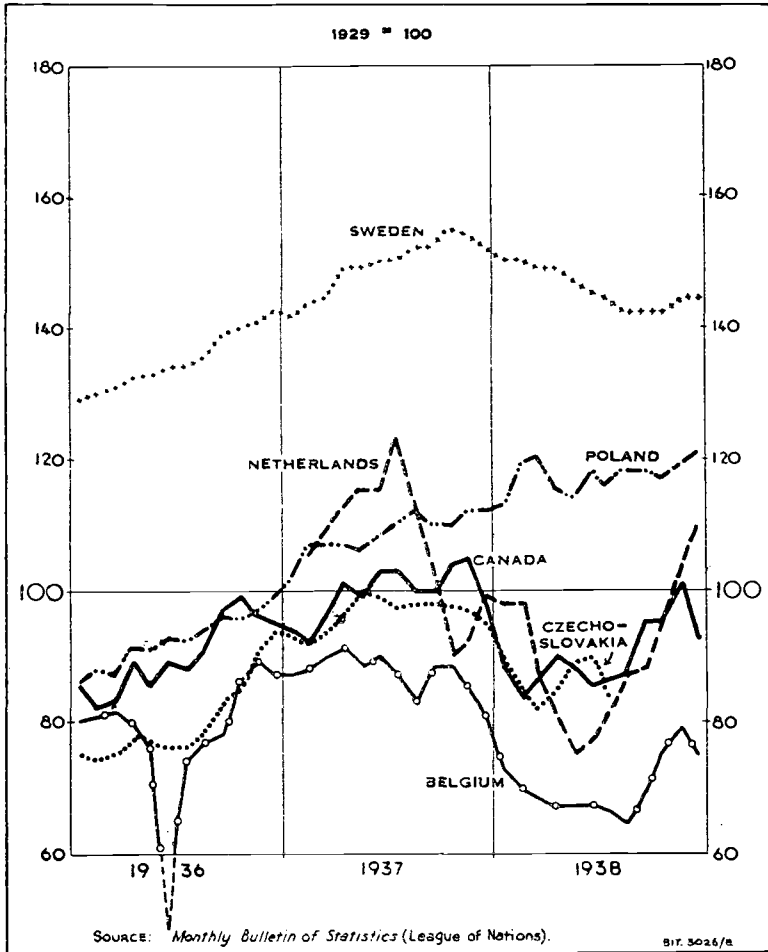


¹ France: partly adjusted for seasonal variations.
Germany: since middle of March 1938 including Austria.

new armament estimates in round figures were for £250 million coming from revenue and £380 million from loans. In Germany the high level of business activity maintained is attributable in the main to extraordinary Government investment, principally in armaments and the self-sufficiency programme. It is estimated that over 50 per cent. of the total national income is now appro-

riated in one way or another by the State. This enormous expenditure has been made possible by measures amounting in effect to a large-scale issue of new money, together with a rigid control of prices, wages and to some extent profits. In this way a great

FIG. III. — INDICES OF INDUSTRIAL PRODUCTION ¹

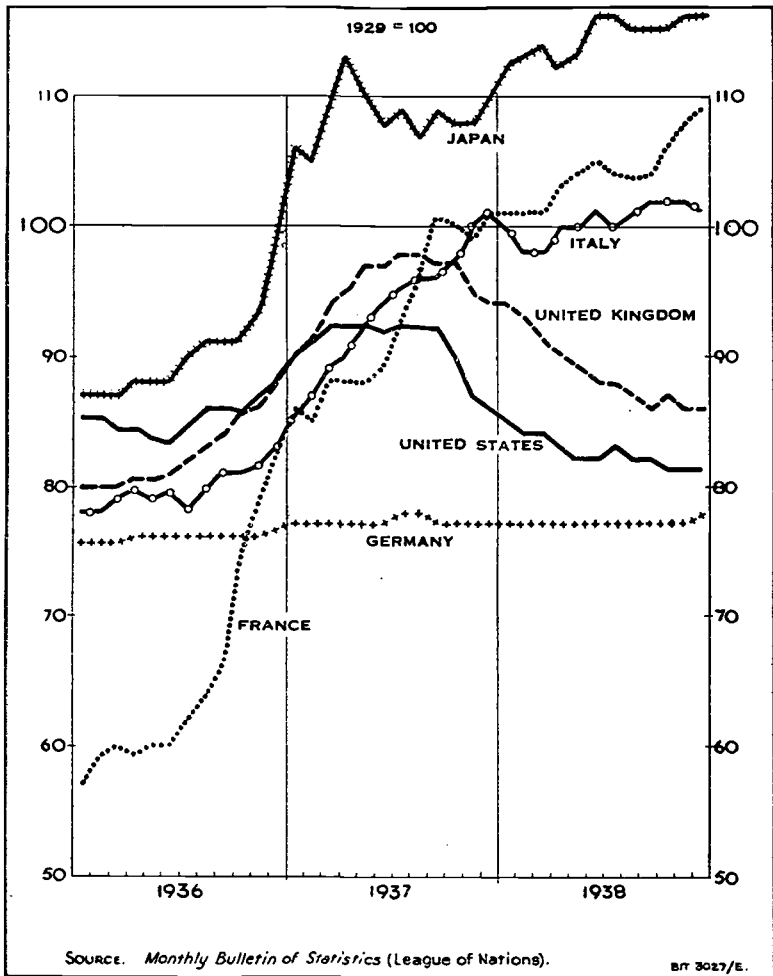


¹ Canada, Poland: adjusted for seasonal variations.
Netherlands: Monthly data for 1936 not available.

increase of purchasing power has been pumped into the German economic system, the whole of which has gone to promote increased production, since prices and wages are not permitted to rise. France, which had never entirely emerged from the world depression beginning in 1929, adopted in the latter part of 1938 a recovery programme, the principal aim of which is to make production

increasingly remunerative and to bring order, balance and economy into the national finances. The measures taken have been followed by a considerable repatriation of capital and a continuing rise in the index of industrial production. Japan is working on a war

FIG. IV. — INDICES OF WHOLESALE PRICES ¹

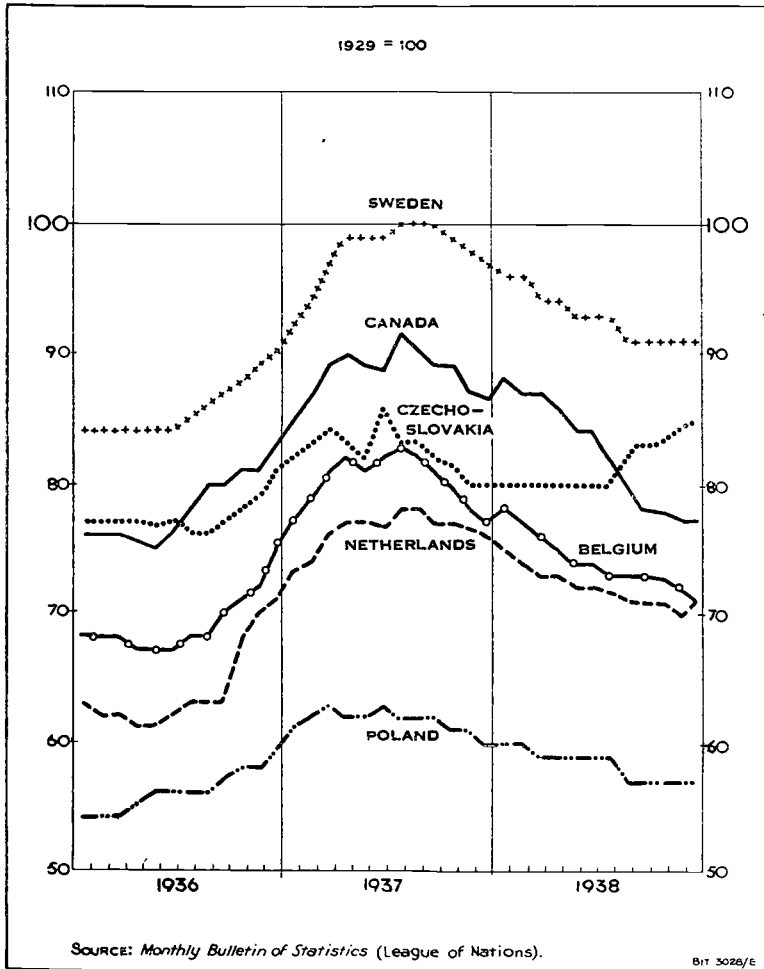


¹ Japan: Tokio.

economy, in which something in the neighbourhood of 30-40 per cent. of its total national income is being devoted to war purposes. As indicated by the diagram, there was a marked flattening-out of the production curve during 1938. In the output of consumers'

goods a marked tendency to decline has been registered. Against this, the machine industry has doubled the numbers employed in it, while iron and steel production, figures for which are no longer available, has increased enormously. In Italy, industrial output has remained more or less unchanged in volume, being

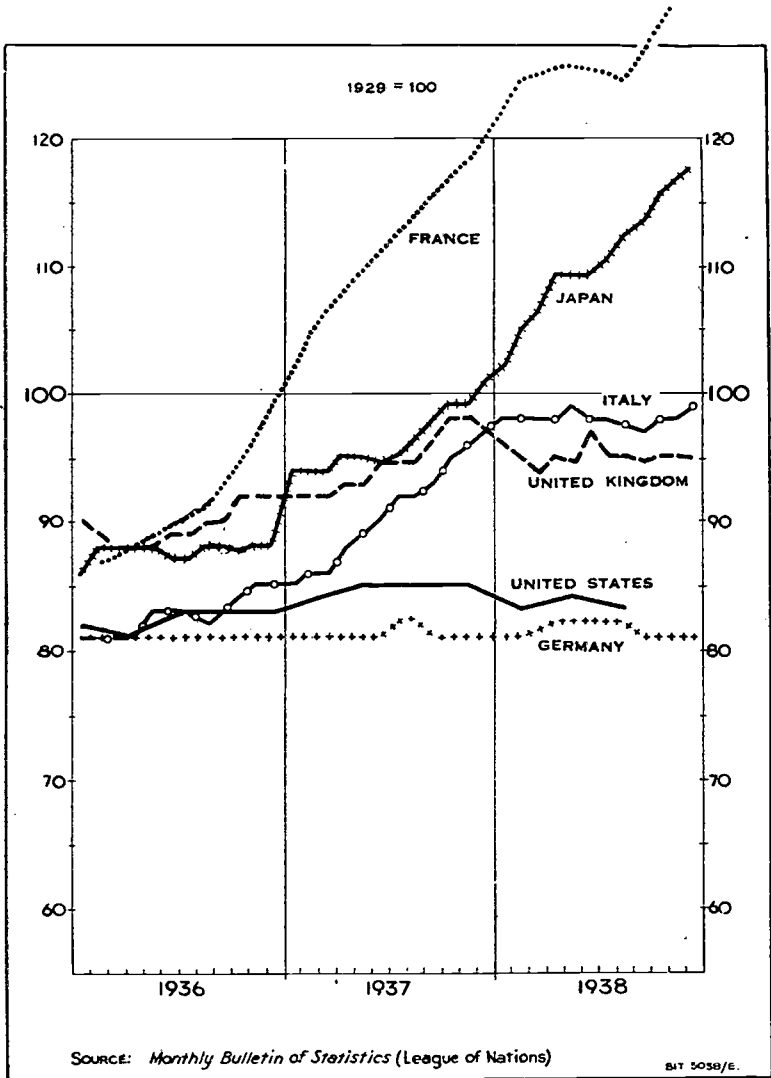
FIG. V. — INDICES OF WHOLESALE PRICES



largely maintained by Government orders for munitions and other war material, together with the special activity attendant upon the autarky programme. Taxation has become increasingly heavy, recourse being had to a series of capital levies.

The majority of the countries shown in Fig. III reflect the decline in business activity which took place in the United States during the latter half of 1937 and the subsequent recovery in the

FIG. VI. — INDICES OF COST OF LIVING ¹

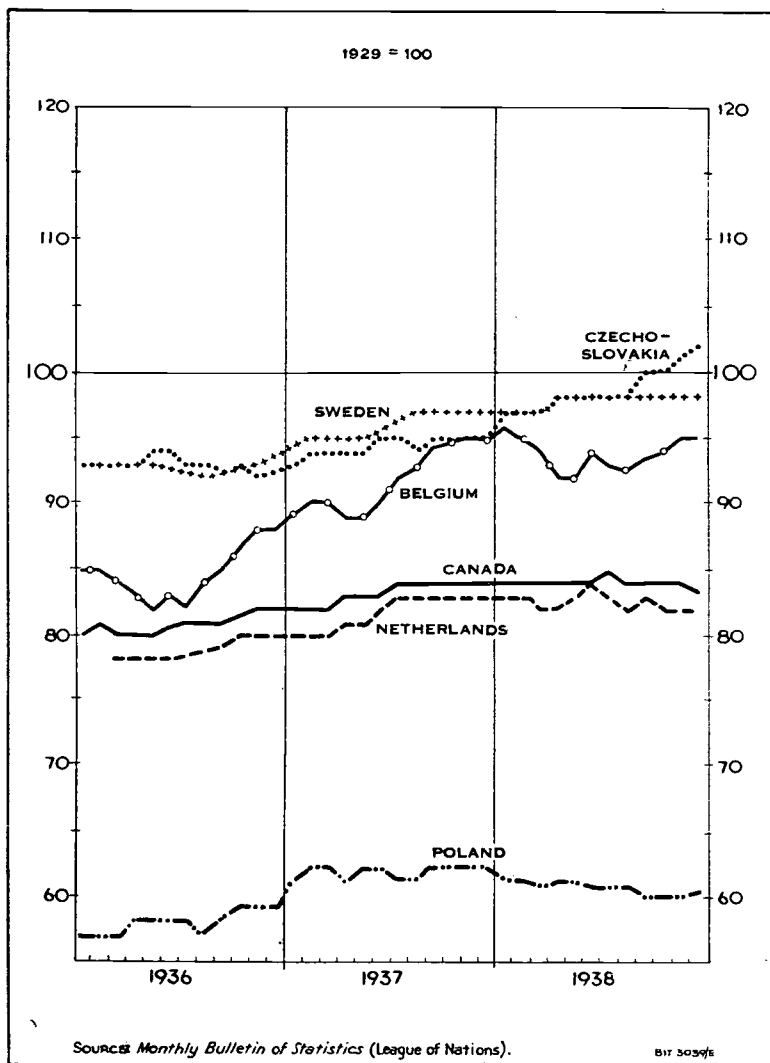


¹ France: Paris.
Japan: Tokyo.

autumn of 1938. The outstanding exception is Poland, which was barely touched by the recession. This country, after a severe and long-continued period of deflation, has of recent years been

following a reflationary programme. The marked increase in industrial activity is very largely the outcome of State investment, pursuing the dual objective of adding to industrial equipment and strengthening the national defence.

FIG. VII. — INDICES OF COST OF LIVING ¹



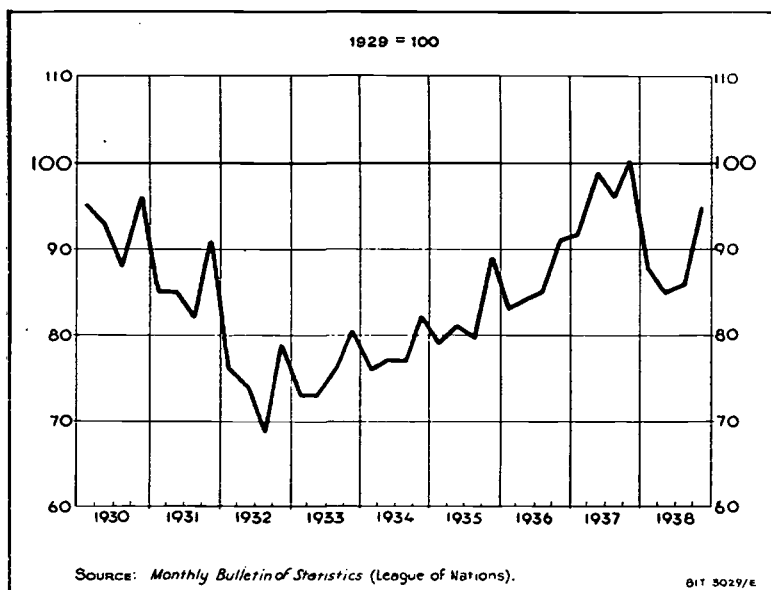
¹ Czecho-Slovakia: Prague.
Netherlands: Amsterdam.
Poland: Warsaw.

The indexes of wholesale prices shown in Figs. IV and V are indicative in the main of the recession of 1937-1938; but whereas the indexes of production showed a marked upward tendency in

the latter part of 1938, the wholesale price movement in most countries has merely flattened out. This, however, is in no way abnormal, the usual order of recovery being first of all in the volume of production and only later in price levels. Of the four countries shown as following a price trend different from that of the majority, the German index simply reflects the Government policy of price control; the rapid rises in Japan and Italy are the consequences of a war economy more or less tempered by restrictive policies; while the persistent rise in prices in France is attributed in the main to increases in wage rates and successive devaluations of the franc.

The indexes of the cost of living (Figs. VI and VII) bear certain similarities to the movements of prices at wholesale, but with the usual smaller amplitude of fluctuation. With the exceptions already noted—Japan, Italy and France—the cost of living has remained relatively steady in the great majority of countries over the last two years.

FIG. VIII. — VOLUME OF WORLD TRADE

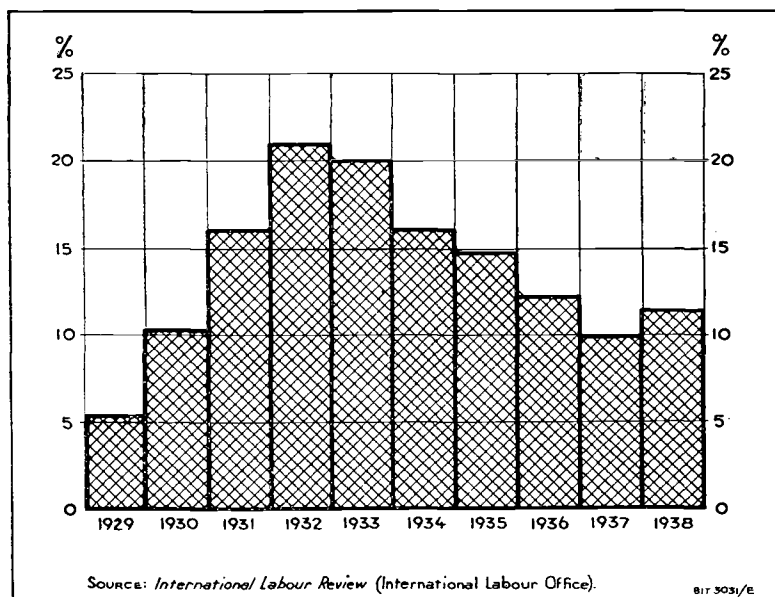


The indexes of the volume of international trade (Fig. VIII) and of world unemployment (Fig. IX) correspond fairly closely to the movements of industrial production and prices. It is to be noted that although there has been some recovery in the volume of world trade since the middle of 1938, the same is not true of the value of the goods exchanged. Prices have remained depressed. This has had a damping effect upon a number of countries, particularly those whose principal source of income is the production of raw materials.

The course of world unemployment, while showing a vast improvement on the years of deepest depression, is nevertheless disturbing. Quite apart from the increase in unemployment resulting from the recession of 1937-1938, there is the highly unsatisfactory situation that even in periods of relatively high industrial activity the unemployment index is not brought below the 10 per cent. mark. This high level of "residual" unemployment is a standing menace, economically, politically and socially.

The indexes of imports and exports of the six principal trading countries shown in Fig. X do not call for any detailed comment. The rapid falling off of imports into the United States and the resultant large export surplus put an enormous strain upon a large number of other countries. The low level of imports, which

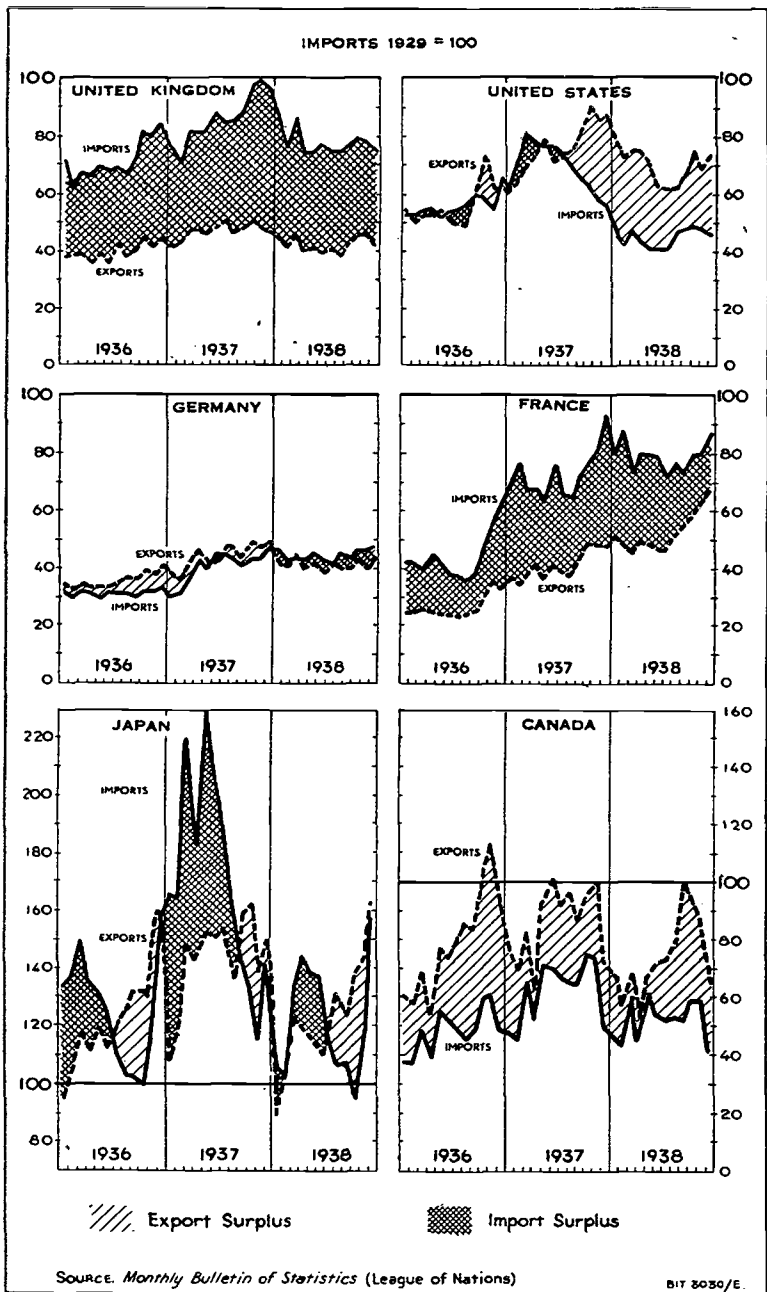
FIG. IX. — WORLD UNEMPLOYMENT PERCENTAGE ¹



¹ Fifteen countries: Australia, Austria, Belgium, Canada, Czecho-Slovakia, Denmark, Germany, Great Britain and Northern Ireland, Japan, New Zealand, Norway, Poland, Sweden, Switzerland, United States.

continued throughout 1938, although industrial production picked up, is partly due to the lower prices ruling, particularly for raw materials, and partly to the fact that business undertakings in the United States had large stocks to work off. In France the apparent increase in exports is principally a reflection of the diminished value of the franc. During 1938 the exchange rate fell from rather more than 50 per cent. of the 1929 gold value

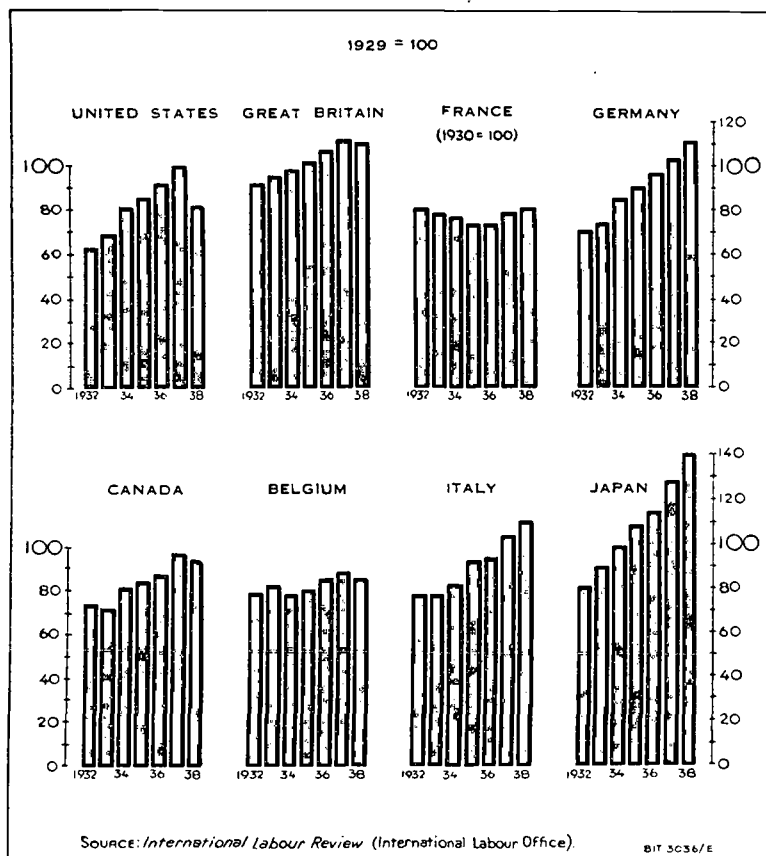
FIG. X. — INDICES OF INTERNATIONAL TRADE
(Value in national currency)



of the franc to rather less than 40 per cent. In Japan there has been a marked decline in exports and an enforced reduction in imports, thereby avoiding a repetition of the enormous import surplus of 1937.

The volume of employment in the different countries (Figs. XI and XII) reflects two main movements: the general state of depression or activity of the country in question, and the long-term trend. Of the 16 indexes shown, France, Belgium, the Netherlands and Switzerland are instances of countries where employment has never

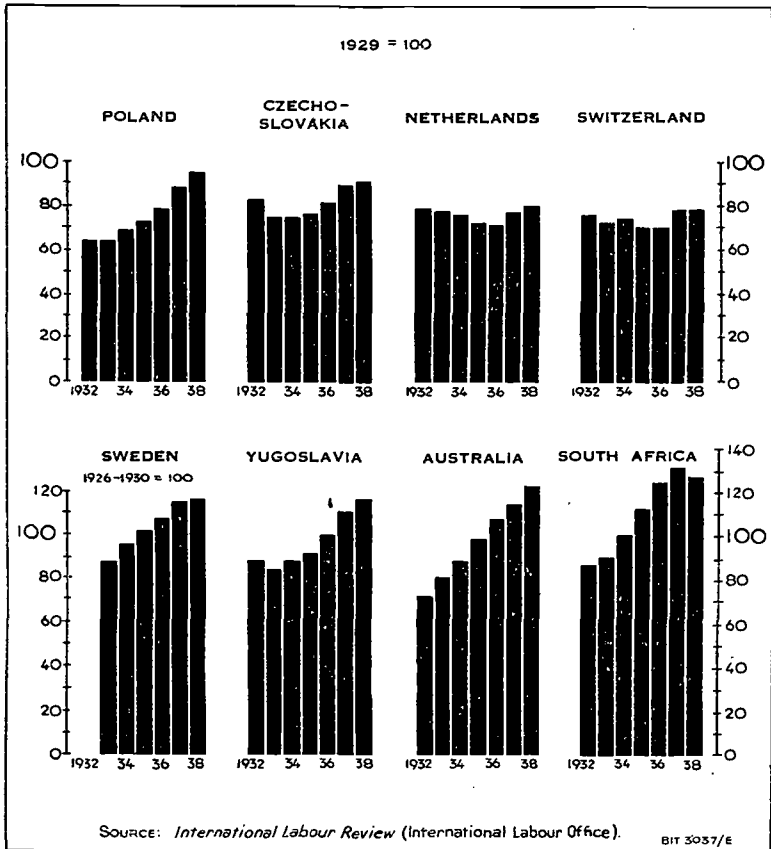
FIG. XI. — INDICES OF EMPLOYMENT



fully recovered from the great decline of 1929-1932. At the other end of the scale, in countries such as Japan, Yugoslavia, Australia and South Africa, the percentage employed is increasing largely by reason of progressive industrialisation. These countries show gains carrying the index from 20 to 40 per cent. in advance of 1929.

Between these two extremes, the majority of countries fall for the most part within a zone 15 per cent. above and 15 per cent. below the pre-depression level.

FIG. XII. — INDICES OF EMPLOYMENT



Economic Planning

As the above brief account makes evident, there is at present no common pattern of economic development in the various countries. The one broad generalisation that might be made is that economic planning is almost everywhere on the increase.

Economic planning is a term of many meanings. In its widest sense it implies concerted economic action, normally under the aegis of the State, to attain a certain end; as distinct from permitting the profit motive and the operation of the market to work out freely within the established framework of a country. The methods used and, still more, the objects aimed at, vary greatly. Among the principal motives for State intervention during the past year, four are outstanding: more efficient organisation of the economic system; special assistance to certain sections of the community; improvement of the national economic equipment; and preparation for war. These different objectives are much intermingled and seldom if ever clear-cut.

The U.S.S.R. continues to provide the only example of complete economic planning. Its total industrial production in 1938 (valued in prices of 1926-1927) was 100,375 million roubles, compared with 90,166 millions in 1937. The third Five-Year Plan, details of which were published in the spring of 1939, lays down an average rate of increase in industrial production of 14 per cent. per annum, made up of 15.7 per cent. increase in production goods and 11.5 per cent. increase in consumption goods. It is noteworthy that of the total investment in industry of 111.9 milliards of roubles over the whole period 1938-1942, 93.9 milliards are to go into production goods industries and 18 milliards into consumption goods industries.

Although no country has followed the U.S.S.R. in the total planning of its economic development, a large number have put on foot or are carrying through industrial plans of one sort or another. The Four-Year Plan in Germany has national self-sufficiency and military strength as its principal motive. The three-year Reynaud plan in France is designed primarily to make production remunerative. In Poland the 15-year programme recently announced has the economic and social development of the country as its principal object. Brazil, Bulgaria, Hungary, Norway, Turkey and Venezuela are among other countries which during the year have announced special long period programmes, usually of 3-5 years duration. In most of these cases State-aided industrialisation and public works are the outstanding features.

Another form of planning to which reference has already been made is that aiming primarily at preventing, or at least attenuating, economic depression. The essence of this is to plan public expenditure, public works and monetary policy so as to increase the volume of effective demand at times when it is most needed to support business activity. The United States, Sweden, Finland and, to some extent, Denmark and Switzerland are among the countries which have been active in this direction during the year. In Argentina the National Public Works Council for the co-ordination, planning, financing and execution of public works has been created with this end in view. The Australian States of Queensland and Victoria have also made provisions along similar lines. In New Zealand the policy has been followed of continuing public works

even during a period of relative prosperity, the view taken being that so long as unemployment exists work should be found.

Economic planning in agriculture has again come prominently to the fore, owing to the exceptionally large yields of 1938. The wheat crop was a record for most countries and a large number of other field crops have also been far above the average. This, instead of bringing with it increased prosperity for the farmer, has led in the main to so drastic a fall in prices that total farm income in many countries has been decreased. Agricultural planning is still in its formative stage but it is already regarded in most countries as essential to the maintenance of the standard of living of the farmer. In the United States the new Agricultural Adjustment Act of February 1938 provided, among other things, for annual schemes of production of wheat, corn, rice, tobacco and cotton, whenever at least two-thirds of the farmers concerned voted in favour of such a measure; and created possibilities of systematic storage of crop surpluses. In Argentina also legislation was adopted in 1938 designed as far as possible to organise the marketing of agricultural products.

The essential object of most schemes of agricultural planning is to control the quantities offered for sale, either by actual restriction of the amount produced, or by holding commodities off the market until satisfactory prices can be obtained. An alternative method is to increase consumption. Much attention has recently been given, particularly in the United States, to what is sometimes called the "two-price" system, by which surplus agricultural products are sold at especially low prices to sections of the community which would otherwise not be in a position to buy them.

The planning of international trade is at present proceeding along two totally different lines, typified by the policies of the United States and of the German Government respectively. In the United States the policy consistently followed by Secretary Hull has been in the direction of freer trade, with markets made available as far as possible to all countries willing to co-operate. The conclusion of the Trade Agreement between the United States and Great Britain in November 1938 is of outstanding importance, not only by reason of the quantity of trade covered, but also because of its symbolic value, annulling as it does to some extent the more restrictive agreements concluded in Ottawa. The policy followed by the German Government has as its outstanding features the extension of political and economic control over countries, as evidenced by the Treaty with Rumania in the spring of 1939; and the use of open or disguised subsidies in meeting international competition. Between these two methods of planning of international trade no compromise can be found. On the other hand, the method of mass barter invented by Germany, as also of cartel operations by which an industry acts on the world market as a single unit, are innovations in international trading which may possibly find more general adoption.

Social Consequences

The social consequences of the economic developments of 1938 are of more than ordinary importance. From a positive standpoint the most notable is the increasing control over business cycles. It has been practically demonstrated during the last twelve months that a recession can be reversed by deliberate Government action. On the other hand, the full success of such a measure is contingent upon means being found of achieving a high level of business activity once the decline has been checked. Provided this can be done, budgetary deficits incurred for the purpose of reinforcing purchasing power can be made good by budgetary surpluses during the intervening years. Failing this, a dangerous dilemma arises. Either a country must continue to pile up deficits or else it must deliberately abstain from taking the necessary measures to counteract depression. The latter course is not likely to be practical politics in most countries. On the other hand, to incur a series of budgetary deficits is disturbing and in the end is liable to impair Government credit. This danger must not be exaggerated. The widely held view that in some manner it is "sound" to run into debt for armaments but "unsound" to do the same thing for public works, which are used as a stabilising factor and result, moreover, in real values being produced, is being more and more questioned. Nevertheless, until the control of business cycles is substantially self-financing, it cannot be looked upon as satisfactory.

The problem has accordingly entered upon a new phase. It is felt to be necessary not only to take reflationary measures from time to time to prevent a recession developing into a slump but also to secure that such measures are followed by private and public activities which can serve as means of increasing and sustaining the stream of investment.

Both workers and employers are directly affected by these developments. Probably no single thing could do more to promote social justice and to improve labour conditions generally than the control of business cycles. For business men, also, sustained demand means an avoidance of losses and an enhanced ability to plan for the future. On the other hand, this new phase in the struggle brings with it new problems or, more correctly, old problems in a new guise. It may well be asked whether increased investment is the appropriate means of achieving full prosperity or whether a distribution of income permitting of increased consumption by the poorer sections of the community is not a preferable solution. On the other hand, it will certainly be urged upon Governments that one of the major factors in preventing investment from developing as it should is the costliness of the improvements demanded in conditions of work. It will also be alleged that the monopoly conditions obtaining in certain industries are primarily responsible, since they prevent industrial development by restricting output and keeping prices up instead of lowering prices and increasing

production. In the world of to-day, also, there is the further possibility, affecting employers and workers alike, of industry being converted into part of the State machinery if free enterprise conspicuously fails to solve the unemployment problem.

The other outstanding feature of the past year is the influence of armaments, autarky and the menace of war upon economic and social conditions. Space does not permit of this question being adequately examined here. But four things are evident. In the first place, armaments, autarky and the resultant business uncertainty tend to impoverish every community affected. The better-off sections will feel it eventually in increased taxation, the poorer sections in a decline in the standard of living. In the second place, as already noted, the huge diversion of demand to armaments is resulting in a massive distortion of the whole economic fabric. Even in the most favourable circumstances, this at some time can hardly fail to lead to great economic disorganisation and social distress. In the third place, in a world made smaller by modern means of transport, communication and aggression, if one country adopts methods which carry within them the menace of war, every other country is liable sooner or later to be affected. Finally, unless a modicum of social justice is achieved as between country and country as well as between man and man, recourse to such methods may become practically inevitable. These, perhaps, are long-term rather than short-term considerations, but none the less apposite to any understanding of the present time.

CHAPTER IV

CONDITIONS OF WORK

HOURS OF WORK AND RELATED QUESTIONS

Hours of work problems may be divided into those which refer to hours in the narrow sense and those which concern related questions, such as weekly rest, night work in bakeries, shop closing, holidays with pay and public holidays.

Hours of Work

The events of a national or of an international character relating to hours of work proper are classified below according to the character of the activities or establishments under consideration: industry, commerce, office and similar work, coal mines, and transport.

HOURS OF WORK IN INDUSTRY

In 1938 the intensive rearmament of certain countries, due to the international political tension, led to an extension in actual hours of work.

Some of these countries, which decided to increase their armaments at a rapid pace, soon found themselves—like Japan and Germany in previous years—suffering from a shortage of skilled labour; and to overcome this obstacle they have had recourse on a more or less wide scale to increased overtime. In most cases the existing legislation on the 48-hour week or, failing this, the contractual schemes in force permitted such an adaptation. But where normal hours of work had been notably reduced by legislation, as in France, the statutory overtime regulations proved too restrictive as compared with the hours worked in other countries and were rendered considerably more flexible.

In the United States of America an important Federal Act, voted

in June 1938, provides that the hours worked in industries affecting inter-State commerce shall be gradually reduced, in three stages, to 40 in the week; overtime is limited by the employer's obligation to pay for extra hours at time and a half. Further, Luxemburg has adopted an Order similar to the Belgian Act which permits hours of work to be gradually reduced to 40 in the week, particularly in dangerous and unhealthy industries.

The workers' organisations desire not to obstruct necessary national defence in the countries concerned but in every case they retain the reduction of hours among their permanent claims.

Argentina. — A Bill submitted by the Parliamentary Socialist Party and providing for the introduction of the 40-hour week in industrial and commercial establishments came before the Chamber of Deputies for the fourth time on 15 June 1938 and was then submitted to the Committee on Labour Legislation for examination by that body. The Argentine Industrial Union and the Labour Association declared themselves opposed to this Bill in view of the lack of skilled labour in several industries and of the increase in cost of production and therefore in the cost of living which would result. The workers' organisations and the labour press, on the other hand, strongly supported the Bill.

Among the various resolutions adopted by the Congress of the Federation of Labour of the Province of Santa-Fé, held in November 1938, was one demanding the reduction of hours of work to 40 in the week in industrial establishments in that Province.

Australia. — Except for the substitution by Commonwealth or State Awards of a 44 for a 48-hour week in several of the few remaining industries or occupations in which the latter was still the prevailing standard, there was little change in the regulation of hours of work in Australian industry during 1938.

In the course of the year reductions in weekly hours from 48 to 44 were awarded by the Commonwealth Arbitration Court in the aerated water trade and yeast and vinegar trades in Victoria, in butchers' shops and small goods factories in Victoria and South Australia, for construction workers in South Australia and for fellmongering workers in New South Wales, Queensland and Victoria.

Weekly hours were also reduced from 48 or 46 to 44 by Wages Board determinations applying to a number of miscellaneous trades in Victoria. The Queensland Industrial Court maintained its policy of awarding a 40-hour week only where it was satisfied that the shorter week would substantially increase employment and that the employers could afford it. In Western Australia the Arbitration Court refused applications for a 40-hour week in the building trade and for State railway workers on the ground of expense. In Tasmania there was a marked extension of the practice of working a five-day week under new or amended Wages Board determinations.

In reply to a question in the Senate on 26 September 1938, the

Commonwealth Prime Minister stated that the Government considered that before there could be any general adoption of shorter hours in Australia the full facts regarding the economic effects must be ascertained and the matter be fully examined by a properly constituted tribunal. The Government would be prepared to do anything in its power to facilitate the determination by the Commonwealth Arbitration Court of the question of a shorter working week.

The State Labour Parties continued to press for a 40-hour week.

A meeting of the Federal Executive of the Australasian Council of Trade Unions held in May 1938 resolved that all forms of publicity should be organised for the purpose of popularising and establishing the claim to the 40-hour week and that efforts should be directed towards its immediate achievement.

The Queensland Trade Union Congress resolved on a definite campaign of action for the early achievement of the 40-hour week as a step to a 30-hour week of five days. Resolutions to the same effect were adopted by trade union federations in other States and meetings and demonstrations were held at various times.

Belgium. — A Royal Order of 27 August 1938 fixed normal weekly hours of actual work in the ship-repairing industry in the port of Antwerp at 42 hours distributed over the seven days of the week; total weekly hours, including overtime, may not exceed 45 unless, owing to shortage of labour or to the character of the operation, the worker on the job cannot be replaced. Two Royal Orders, of 12 May and 27 December 1938, authorise seasonal distribution of hours of work in the automobile manufacture and repair industry and in the Italian paste industry; in both these cases daily working time may be increased to 9 hours during four winter months provided it does not exceed 7 hours during four summer months.

The Belgian Central Industrial Committee expressed the view that reduction in cost prices is the essential factor in the struggle against unemployment and therefore requested the Government "to give up the idea of any new reduction in hours of work in any occupation".

The workers in the chemical industry desired the reduction of hours of work from 168 to 144 in each three-weekly period for workers employed on continuous processes. The National Assembly of Workers in Public Services, held in October 1938, decided to undertake immediate action to secure a reduction in normal hours to less than 48 in the week in gas and electricity services operated under concession.

The statistics of overtime for which provision is made under the Eight-Hour Day Act show that 200,453 hours' overtime affecting 3,587 workers were worked in 1938, the corresponding figures for 1937 being 473,433 hours and 10,114 workers.

Bolivia. — A draft Labour Code now under consideration by the Ministry of Labour provides that normal actual hours for workers

in general shall not exceed 8 in the day and 48 in the week, save for the usual exceptions.

Canada. — A certain degree of progress was made in the regulation of hours of work through the adoption of amendments to legislation already in force in the Provinces and through the bringing into effect of a number of new regulations and collective agreements in different Provinces. Both voluntary collective agreements and those made binding under provincial legislation have tended to set weekly hours between 40 and 54, which are lower than most of those found in the regulations described below.

Reference was made in the *Year-Book 1936-37*¹ to the setting up of a Royal Commission to enquire into conditions of work in the textile industry. The Report of the Commission, which was tabled in the Dominion House of Commons on 31 March 1938, recommends that efforts be made to shorten hours of work in the textile industry without reducing weekly wages. With certain exceptions, the industry operates on a 55-hour week in Quebec and on a 50-hour week in Ontario and the Maritime Provinces.

In Alberta the Industrial Standards Act was amended to provide that a schedule may establish maximum daily and weekly hours, the period of the day and the days of the week during which the working hours must fall, minimum rates of wages for normal hours of work and the rates and conditions governing overtime.

The Hours of Work Act of Alberta of 1936, providing a 48-hour week for female employees and a 9-hour day and 54-hour week for male workers, in any industry except farming, or except where exemption is provided for in the Act or regulations, was amended during 1938 to define overtime as being, in the case of female workers, all time worked in excess of 9 hours a day and 48 hours a week, and in the case of male workers as all time in excess of 10 hours a day and 54 hours a week.

Order No. 4 of the Board of Industrial Relations, issued under the Hours of Work Act, exempts from the maximum working hours provisions of the Act, for a period of six months beginning 30 November 1938, certain employees in the lumbering, logging and railway tie industry in rural districts more than ten miles from any city and in towns and villages of less than a thousand inhabitants. Cooks, night watchmen and barn bosses may work longer hours than the daily and weekly maxima fixed by the Act and are not entitled to the weekly rest period of 24 consecutive hours prescribed by the Act. Furthermore, blacksmiths, engineers, teamsters, truck drivers and millwrights are exempt from the daily and weekly hours provisions but must be allowed the weekly rest period.

An amendment to the Hours of Work Act of British Columbia clarifies the definition of an employee and provides that work carried out in split shifts must be within 12 hours per day. Regul-

¹ Cf. *I.L.O. Year-Book 1936-37*, p. 70.

ations issued under the Act also provide special exemptions for certain industries, such as the logging and fruit and vegetable industries, and permit overtime up to 54 hours per week in the area east of the Cascade Mountains.

In Manitoba the Fair Wages Act was amended during 1938 to extend its application.

The Ontario Legislature in the course of its 1938 session amended the Industrial Standards Act in order to make the provision exempting farming and mining operations include only such operations as form part of agricultural or mining industries.

The Ontario Minimum Wage Act was amended so as to permit the Industry and Labour Board of the Department of Labour to fix maximum hours of work with regard to any minimum wage established. The weekly hours of work for which minimum wages may be established may not exceed 48 in municipalities between 10,000 and 50,000 and 54 in municipalities with a population of less than 10,000. Under this Act a Fair Wage Order was issued governing the textile industry in Ontario. The Order establishes minimum wages for all employees in the cotton and woollen textile industry except office workers, supervisors, managers and persons employed in a confidential capacity. The Annual Report of the Department of Labour of Nova Scotia for 1937 indicates that the Industrial Standards Act applying to the City of Halifax and the Town of Dartmouth was brought into effective operation by the Minister of Labour approving a schedule of hours of labour for four classes of mechanics in the building trade, namely carpenters, plumbers and steamfitters, electrical workers and bricklayers.

The Quebec Legislature, in the course of its 1938 session, made important changes in the Workmen's Wages Act and the Fair Wage Act. The title of the former Act, which was a revision of the Collective Labour Agreements Extension Act of 1934, was changed again and it is now known as the Collective Labour Agreements Act. The Fair Wage Act was designed as a supplementary measure and provides for the fixing of wages and hours for workers not covered by collective agreements under the other statute but it does not apply to farm labourers or domestic servants.

A number of new Orders were issued during 1938 by the Quebec Fair Wage Board. Wage earners, according to Order No. 4, which is of a general nature, are grouped for purposes of fixing hours and wages into six categories. The Order limits maximum hours of work per week to 55 for women and young persons and to 72 for men. The minimum rates, however, are based on a week of 48 hours, 54 hours and 60 hours, as the case may be. The 48-hour week is applied except where otherwise specified. The 54-hour week is applied to retail commercial establishments and meat shops and certain other specified categories of employment. The 60-hour week is the basis of pay for sawmills and certain foundries, bakeries, undertaking establishments and most seasonal industries. Special rates are required to be paid for overtime.

In Saskatchewan the Industrial Standards Act was amended

during 1938 in respect of the procedure to be followed for submitting a schedule of wages and hours.

Cuba. — A collective agreement concluded on 20 June 1938 between the Contractors' (Employers') Association of the Province of Havana and the General Union of Building Workers has replaced the 48-hour week previously in force in the industry by the "English week" of 44 hours; wages will remain unchanged.

Czecho-Slovakia. — An Act adopted on 11 May 1938 resulted in the establishment of a 42-hour average week for persons employed in continuous operations in sheet- and glass-bottle works. The agreement reducing hours of work to 42 in the week in alcohol distilleries and refineries which expired on 31 December 1938 was denounced by the employers, who intended to re-establish the 48-hour week; however, in order to avoid dismissals, most undertakings retained the shorter working week. For the same reason the management of the Skoda metallurgical works decided to reduce hours from 48 to 42 in the week from 1 November 1938. The total number of hours' overtime increased from 806,934 in 1936 to 974,756 in 1937.

Ecuador. — Act No. 210 of 5 August 1938 fixed maximum daily hours of work at 8 and maximum weekly hours of work at 44, i.e. 5½ days, the half day being considered as a full working day for remuneration purposes. The regulations apply to all employed persons, i.e. all workers and salaried employees, except in agriculture, home work, domestic service and handicrafts. The minimum wage boards will indicate the industries in which hours of work may be still further reduced and will determine their respective time tables. The hours of work indicated above may be exceeded by not more than four hours a day and 12 hours a week on the basis of a written agreement between the parties concerned and of authorisation by the factory inspector. The limits may also be exceeded, but only as far as is strictly necessary, to avoid serious damage to which the establishment or undertaking may be exposed by imminent accident and in general in cases of emergency or *force majeure*. The employer will be entitled, after preliminary authorisation by the factory inspector, to make up in full the hours lost in such circumstances and with this object he may extend hours of work by not more than three on the days following the interruption. Work may be authorised on Saturday afternoons and Sundays on a temporary or permanent basis in industries, undertakings or operations which cannot be interrupted owing to the character of the needs which they satisfy or owing to technical reasons or because their interruption would be prejudicial to the public interest. Overtime will be paid at time and a half between 6 a.m. and midnight on week days and double time for time worked between midnight and 6 a.m. and on Saturday afternoon or Sunday.

France. — The regulations on hours of work were profoundly modified during 1938. The 40-hour week was retained but its

application was the subject of numerous arrangements and measures intended to give it greater flexibility, the original motive being the steadily growing need for an increase in production such as would stimulate the national economy, raise the national income and meet the increasingly pressing demands of national defence. The following statement, made by the Minister of Finance in February 1939, gives a clear view of the scope of the reforms introduced:

“First of all, we have decided that the 40 hours of work shall be hours of actual work and not of mere presence.

“Secondly, we have made overtime possible by deciding that Saturday shall be a working day and by making the procedure simpler.

“Thirdly, we have reduced the special remuneration for overtime to reasonable rates.”

The reforms were introduced in several stages, the most important of which occurred at the end of 1938 and the beginning of 1939.

As early as December 1937¹, as soon as the Committee of Enquiry on Production had reported on its work, blanket provisions were issued regarding the making up of hours lost during the off-season and the increase in the allowance of overtime placed at the disposal of the various industries or undertakings.

In April 1938, after a dispute, an arbitration award was issued fixing hours of work at 45 in the week in the nationalised aviation industries. In May new steps were taken to give greater flexibility by simplifying the procedure for making up lost time and for overtime; these steps were taken under the Act of 13 April 1938, which gave the Government special powers to secure the economic and financial recovery of France. Early in August 1938 the blanket provisions contained in the Decrees of December 1937 were put into application; new allowances of overtime were placed at the disposal of industries suffering from a shortage of skilled labour and those on the activity of which an important part of the national output depended; and at the end of the month an additional quota of overtime was allowed by Decree.

Meanwhile, the general situation in Europe continued to grow worse and, in order to face the necessities of national defence, the Government was once more given exceptional powers by the Act of 5 October 1938. Under these powers it issued the Legislative Decrees of 12 November 1938, which drew up, for immediate application, a three-year plan to re-establish economic and financial stability. Several of these Legislative Decrees, supplemented by ordinary Decrees or Orders issued in December 1938 and January and February 1939, made considerable changes in the measures to administer the Forty-Hour Week Act with a view to adapting them to the requirements of production.

The most important of the Legislative Decrees of 12 November 1938 related to hours of work proper. It retained the principle of the 40-hour week but introduced into the existing scheme changes relating particularly to the calculation of hours of work,

¹ Cf. *I.L.O. Year-Book 1937-38*, p. 82.

the distribution of hours, the making up of holidays with pay and overtime. Actual hours of work are exactly defined and a distinction between actual hours and hours of attendance is made possible. The six-day working week, it is provided, shall constitute the basis for weekly hours, which may be distributed either equally or unequally over all six days, with the object in the latter case of securing a half holiday in every week. Distribution over five days is authorised in clearly defined cases only. The organisation of work by relays or in rotation may be authorised. Holidays with pay in excess of the 15 days provided for in the Holidays with Pay Act may be made up without remuneration. The scheme governing overtime to meet exceptional pressure of work is amended in three respects: the procedure for utilisation of such overtime is simplified by substituting, for the system of previous authorisation, a more flexible system based on a continuation of the authorisation method with that of previous notification by the employer to the factory inspector; the number of hours' overtime is no longer limited; and the increase in rates for overtime is considerably reduced (it will henceforth be 10 per cent. for the first 250 hours' overtime worked in the year in establishments employing over 50 persons; it may be neither less than 5 per cent. nor more than 10 per cent. in other establishments; it may not exceed 15 per cent. in any establishment for the first 400 hours' overtime; and it is fixed at 25 per cent. for all overtime in excess of that figure).

On 31 December 1938 a large number of Decrees and Orders were issued, some to define more exactly certain provisions of the Legislative Decree of 12 November 1938 and the remainder to apply the provisions of this measure to specified activities.

The first group of Decrees included a new scheme for the making up of lost time, authorised the organisation of work in relays or rotation and the distribution of hours over a period other than a week and laid down rules governing the distribution of hours within the week, particularly with a view to defining the cases where the five-day week may be retained. The other Decrees applied to public industrial establishments, public industrial services and services under concession, services and establishments attached to the Prefecture of the Seine, services under concession and monopolies of the City of Paris and the Department of the Seine, and the gas and electricity industries. They relate more particularly to the following: the making up of holidays in excess of the statutory number of days (in some establishments by increasing daily working time by one hour provided the 48-hour week is not exceeded and in others by working a flat 42-hour week); the fixing of a period of attendance, deemed to be equal to normal hours of actual work, for certain groups of employed persons; the distribution of working time inside the week; and the distribution of hours on a seasonal basis for certain employees in the gas and electricity industries engaged in outside work.

Numerous other Decrees and Orders dated 31 December 1938 and

20 and 22 February 1939 relate to employment in the mines (potash mines; iron ore, other metal ore and asphalt workings; oil-shale mines; rock-salt mines and salt workings; and petroleum workings). These measures introduced in the existing scheme amendments similar to those described fully in this chapter under the heading of coal mines¹.

Lastly, a Decree issued on 20 March 1939 under the Act of 19 March 1939 (which gave the Government special powers to take the measures required for national defence) authorised the extension of hours of work, as necessary, up to 60 hours a week in public or private establishments working for national defence; this scheme was introduced on a provisional basis, to apply until 30 November 1939. A wage 10 per cent. above the normal was to be payable from the 41st to the 45th hour in the week and 5 per cent. from the 46th hour onwards².

In application of the new legislative measures hours of work in public works undertakings in the Paris region were fixed at 45 in the week as from 30 January 1939. A Decree of 31 December 1938 and an Order of 31 January 1939 introduced a 45-hour week, for a year, in flax retting and stripping establishments. A Decree of 12 October 1938 extended for a year the validity of the provisions, previously issued, to the effect that hours of work in sugar mills might be increased on a provisional basis to 56 in the week, during the manufacturing period, in establishments where there were exceptional difficulties in the housing or recruiting of seasonal workers.

The arrangements made with regard to the 40-hour week aroused considerable feeling in labour and political circles, although opinion was unanimous regarding the purpose in view, namely an increase in production and a consequent strengthening of national defence. The workers' organisations had accepted the first measures taken, up to August 1938, though not without some reservation, the General Confederation of Labour and the French Confederation of Christian Workers indeed having always been of opinion that the existing scheme contained sufficient facilities for meeting all employers' needs. But the measures taken in November 1938 seem to have exceeded the limits of the concessions which the above organisations were disposed to make; in their opinion these measures constituted a serious blow at the hours of work legislation of 1936, both as regards its substance and as regards the spirit in which that legislation had been prepared; they considered also that genuine efforts should be made by employers to increase output by rationalisation, standardisation, organisation of work, purchase of new equipment and similar measures. The employers, who had long been demanding that the 40-hour week legislation should be rendered more flexible, took note of the action taken and adopted

¹ Cf. p. 74.

² Among the measures taken by the Government on 21 April 1939 to finance national defence was the provisional introduction of the 45-hour week. The wage increase for overtime is payable only beyond the 45th hour and is fixed at a uniform rate of 5 per cent.

a somewhat reserved attitude; they wondered whether the arrangements made would be sufficient to achieve the result at which the Government was aiming. These controversies were echoed in Parliament, where the arguments for and against the re-arrangement of the 40-hour week were repeatedly brought forward, particularly in the Chamber of Deputies.

As regards actual hours of work, the statistics of hours in establishments occupying more than 100 workers show that the average number of hours worked in the week, which had been 44.6 in 1934, 44.5 in 1935 and 48.5 in 1936, fell to 40.4 in 1937 as a result of enforcement of the Forty-Hour Week Act, and to 39.0 in 1938.

Germany. — The new Hours of Work Code, which was issued by Order of 30 April 1938 and came into force on 1 January 1939, made a number of changes in the code issued by Order of 26 July 1934. The most important innovation is the introduction of a special scheme for young persons, who had hitherto been subject to the general regulations.

A second series of measures tends to render more flexible the general scheme applying to adults. Hours of work may be averaged over a period of three weeks instead of the fortnight previously laid down. The new Code introduces the making up, during a period of five consecutive weeks, of hours of work lost owing to local holidays, public displays, etc., and owing to half holidays directly preceding or following Sundays and public holidays. Work in excess of the maximum daily limit of 10 hours is facilitated in the different cases of extensions prescribed by the scheme. The competent authority which may approve or authorise such additional work is now in every case the factory inspector, whereas previously provision was made for the intervention of the central Federal or State authorities. Formerly additional work had been authorised "only in exceptional cases for urgent reasons of public interest"; now, "urgent need" is sufficient. The provisions governing special remuneration for overtime have been rendered more flexible by the introduction of a rule that no extra remuneration is due if the additional work would have been permissible under the provisions governing work of preparation and termination.

Lastly, the Code extends to all male adult workers a number of provisions which had hitherto been restricted to salaried employees, women, or young persons. The provisions in question relate first of all to an unbroken rest of 11 hours in every 24 hours and secondly to the grant of a break after not more than six hours' work. The duration of this is fixed at half an hour but the single break may be replaced by two shorter breaks of a quarter of an hour each. On this last point an Order of the Minister of Labour dated 12 December 1938 authorises a reduction in the length of breaks, provided that their total duration remains unchanged or that the necessary rest is granted to workers in some other form. The breaks may be extended where workers are exposed to excep-

tional fatigue or to the action of toxic substances. In case of conveyer work or work done in conditions requiring an exceptional effort, more frequent breaks may be provided for in excess of the normal. These short breaks must be included in hours of work.

The regulations governing hours of work in Austria have not been amended since the incorporation of that country in the Reich but the Austrian eight-hour day legislation has been extended to Burgenland.

Effective hours of work in industry increased as compared with the preceding year. For all industry the average figure in 1938 was 7.75 hours per worker per day, as against 7.68 hours in 1937. In certain branches, as for instance the engineering construction industry, the average working day considerably exceeded 8 hours.

Great Britain. — The year was marked by the coming into operation of the Factories Act, 1937. There was but little change in the hours worked in virtue of collective agreements.

The Factories Act came into force on 1 July 1938 and introduced a 48-hour week for women and young persons employed in factories, subject to certain exceptions, instead of 60 hours for non-textile factories and 55 hours for textile factories. A number of special Orders were issued governing overtime in certain classes of factories.

A Factories Act following closely on the lines of the Act in force in Great Britain was passed by the Parliament of Northern Ireland and received the Royal Assent on 24 November 1938.

The Bacon Industry Act passed on 29 July 1938, which sets out to regulate the production and sale of bacon, contains provisions to the effect that the rates of wages and hours of labour of employeès engaged in the production of bacon in undertakings registered under the Bacon Marketing Scheme of 1933 or the Bacon Development Board set up by the Act must not be less favourable than those commonly recognised by the employers and trade unions in the trade in the district where the work is carried out.

The Cinematograph Films Act, which received the Royal Assent on 30 March 1938, contains similar provisions applicable to persons employed in the making of films (other than news and educational films).

The hours of work fixed by collective agreements have remained substantially unchanged. The statistics collected by the Ministry of Labour show that in the case of 166,500 workers an average reduction of about $2\frac{1}{4}$ hours was made. In the case of 1,950 workers, hours slightly increased. The aggregate net decrease in weekly hours was 371,100. These figures are exclusive of changes affecting agricultural labourers, Government employeès, domestic servants, shop assistants and clerks. The principal group of workers affected included persons employed in boot and shoe manufacture, whose working week was reduced from 46 to 45 hours. Other workpeople whose normal weekly hours were reduced included paper box and paper bag manufacturers,

printing-ink makers, textile makers-up and packers in Manchester, coke-oven and by-product workers in Durham, and building trade workers in Kincardineshire.

A number of trade unions adopted resolutions in favour of the 40-hour week, including in particular those of the engineering industry, the electrical workers, the building trades and the steel trades in the Middlesbrough district. The Scottish Trades Union Congress in April 1938 instructed its General Council to take steps to influence the Government to bring into being a 40-hour week on a national basis without reduction in wages, together with a more drastic restriction and regulation of overtime.

Special action was taken by the trade unions for the ratification of the Reduction of Hours of Work (Textiles) Convention, 1937 (No. 61). On 15 July 1938 the Minister of Labour received a deputation appointed by a conference of delegates of the unions representing all sections of the textile industry, urging ratification of this Convention. In spite of the objections raised by the Minister on that occasion, the conference of delegates of textile unions met again on 5 October 1938 and instructed the Committee to proceed with its activities to secure ratification.

Hungary. — The Act of 29 July 1937¹, limiting hours of work to 8 in the day and 48 in the week, was applied in the following activities in 1938: printing industry, textile industry, clothing and boot and shoe industry, milling, upholstery, cabinet-making, and butchers' and pork butchers' establishments. It thus covered about 208,000 persons. Since in the groups of industrial undertakings not yet subject to the hours of work regulations the working day did not exceed 8 hours, about half the 633,000 persons employed in industry and handicrafts were already on the 8-hour day. For the remainder, hours of work varied between 48 and 60 in the week and about 10 per cent. of industrial employees were still working over 60 hours.

India. — The principal events which call for record are the promulgation by the Bengal Government of an Ordinance to regulate working time in Bengal jute mills and the passing of a new Factory Act in the State of Travancore.

Under the Jute Mills Ordinance, issued on 9 September 1938, the Government took power to regulate working time and restrict the increase and replacement of looms, and on 26 September 1938 a 45-hour week was fixed as the maximum working period for all big mills and a 72-hour week for five small mills having 175 looms or under.

A meeting of the Working Committee of the Bengal Provincial Trade Union Congress held on 12 September 1938 adopted a resolution urging the immediate repeal of the Ordinance.

The State Council of Travancore adopted on 19 August 1938 an Act incorporating the amendments necessary to bring the

¹ Cf. *I.L.O. Year-Book 1937-38*, p. 187.

factory legislation of Travancore into conformity with the revised Indian Factories Act of 1934. The new Act provides for a reduction of hours of work from 60 to 54 in the week.

Ireland. — An Order of the Minister for Industry and Commerce of 7 June 1938 issued under the Conditions of Employment Act, 1936, provides for the introduction of a four-shift system and an average working week of 42 hours calculated over a period not exceeding four weeks for sheet-glass workers who work in successive shifts in necessarily continuous operations. The length of each spell may not exceed eight hours. Average weekly earnings of persons whose hours are reduced may not be reduced in consequence.

The Irish Trade Union Congress and the Annual Conference of the Labour Party adopted resolutions in favour of the 40-hour week.

Italy. — The Royal Legislative Decree of 29 May 1937, establishing the 40-hour week, applies to manual workers only. The question was raised whether it should cover chief technicians, foremen and in general the intermediate grades of workers who, though their position is similar to that of salaried employees, are not so considered. The Minister of Corporations said it proceeded from the discussions which had preceded the drafting of the Legislative Decree that the groups of workers in question should not be subject to the legislation on the 40-hour week.

The statistics of hours of work compiled by the Ministry of Corporations show that in 1928 21.7 per cent. of the workers were working less than 40 hours, while 71.0 per cent. were working 40-48 hours inclusive, and 7.3 per cent. over 48 hours; in 1937 the respective figures had been 16.5, 74.1 and 9.4 per cent. According to statistics compiled by the Fascist Confederation of Manufacturers, the number of hours per worker per month, which were 157 in 1936 and 163 in 1937, were 159 in 1938.

Japan. — In order to increase the productive efficiency of the munition industries and safeguard the health of the workers employed therein, the Ministry of Social Welfare on 19 August 1938 issued instructions to the prefectural governors to encourage the manufacturers of munitions to adopt the shift system, thereby reducing the daily hours of work for all workers, including the adult male members, to less than 12, including rest and overtime. Three shifts were recommended for industries engaged in processes dangerous or injurious to health, handling heavy materials, requiring particular attention or employing a large number of young persons or women. An Order of 31 March 1939 limited hours of work to 11 in the day. According to Government statements, it is to be applied to machinery and tool manufacture and to metal refining works.

According to statistics published by the Bank of Japan, the average actual hours of work in private factories for the first half of 1938 were 9 hours 56 minutes per day, showing an increase of

3 minutes as compared with those for the corresponding period of the previous year.

The average number of working days per month for all industries was 26.7, as was the case in the previous year.

Luxemburg. — A Grand Ducal Order dated 17 October 1938 laid down the principle of the gradual reduction of actual hours of work to 40 in the week for workers employed in industries, parts of industries, groups of establishments or parts of establishments where work is dangerous, unhealthy or particularly strenuous. This reduction may be operated either by public administrative regulations, or by collective agreements drawn up by the National Labour Council. In the latter case the reduction may be applied to all branches of industry and commerce, whether or not the requirement respecting danger, etc. is fulfilled. The collective agreements drawn up by the National Labour Council may be declared binding for the whole of the appropriate occupation. The regulations and Orders to be issued will determine *inter alia* the stages for the gradual reduction in hours of work, the necessary exceptions, and the methods of application. The Government stated that it intended to apply the provisions of the Order first of all to the iron mines.

Mexico. — Under an Order of the Supreme Court of Justice dated 1 March 1938, which confirmed the decision of the Federal Board of Conciliation and Arbitration dated 18 December 1937, the collective agreement which had been the cause of the dispute between the Union of Petroleum Workers and the subsequently expropriated undertakings was declared binding¹. The provisions concerning hours of work, which thus finally came into force, provided for a maximum of 40 hours in the week, distributed over 5 consecutive days of 8 hours.

Another agreement, concluded with the aid of the Department of Labour after a strike lasting for several days, established the 40-hour week for the workers of three companies (subsidiaries of the American Electric Bond and Share Company) which control the electricity and power services in five States in the central zone of Mexico.

An award was also issued by the Head of the Department of Labour on 23 February 1938 on various disputed points which had been submitted to him by the Joint Committee for Revision of the Standard Contract of 1925-1927 in the Cotton Textile Industry; it is stated therein that " the moment has not yet come to introduce a working week of 40 hours for the first shift or one of 36 hours for the second shift of workers in the above-mentioned industry; the maximum working weeks of 48 and 42 hours respectively should therefore continue to be applied ".

Netherlands. — During the year 1938 the question of reducing unemployment by restricting overtime received the special attention of the Government.

¹ Cf. *I.L.O. Year-Book 1937-38*, pp. 101 and 461.

In February 1938 the Minister for Social Affairs addressed a letter to the principal employers' organisations on this question. In cases of pressure of business or in other special circumstances the Minister was of opinion that it would be possible by co-operation between the authorities and the employers to engage extra staff, even if only for a short period, instead of working overtime. With regard to the alleged lack of skilled labour, the Minister drew attention to the possibilities of vocational retraining and similar measures. There would always be cases in which overtime was inevitable, and the Minister stated that the object of the letter was merely to induce employers to restrict it to cases of absolute necessity.

In pursuance of the same object the Government Press Service issued in June 1938 a communiqué on the subject of overtime, stressing the importance of distributing the available quantity of work over as large a number of workers as possible, in particular by restricting to a greater extent than hitherto the number of exceptions granted to the hours of work regulations. Establishments making use of overtime permits were requested to consider the possibility of using such means to avoid the necessity of prolonging hours of work as the engagement in good time of additional workers, the stipulation of longer delivery dates, etc.

According to statistics for 1937 the average hours of work of the majority of industrial workers were 48 weekly, the percentage being somewhat higher than in the previous year, the number of workers working over 48 and particularly over 55 hours a week showing a corresponding reduction.

New Zealand. — The 40-hour week continues to be applied in industry in New Zealand. Awards and agreements were made for a number of occupations not previously covered by the Industrial Conciliation and Arbitration Act.

A few adaptations were made in the application of the 40-hour week. By Order in Council the list of industries to which the hours of work provisions of the Factories Act do not apply was extended to include fruit packing and grading.

On 17 November 1938 the Supreme Court of New Zealand rendered a judgment concerning the maintenance of earnings when hours are reduced. In a case in which the normal weekly hours of work fixed by award had been reduced from 46 to 40 but in which certain workers paid by the hour had for a considerable period before the coming into force of the new award been working only 40 hours, the Court decided that the hourly rate for these workers need not be increased, as their normal week's earnings had not in fact been reduced.

Paraguay. — By Decree No. 3544 of 6 January 1938 the maximum 8-hour day and 48-hour week have been established for workers and employees of both sexes in industry; lumbering, tannin and *yerba mate* enterprises; construction; beach, dock and river-bank works; State and municipal public works; tramways

and transport in general and commerce and banking. It does not apply to agriculture and stock-raising. Managers and persons employed in a confidential or supervisory capacity are exempt. Upon the decision of the National Department of Labour, acting on the advice of technical experts and on the petition of the persons concerned, work done in an unhealthy place or work of such a nature as to endanger health may be reduced to a maximum of 6 hours per day and 36 hours per week. By agreement between employers and workers, a Saturday half-holiday may be granted, whereby the daily limit of eight hours may be proportionally exceeded on five days of the week up to the 48-hour weekly maximum. The daily limit of 8 hours may be extended up to 10 hours—overtime being paid at least at time and a half—in case of actual or threatened accidents, but only to avoid serious interference with the ordinary work of the undertaking; in case of urgent repairs to be made to machinery or plant; and in case of temporary emergency or extraordinary pressure of work.

Poland. — Average hours of work in the processing industries were 43.7 hours in 1938, as against 43.3 hours in 1937.

Portugal. — A Legislative Decree dated 31 December 1938 provides that the increased remuneration for night work and overtime to be allowed to manual workers and assimilated staff of the Ministry of Shipping will be determined by Ministerial Order on the basis of suggestions from the competent director or manager. The rate may not exceed time and a half and will not be payable for night work done in regularly organised successive shifts.

During 1938 various collective agreements of a regional character were concluded in the canning, pork butchery, barrel-making and cutlery industries, as well as a national collective agreement in the match industry. In all these cases normal hours of work are fixed at 48 in the week. In the match industry overtime is absolutely prohibited in parts of establishments where the staff is not employed for the full normal working day or does not earn a wage corresponding to 48 hours a week owing to scarcity of employment or a permanent surplus of labour.

Switzerland. — The only new piece of Federal legislation relating to hours of work in industry was an Order dated 24 December 1938, under which the amended normal week of 52 hours was authorised afresh, until 30 December 1939, in the embroidery industry.

The discussions regarding the adoption of new economic articles in the Constitution, which had been proposed to the Federal Assembly in 1937¹, have not yet borne fruit. The Federal Council stated that the Bill concerning employment in commerce and arts and crafts could not be discussed until the question of revising the Constitution had been settled; several Cantonal Bills were

¹ Cf. *I.L.O. Year-Book 1937-38*, p. 105.

therefore introduced to regulate conditions of work in these activities.

According to the Federal factory inspectors' report for 1938, 12 per cent. of the persons subject to the Federal Factories Act were working less than 48 hours a week (either owing to short time or on the basis of a normal time table), while 70.6 per cent. were working 48 hours a week and 17.4 per cent. more than 48 hours.

Union of South Africa. — Towards the end of the year a statement by the Minister of Labour to the effect that the Government proposed to amend the Factory Act and that he had received representations urging him to provide for a reduction in statutory hours of work in the new measure gave rise to some discussion on the shorter working week. At the Annual Convention of the South African Federated Chamber of Industries, held in Durban in October 1938, and at the annual meetings of several Chambers of Commerce the general opinion was that legislation on the subject would be inopportune and that secondary industry could not stand the expense of a shorter working week without further protection.

A deputation of the South African Trades and Labour Council waited on the Minister of Labour on 5 August 1938 and submitted a number of recommendations, one of these being that the Government should provide, as a step towards the ultimate acceptance of International Labour Conventions on the 40-hour working week, that all wage determinations and industrial agreements should provide a maximum working week of 44 hours.

United States. — The enactment of the Fair Labor Standards Act of 1938, which was promulgated by the President on 25 June 1938, marked a new stage in the regulation of hours of work in the United States. Throughout the year efforts for shortening hours were concentrated first on passing the law and secondly on setting up the administrative machinery necessary for putting its provisions into effect.

In addition to the new hours regulations found in the Fair Labor Standards Act, the detailed hours provisions of which are analysed below, hours of work have continued to be regulated in the United States both through State legislation and collective agreements. However, in contrast to the marked progress made in developing minimum Federal standards during 1938, State action has made little definite progress and, in fact, in certain States has received a setback. The general law fixing hours of work at 44 per week in the State of Pennsylvania, which was enacted in 1937, was declared unconstitutional by the State Supreme Court in June 1938 and has therefore ceased to be in force. The only new general hours of work statute actually enacted during 1938 is that limiting hours of labour for all employees in various establishments, including manufacturing establishments, to 56 a week and 12 a day in the State of South Carolina¹. The

¹ This Act has since been declared unconstitutional by the State Supreme Court.

paucity of State legislation is largely to be explained by the fact that very few State legislatures were still in session during 1938, after the Federal Hours of Work Act had been enacted, while before its enactment, the general tendency was to refrain from State action until the completion of the discussion of the Federal Bill. The Secretary of Labor in her annual report has called attention to the need for further State action at the present time.

The Fair Labor Standards Act¹ has three major objectives: the establishment of a reasonable minimum level of wages, the maximum number of hours of work and a standard for child labour for employees engaged in interstate commerce and in the production of goods for commerce. While the basic normal hours of work and overtime provisions are set forth directly in the Act, a number of problems of application have been left to the Wages and Hours Division set up within the Department of Labor under the direction of an Administrator appointed by the President.

The Act is applicable, with the exception of employment specifically exempted, to all persons in the United States or any of its territories or possessions who are engaged in interstate commerce or in the production of goods for interstate commerce. Commerce for the purposes of the Act is defined to include trade commerce, transportation, transmission or communication among the several States or from any State to any place outside the State.

According to the definitions contained in the Act and the regulations and interpretive bulletins issued by the Administrator, its provisions do not apply to certain exempted employees and occupations.

Under the terms of the law for employees covered by the hours of work provisions the normal work week without payment of overtime, except as provided below, may not exceed 44 hours during the first year of operation of the Act, namely, from 24 October 1938 until 24 October 1939. The normal working week will be reduced to 42 hours during the second year and to 40 hours after 24 October 1940. The Act permits, however, a maximum of 56 hours in any working week, or 12 hours in any working day, without payment of overtime for workers who are employed:

- (a) under a bona fide union contract, providing that no employee shall work more than 1,000 hours in 26 consecutive weeks; or
- (b) under a bona fide union contract, on an annual basis providing that no employee shall work more than 2,000 hours in 52 consecutive weeks; or

¹ For the legislative history of the Act, see *I.L.O. Year-Book 1937-38*, pp. 109-112. In this section the analysis is confined to the hours of work provisions of the Act itself and to the regulations and interpretative bulletins which bear specifically upon the application of those provisions. For the general provisions of the Act and Regulations applying it, see pp. 153-154 (Factory Inspection).

- (c) in seasonal industries (if so described by the Administrator) for 14 working weeks in the aggregate in any calendar year. A seasonal industry covered by this provision was defined by the Administrator as one in which handling, extracting or processing of materials occurs regularly during the same part or parts of the year and in which production ceases except for maintenance, repair, clerical and sales work, owing to natural conditions making all the materials unavailable during the remainder of the year. Temporarily the Administrator determined that a seasonal industry should be one in which at least 50 per cent. of the annual output is produced in a period of not more than 14 working weeks.

The Act exempts entirely from the hours provisions persons employed in the "area of production" to handle or prepare or can agricultural or horticultural commodities for market or to make dairy products. It also exempts from the hours provisions employees of employers engaged in the first processing within the "area of production" of agricultural or horticultural commodities during seasonal operations for a total of not more than 14 weeks each year. Definitions are given in the regulations of such areas of production.

All hours worked in excess of the normal hours described above must be paid for at time and a half the normal rates of pay. A number of regulations and interpretive bulletins have made clear the way in which the amount of overtime pay is to be computed. The overtime rate must be at least one and a half times the regular rate paid to the employee and not one and a half times the minimum rate established by the minimum wage provisions of the law. The time lost in one week may not be made up without payment at overtime rates in the second week. Employers must keep records of the hours worked each day and week and, if overtime is worked, of the regular rate of pay and of the basis of increased remuneration. The working week for the purposes of calculation of normal hours of work in overtime is considered as seven consecutive working days, but it may be begun at any time and any day, except that no change can be made for the purpose of evading the Act. There is no general limitation on the hours that may be worked in any one working day or on Sunday or on a holiday. Any 44 hours within the working week may be worked but there may be no average over two or more weeks, since the Act clearly takes as its standard a single working week.

The Act contains a special safeguarding clause to the effect that no provision shall justify any employer in increasing hours of employment maintained by him which are shorter than the maximum hours applicable under the Act. Furthermore, none of the provisions of the Act may permit non-compliance with any Federal or State law or Municipal Ordinance which establishes better conditions. At the same time collective agreements which provide for working weeks shorter than the hours provisions in the Act may not be affected by the application of the Federal law.

A Model State Wages and Hours Bill, drawn up by a Committee of experienced labour administrators and representatives of organised labour, appointed by the Secretary of Labor, was designed to promote state action that would extend the protection furnished by the Fair Labor Standards Act to workers in intrastate commerce who are thus exempt from the Federal Act. The text of the Bill was adopted by the Fifth National Conference on Labor Legislation which met in Washington in November 1938 and recommended to the various States as a model. It has been widely circulated and has served in the preparation of the Bills submitted to the State legislatures that are in session in 1939. All 1938 sessions of the State legislatures had already ended by the time the Federal Act was adopted.

Collective agreements governing hours of work in the United States have been renewed in practically all the major industries covered by agreements of previous years. Hours in these agreements vary as a rule between 35 and 40. No new agreements of special importance were adopted during 1938, but the general movement was extended by bringing more workers under the agreements already in force.

The Administrator of the Wages and Hours Division issued an interim report for the period 15 August to 31 December 1938, in which he analysed the problems raised by the coming into force of the Fair Labor Standards Act and summarised the effects as far as they could then be judged. It is stated that estimates based on information for September 1938 indicated that approximately 11,000,000 employees were covered by the provisions of the Act. Of these 11,000,000 employees, 1,384,000 were working more than 44 hours in September 1938 and would therefore have their hours of work shortened or receive overtime payment for all work above 44 hours immediately upon the coming into force of the Act in October 1938. 1,751,000 were working more than 42 hours, and 2,184,000 were working more than 40 hours per week. Thus, by October 1940, when the lower figure of 40 hours per week would come into effect, the hours of work of more than 5,000,000 people would be directly affected by the Fair Labor Standards Act.

The American Federation of Labor, at its annual Convention held in October 1938, adopted a report upon the shorter working week and passed several resolutions in favour of a reduction of hours. The statement concerning reduction of hours concluded with the reaffirmation of the endorsement of the five-day week and six-hour day, without any reduction in the hourly, daily or weekly pay. Reference was made in the report of the committee concerning the shorter working week to the progress made in bringing about a working week below forty hours and statistics were given of the extent to which reduction has taken place between 1929 and 1937.

The Chamber of Commerce of the United States, at its annual meeting held in Washington in May 1938, adopted a resolution with regard to minimum wages, maximum hours and working conditions which affirms that there should be only such public

regulation as may be validly applied by State Governments for those special classes of workers for which legislative protection may be necessary to prevent their oppression and to safeguard their health and well-being.

U.S.S.R. — The trade union organisations have repeatedly concerned themselves with the enforcement of provisions governing hours of work; their activity was directed principally against any abusive recourse to overtime, but was also aimed at obtaining a better use of the working day. The principal measure in this latter connection was the Order to enforce labour discipline, issued jointly by the Government, the Party and the Central Trade Union Council on 28 December 1938. "The State, supported by the working class", declares the Order, "requires that the working day fixed by the law should be applied exactly and with no infringement, so that wherever the 8, 7 or 6-hour day is established, 8, 7 or 6 full days' work shall be done". The Order then points out that infringements of these rules involve the loss of millions of days' work and thousands of million roubles and may well reduce the country's economic and defensive strength and lead to a fall in the general standard of well-being. Severe penalties are therefore laid down for workers who are guilty of such infringements; and heads of undertakings who do not apply the provisions to strengthen discipline are also subject to penalties.

Venezuela. — Under a Decree dated 30 November 1938 to administer the Act of 16 July 1936¹, overtime may be authorised up to two hours a day on not more than 100 days a year, particularly in the following cases: to prevent the loss of perishable materials or to avoid compromising the result of the work; for repairs, alterations or similar work to machines, tools, etc.; for work of preparation or termination; and to permit establishments to meet exceptional pressure of work. Overtime must be paid at a rate of at least time and a quarter, and will be checked by means of registers kept by the employer.

International Regulation

The generalisation of the reduction of hours of work was the subject of a first discussion at the 1938 session of the International Labour Conference, the Governing Body having decided that agriculture and employment at sea should not be taken into consideration.

The preliminary studies having shown that special arrangements would be required for the limitation of hours of work in certain of the activities covered, the Office had suggested to the Conference in its report that for the consultation of Governments four lists of points should be adopted: these would apply respectively to industry, commerce and offices; rail transport; transport by inland waterway; and coal mines. For transport by air it was considered

¹ Cf. *I.L.O. Year-Book 1936-37*, p. 104.

that the problem was not yet sufficiently mature to permit an international decision. The Committee of the Conference, to which the question had been referred, adopted a resolution in favour of a limited number of Draft Conventions concerning the generalisation of the reduction of hours of work, as follows: one or two Draft Conventions on industry, commerce and offices; a Draft Convention on coal mines; and one or several Draft Conventions on transport. The Conference adopted the list of points for industry, commerce and offices which the Committee had submitted to it and decided by 92 votes to 27 to place the question on the agenda of the 1939 session of the Conference for second discussion. The decisions taken at the 1938 session of the Conference regarding hours in coal mines and in transport will be found in the parts of this chapter relating respectively to hours of work in those two industries.

*Ratification and Approval of the Conventions and Recommendations adopted by the International Labour Conference*¹

Convention No. 1: Hours of Work (Industry), 1919

Ratified by *New Zealand* (29 March 1938).

Decision of competent authorities in *Iraq* to postpone any action on ratification.

Draft Decree prepared in *Ecuador* by National Institute of Social Welfare for approval of Convention.

Convention No. 43: Sheet-Glass Works, 1934

Ratified by *Czecho-Slovakia* (19 September 1938).

In *Ireland*, approval of Convention by competent authority.

Message of the Executive Power in *Argentina* (22 September 1938) proposing to Congress not to ratify, since Argentina has no industries of this kind.

Convention No. 47: Forty-Hour Week, 1935

Ratified by *New Zealand* (29 March 1938).

Decision of *Mexican* Government (Decree of 12 December 1938) not to ratify.

Proposals to Parliament in *Argentina* and *Great Britain* (September and May 1938) not to ratify Convention.

Convention No. 49: Reduction of Hours of Work (Glass-Bottle Works), 1935

Ratified by *Czecho-Slovakia* (19 September 1938) and *New Zealand* (29 March 1938).

Proposals to Parliament in *Argentina* and *Great Britain* (September and May 1938) not to ratify Convention.

Convention No. 51: Reduction of Hours of Work (Public Works), 1936

Ratified by *New Zealand* (29 March 1938).

Decision by *Swiss* Federal Assembly (29 March 1938) not to ratify, since Switzerland cannot accept principle laid down in Forty-Hour Week Convention (No. 47).

Proposal to Parliament by *Finnish* Government (9 September 1938) to postpone ratification pending report of commission appointed to examine general question of hours of work in industrial and similar undertakings.

¹ The information given here relates only to the period 16 March 1938-15 March 1939. For the general situation as regards the Hours of Work Conventions, see the table at the end of the volume.

Decision of competent authorities in *Iraq* to postpone any action on ratification.

Proposals to Parliament in *Argentina* and *Great Britain* (September and May 1938) not to ratify Convention.

Statement by *Egyptian* Minister for Foreign Affairs that his Government does not intend to ratify.

Convention No. 61: Reduction of Hours of Work (Textiles), 1937

Ratified by *New Zealand* (29 March 1938).

Submission by President of Republic of *Cuba* of message to Senate recommending approval.

In *France*, submission to Chamber of Deputies (5 April 1938) of Bill for ratification.

Submission of Convention in *United States of America* to Senate by message from President (9 June 1938).

Decision of *Norwegian* Storting (23 May 1938) to postpone ratification pending results of enquiry into general question of hours of work.

Decision by competent authorities in *Siam* that owing to existing labour conditions there is no occasion at present for action on Convention.

Approval by *Swiss* Federal Assembly (6 December 1938) of Federal Council's report recommending against ratification, owing to attitude adopted towards Convention by various countries competing with Switzerland in world market.

Parliament informed by *British* Government (January 1939) that it did not intend to ratify, since Convention had been adopted in application of principle laid down in Forty-Hour Week Convention (No. 47).

Statement by Government of *India* when submitting Convention to Council of State and Legislative Assembly (8 and 11 April 1938) that it intended to take no action since Convention applied general principle of 40-hour week which Indian Parliament had rejected.

Statement by *Netherlands* Government in note submitted to Second Chamber of States General (6 December 1938) that ratification was not possible, chiefly owing to relation made by Convention between wages and hours of work.

Statement by *Egyptian* Minister for Foreign Affairs that his Government could not recommend ratification, since adoption of Convention would cause increased production costs, which Egyptian textile industry could not at present support.

Submission of Convention to competent authority in *China*.

Convention No. 63: Statistics of Wages and Hours of Work, 1938

See under Chapter VI, "Remuneration of Labour".

HOURS OF WORK IN COMMERCIAL ESTABLISHMENTS AND OFFICES

National Regulations

During 1938 a few new Acts were passed to regulate hours of work in commercial establishments; the Estonian, Hungarian, and Rumanian Acts alone are of general significance. There is a growing tendency for such laws and regulations to limit hours of work in curative establishments, hotels, restaurants and places for the sale of alcoholic drinks, and in the entertainment industry. In some cases a 7-hour day has been introduced for salaried employees in offices.

Australia. — Apart from a reduction of one hour weekly resulting in a working week of 47 or 46 hours for employees in various

classes of shops in Victoria, there were no important changes in the hours of work of commercial employees during the year.

In several States substantial improvements were made in the conditions of employment of hospital nurses. In Victoria, as from 1 December 1938, a new wages board set up for nurses fixed weekly hours of work at 50, with a 44-hour week for X-ray sisters, and made provision for a weekly rest, payment for overtime and annual leave. In Western Australia an amendment to the award for nurses in public hospitals issued on 15 August 1938 made some improvements in general conditions but retained the 48-hour week for nurses for the time being. In New South Wales an award of 4 November 1938 covering hospital employees in five large Sydney hospitals fixed an average of 132 hours to be worked in three consecutive weeks, with a 35-hour week spread over 5½ days for X-ray technicians.

The 5-day week, which had been in operation in the public services of the Commonwealth and of the States of New South Wales and Tasmania for some years, was introduced for public servants in Western Australia and Queensland as from 15 August and 19 September 1938 respectively. The matter was also under consideration in Victoria. In South Australia a motion submitted in the House of Assembly on 9 November 1938 with a view to the holding of an enquiry into the practicability of instituting a 5-day week in Government departments was defeated.

Belgium. — A joint agreement was concluded in June 1938 to determine the hours of work of "qualified assistants" in chemists' shops. Such staff is to have an 8-hour day and a 48-hour week; 4 hours' overtime may be worked subject to the grant of one day off in compensation for every four weeks during which the extra 4 hours are worked.

A Royal Order of 27 December 1938 extended the scope of the Eight-Hour Day Act of 14 June 1921 to cover technical staff employed in cinemas. Hours of work may be distributed unevenly over the seven days of the week, and as much as 10 hours may be worked on any one day provided the weekly total does not exceed 48.

Bolivia. — A draft Labour Code at present under consideration by the Ministry of Labour provides that salaried employees in general, including certain classes of wage earners usually considered as workers, shall not as a rule work more than 8 hours in the day or 48 in the week. In some undertakings salaried employees are to work longer hours.

Brazil. — Legislative Decree No. 452 of 20 May 1938 extended the scope of the Decrees fixing hours of work in commercial undertakings at 8 in the day and 48 in the week to cover salaried employees in offices of all kinds.

Legislative Decree No. 910 of 30 November 1938 concerning conditions of work in newspaper undertakings limits hours of

work for journalists, editors and photographers in undertakings engaged in publishing newspapers, reviews, bulletins and periodicals, distributing news and broadcasting news and commentaries. The normal working day is to be 5 hours both by day and by night but it may be prolonged to 7 hours by written agreement between the parties concerned. Extensions are also permissible subject to notification of the labour inspection services within five days. Overtime is to be paid for at not less than time-and-a-quarter.

Canada. — Certain of the more general measures mentioned in regard to hours of work in industry also apply to commerce. In addition, measures adopted in British Columbia and Quebec apply specifically to hours of work in commerce.

In British Columbia Order No. 15 E under the Hours of Employment Act permits employees in wholesale and retail stores (except in six specified cities) to work 3 hours beyond the statutory limit of 8 hours on Saturday and on the day preceding a statutory holiday falling on a Saturday, provided that the total weekly hours do not exceed 48. Order No. 16 renews the exemption of persons employed in drug stores from the daily limit of 8 hours and permits one extra hour a day but not more than 4 a week.

In Quebec an Order issued under the Fair Wages Act fixes 50 hours as the basic week for persons employed in commercial establishments in rural areas but overtime rates at time-and-a-half the regular rates are payable for all hours in excess of 55 per week. Another Order applying to establishments handling waste paper provides for the payment of overtime rates at time-and-a-half for all time in excess of 10 hours a day if weekly hours are at least 54, of 12 hours a day irrespective of the number of weekly hours and of 54 hours a week (60 in the case of watchmen). An Order effective from 1 January 1939, covering hospitals outside the cities of Quebec and Lévis and the adjacent counties, fixes hours of work for nurses and hospital attendants at 12 a day, and for other employees at 72 a week except under a special permit or in cases of *force majeure*, when overtime is payable at 50 cents an hour. Provisions are also included for an adequate weekly rest and for holidays with pay.

Chile. — Under Decree No. 5352 of 27 December 1938 the hours of work of public and semi-public departments are to be as follows: 9 a.m. to 12 noon and 2 p.m. to 7 p.m. for the first five days of the week, and 9 a.m. to 12.30 noon on Saturdays; these hours amount to 8 in the day and 43½ in the week.

Colombia. — On 1 August 1938 a Bill was tabled in the Senate to ratify the Hours of Work (Commerce and Offices) Convention, 1930 (No. 30). The Bill passed its first reading and was referred to a Committee which on 16 November 1938 passed it for a second reading at the next session of the Senate.

Ecuador. — Act No. 210 of 5 August 1938 instituting a Labour Code, which is described above in connection with hours of work

in industry, is also applicable to all workers, whether wage earners or salaried employees, in commercial establishments.

Estonia. — The work of salaried employees is regulated by an Act coming into force on 20 April 1938. The Act applies to all commercial establishments and offices excepting Government and municipal institutions, newspaper offices, chemists' shops, hotels, cafés and restaurants. Hours of work are fixed at 8 in the day and 48 in the week for all shops in towns, and 9 in the day and 54 in the week for country shops. Hours of work in offices are to be 7 in the day or 41 in the week. Provision is made for an extension of one hour a day in the case of work directly connected with selling or buying operations.

Overtime is only allowed in exceptional cases and may not exceed 18 hours in the week or 260 in the year. It is to be paid for at not less than time-and-a-half.

France. — The general measures to adjust the 40-hour week and make it more flexible in industry¹ also apply to commercial and assimilated establishments. In pursuance of the Legislative Decree of 12 November 1938 concerning hours of work, several Decrees have been issued amending the existing regulations in retail shops (other than food shops), in the retail foodstuffs trade of the Seine Department and in Departments other than the Seine, in chemists' shops, hotels, cafés and restaurants, and public hospitals; Orders have been issued by the prefects establishing new conditions of work for staff in the offices of the Prefecture of the Seine and the Prefecture of Police.

In order to allow for intermittent work, hours of attendance have been fixed which are considered to be equivalent to 40 hours' actual work in the week. The hours of attendance are fixed at: 42 in the week for selling staff in retail shops (other than food shops) in towns of more than 10,000 inhabitants, extra hours being worked to compensate for holidays granted in excess of the holidays due by law; 44 in the week for chemists' shops in which only one salaried employee is employed, 45 in the week in retail shops (other than food shops) in towns of less than 10,000 inhabitants and for cooks in hotels, cafés and restaurants, and 50 in the week for other staff in such undertakings. In hotels, cafés and restaurants in watering places, seaside and health resorts where there is a slack season, hours of attendance may be as much as 50 in the week for cooks, and 55 for other classes of staff during 5 consecutive months or two periods of 3 consecutive months each, according as there are one or two seasons in such resorts. Time spent in taking meals is not included in hours of attendance for any class of staff in hotels, cafés and restaurants.

The spread of the working day must not exceed 10, 12 and 13 hours in a whole day and 5, 6 and 6½ hours in half a day respectively for retail shops (other than food shops) in towns of more

¹ Cf. p. 74.

than 10,000 inhabitants, retail food shops and dairy shops, and 11 hours a day in retail chemists' shops.

In hotels, cafés and restaurants, cooks must have an uninterrupted rest of at least 12 consecutive hours and other staff of at least 11 consecutive hours between two consecutive working days.

In public hospitals special hours of work may be fixed to compensate for holidays with pay granted in excess of the paid holidays due by law; hours of work may not, however, be more than 9 in the day or 48 in the week.

In the offices of the Prefecture of the Seine and the Prefecture of Police, actual hours of work for all classes of office staff are 42 in the week. For staff other than office staff, hours of attendance are 45 in the week. The hours of work and of attendance are arranged so that the staff may have Saturday afternoon off.

In department stores in Paris, the distribution of hours of work was altered by a Prefectorial Order of 17 October 1938, staff being allowed Saturday afternoon off. Shops which used to be shut all day on Monday are now open on Monday afternoon.

The staff of public administrations and, more especially, that of the postal, telegraph and telephone service continue to press for a 40-hour week in accordance with the legal provisions. In February 1938 the Government decided to set up a Committee to study the various problems raised by the application of such a measure.

Germany. — An Order of 13 May 1938 fixes hours of work for all civil servants employed by the Federal Government, the States, municipalities, communes and public bodies at 51 in the week. An exception is allowed in the case of Berlin, Hamburg, Munich, Cologne and Dresden, where hours of work are fixed at 48½ in the week, unless two shifts are worked.

Great Britain. — The Young Persons (Employment) Act, which received the Royal Assent on 29 July 1938, provides for a 48-hour week for all persons below the age of 18 in certain occupations hitherto unregulated. Further particulars are given under the heading "Protection of Children and Young Persons".

After some strikes of cinema employees in May 1938, a number of agreements were negotiated for this class of workers in various districts providing for a normal working week of 48 to 52 hours for projectionists, 54 to 55 hours for other males and 48 to 50 hours for females. The Minister of Labour stated in the House of Commons on 3 November 1938 that such agreements had been concluded in 17 areas and that further negotiations were proceeding with the assistance of his Department. The National Association of Theatre and Kine Employees issued on 26 July 1938 a Charter governing wages and conditions for their industry based on a 48-hour week. The Trades Union Congress adopted a resolution urging legislation limiting hours of work of projectionists to 48 a week.

The Inter-Departmental Committee on Nursing Services issued

an interim report in October 1938 recommending *inter alia* a 96-hour fortnight for nurses. This reform had also been advocated by the British Medical Association and other professional bodies. A number of hospitals in London and the provinces, including those run by the London County Council, have organised their staff on the above basis.

The Annual Conference of the National Union of Clerks and Administrative Workers adopted a resolution urging legislation to adopt the 40-hour week, together with a restriction on overtime. The Shop Assistants' Union also favoured the 40-hour week.

The National Union of Domestic Workers adopted a Charter laying down model conditions of employment, including a 96-hour fortnight, to be reduced to 88 hours for workers below 18 years of age.

Hungary. — Two Orders were issued by the Minister of Commerce and Communications to regulate hours of work and rest for persons employed in shops and in hotels, cafés and restaurants respectively.

The first Order applies to persons employed in shops and in the depots and offices connected with shops. It does not apply to wholesale trade. Hours of work in towns are fixed at 10 in 24 and 60 in the week for the sale of foodstuffs and 9 in the day and 54 in the week for all other shops. In rural communes, hours of work are uniformly fixed at 10 in the day and 60 in the week. Staff employed on lifts, in connection with lighting, ventilation, etc. or as superintendents, chauffeurs, coachmen or delivery men may work 12 hours in 24 and 72 in the week. This provision is also to be found in the second Order described below.

Extensions of hours of work are permitted in the case of bargain sales, at Christmas time, when closing hours are postponed by a decision of the competent authority, and in the country during fairs. Extensions are also permitted in the case of *force majeure*, accidents, urgent repairs, stocktaking and unexpected work due to a request from the authorities. Lastly, an extension is also allowed in the case of extraordinary pressure of work. All overtime is to be paid for at time-and-a-quarter.

The second Order fixes the hours of work for persons employed in hotels, boarding houses, cafés and restaurants at 10 in 24 and 60 in the week, excluding breaks. The hours may be distributed unevenly over the various days of the week, but not more than 11 may be worked in any one day.

Extensions are allowed in the case of *force majeure*, accidents, urgent repairs and extraordinary pressure of work, and when the hours at which the establishments are to remain open are extended by the competent authority. An extension is also permitted to avoid the deterioration of raw materials or finished goods.

The spread of the working day is fixed at 14 hours. The Order prescribes an uninterrupted daily rest of at least 10 consecutive hours and a weekly rest of 24 hours.

India. — In Bengal, following the introduction of an unofficial Shop Hours and Shop Assistants Bill in January 1938, the Govern-

ment announced its intention of introducing an official Bill to regulate the conditions of work of employees in all classes of shops, and invited the interested parties to submit their views.

In Bombay, at the beginning of 1938, the Government circulated for opinion a draft Bill to regulate the hours of work of shop assistants and commercial employees and for certain other purposes. It was expected that this Bill would be introduced in the Legislature early in 1939.

Ireland. — The year was marked by the coming into operation on 16 May 1938 of the Shops (Conditions of Employment) Act, which applies the 48-hour week in shops subject to certain exceptions. This Act was summarised in the *Year-Book 1937-38*¹.

Regulations issued under the Act prescribe the notice to be posted relating to hours of work and have modified the maximum number of hours, inclusive of overtime, which may be worked in hotels outside the County Borough of Dublin during the period 12 June 1938 to 31 December 1938. These limits were increased from 244 to 264 hours in any period of four consecutive weeks and from 2,900 to 3,100 hours in any year, the limit of 66 hours in any one week being retained.

Italy. — A Legislative Decree of 28 April 1938 provides that artistes and workers employed in theatrical entertainment undertakings shall not be covered by the regulations limiting hours of work, since their occupation involves interrupted work or hours of mere attendance or supervision.

A standard collective agreement was concluded on 19 July 1938 between the interested parties to fix conditions of work for staff employed in the retail and wholesale trade in bread and products made of Italian paste. The normal hours of work laid down are 8 in the day and 48 in the week (10 in the day and 60 in the week for staff whose work is not continuous or involves periods of mere attendance or supervision). Overtime is to be paid for at a 15 per cent. higher rate. Work at night, that is between 9.30 p.m. and 5.30 a.m., is to be paid for at time-and-a-quarter, and work on public holidays at time-and-a-fifth except for selling staff in shops that are open on Sundays before noon.

Luxembourg. — The application of the principles laid down in the Act of 7 June 1937 concerning the employment of private employees was regulated by a Grand Ducal Order of 21 October 1938.

Extensions of the normal hours of work are permitted to make good hours lost owing to a collective stoppage of work due to accidental causes or *force majeure*, and in the case of accidents or the threat of accidents or urgent work to be done on machinery and tools to cope with a temporary state of affairs. Time lost may be made up at the rate of 1 hour a day for not more than

¹ Cf. *I.L.O. Year-Book 1937-38*, p. 130.

15 days in the year, while temporary extensions not exceeding 60 hours in the year are allowed for each employee. All such extensions are to be paid for at not less than time-and-a-half.

Mexico. — Under the Act of 27 September 1938, promulgated on 5 December 1938, laying down the Federal Civil Servants' Statute, hours of work and other conditions of employment are regulated for all Federal civil servants other than those employed in a confidential capacity. Hours of work may not exceed 8 hours in the day (between 6 a.m. and 8 p.m.) or 7 hours at night (between 8 p.m. and 6 a.m.) or 7½ hours in the case of a mixed working day, provided that the period of night work is less than 3½ hours. These limits may be reduced when required by the nature of the work, taking into account the number of hours which a person may normally work without injury to his health. On the other hand, in exceptional cases, the limit of hours of work fixed may be exceeded up to 1½ hours per day, during not more than five consecutive days, overtime being payable at double rates.

New Zealand. — An Order in Council of 1 June 1938 limits hours of work for the nursing staff in private hospitals, except for the staff of hospitals established and conducted by a religious order who are members of that order. The hours of work inclusive of the time spent in taking meals while on duty must not exceed an average of 48 a week. The average may be calculated over 8 weeks in the case of hospitals with less than 10 beds and 4 weeks in the case of other hospitals. No nurse may be on night duty for more than 48 consecutive nights. There is no provision for overtime.

An amendment to the Shops and Offices Act exempts public accountants' offices from the provisions of that Act relating to hours of work and of business.

Paraguay. — Decree No. 3544 of 6 January 1938 concerning hours of work, which is described above in connection with hours of work in industry, also applies to workers and employees in commercial establishments and bank clerks.

Portugal. — Regulations were published on 14 June 1938 fixing hours of work in the hotel industry. Hours of work for staff in hotels, boarding houses and restaurants in Lisbon and Oporto, and in seaside resorts where hotels are normally open throughout the year, may not as a rule exceed 8 in the day. Hours of work for office employees are fixed at 7 in the day. A break must be allowed which shall not be less than one hour nor more than 4 hours and must be taken after 4 or 5 consecutive hours' work. In some small establishments staff may be exempted from the regulations, provided express permission is obtained from the National Institute of Labour and Social Welfare.

A circular issued by the Secretary of the National Institute of Labour and Social Welfare on 30 June 1938 provides that all extensions of hours of work in banks either under a permit obtained in advance or in cases of *force majeure* shall be paid for at time-and-a-half.

Two collective agreements were concluded which contain provisions concerning hours of work for salaried employees in the foodstuffs trade in the Lisbon district and for office employees in the Setubal district. Hours of work for the former are fixed at 8 in the day and 10 on Saturdays; hours of work for the latter are to be 7 in the day.

Rumania. — The outstanding feature of the year was the passing of the Act of 3 August 1938 to regulate employment in commercial and industrial offices and the opening and closing hours for shops. This Act, which supplements earlier enactments, fixes the hours of work in offices of all kinds at 8 in the day or 48 in the week. The hours of work may be distributed unevenly over the various days of the week provided not more than 10 hours are worked on any one day. Hours of work lost owing to a collective stoppage of work on a local holiday or as a result of an accident may be made good provided not more than 10 hours are worked on any one day. Extensions are allowed for drawing up inventories and balance sheets and to meet extraordinary pressure of work. Overtime is to be paid for at not less than time-and-a-quarter.

Union of South Africa. — The Bill to transfer control of hours of work in shops to the Union Government, referred to in the *Year-Book 1937-38*¹, was introduced during the summer session of Parliament and was referred to a Select Committee, which was, however, unable to complete its work before the close of the session. It will probably be taken up at the next session at the point which the Committee had reached.

Several provisions of the Bill were severely criticised by the Trades and Labour Council, which demanded, among other changes, provisions for a maximum 8-hour day and 44-hour week, limitation of the daily spread-over to 10 hours in the native trade and 9 hours in all other branches, and the prohibition of all overtime.

United States. — The provisions of the Fair Labor Standards Act apply to a number of the employees in commerce and offices when such employees work in establishments coming under the scope of the Act, but the Act exempts all persons employed in a local retailing capacity or as outside salesmen as well as those engaged in any retail or service establishment the greater part of whose selling is in intrastate commerce. One of the interpretive bulletins issued by the Administrator clarifies the meaning of these latter terms by defining a retail establishment as one which sells merchandise to the ultimate consumer for direct consumption and not for purposes of re-sale in any form, and a service establishment as one which is similar to a retail establishment but may not be accurately classified as such. Two factors are to be considered in determining whether the greater part—namely more than 50 per

¹ Cf. *I.L.O. Year-Book 1937-38*, p. 136.

cent.—of the selling or servicing of a given enterprise is in intra-state commerce; the number of sales made within the State in which the establishment is located as compared with the total number of sales of the establishment and the gross income derived from sales made or services performed within the State as compared with the total gross income of the establishment.

Thus the two exemptions mentioned have the effect of excluding from the Federal Wages and Hours Law most workers who are normally considered to come under provisions concerning hours of work in commerce and offices.

Three other Federal laws and one State law enacted during 1938 affect hours of work for employees in commerce. An Act concerning the payment of salaries of rural letter-carriers authorises the payment of overtime to rural carriers serving heavily patronised routes not exceeding 38 miles in length. Another Act provides that overtime shall be paid to customs officers and employees who remain on duty between the hours of 5 p.m. and 8 a.m. or on Sundays or holidays. Federal employees of the mint, assay offices and bullion depositories, who number between 1,200 and 1,700, were given a 40-hour week instead of a 44-hour week on 1 September 1938.

The general Hours of Labor Law of South Carolina, providing for a 56-hour week and a 12-hour day, also applies to all employees of mercantile establishments, as well as public eating places, laundries, dry-cleaning establishments and bakeries¹.

*International Regulation*²

Convention No. 30: Hours of Work (Commerce and Offices), 1930

Ratified by *New Zealand* (29 March 1938).

Ratification recommended to Parliament in *Argentina* (22 September 1938) and *Colombia* (1 August 1938).

Decision of competent authorities in *Iraq* to postpone any action on ratification.

Draft Decree prepared in *Ecuador* by National Institute of Social Welfare for approval of Convention.

HOURS OF WORK IN COAL MINES

The regulation of hours of work in coal mines underwent relatively little change during 1938. The only important event was the alterations made in the method of applying the week of 38 hours 40 minutes in French mines and in particular the increase in the number of extra shifts placed at the disposal of undertakings in order to increase production³.

¹ This act has since been declared unconstitutional by the State Supreme Court.

² The information given here relates only to the period 16 March 1938-15 March 1939. See the table at the end of the volume for the general situation as regards the Convention.

³ In Germany a Decree of 2 March 1939 increased the shift for underground workers in mines from 8 hours to 8 hours 45 minutes; this extension is treated as overtime and entitles the workers to a wage increase of 25 per cent.

National Regulations

Australia. — In Queensland an amendment to the Industrial Arbitration Act and other Acts passed on 16 November 1938 provided for shorter shifts in unhealthy work in mines.

The Act provides that in underground occupations and those in which similar conditions obtain the working day shall not exceed six hours, reckoned from bank to bank and including permitted intervals for rest and meals, unless the temperature for at least three-quarters of the working shift is below 83° F., or the place is thoroughly ventilated by a current of air moving at a rate which can be measured by the instruments ordinarily used for the purpose. The effect of this measure is to lay down by law a provision which was formerly left to the discretion of the Industrial Court.

Belgium. — In March 1938 the Superior Labour Council announced that it was in favour of reducing hours of work to an average of 42 in the week—the week had previously been reduced to 45 hours—and approved a draft Decree concerning the reduction of hours of work in particularly unhealthy underground workplaces in coal mines. Owing, however, to the Government's general policy of refraining from adding to the social burdens of the industry, no new legislation was adopted.

Employers in the coal mining industry have continuously opposed any further reduction in hours of work on the ground of the precarious economic situation. For the workers the question of hours of work is linked to that of wages. At the Trade Union Congress of March 1938 a resolution was adopted taking note of the decisions of the Superior Labour Council; the Congress stated that it accepted the principle of a reduction in hours to 42 in the week and instructed the National Committee to draw up a formula for its application. Since June 1937, however, miners had benefited by an additional wage, beyond that fixed by agreement, of 10 per cent. At the end of 1938, however, the employers decided to reduce this additional wage and this led to protests from the workers. The matter came before the Senate; the senator who raised the question supported the miners' claims and stated that they were prepared to forgo the second stage in the reduction of hours of work if their wages were kept at the present level.

France. — In accordance with the measures taken at the end of 1937, which were described in the *Year-Book 1937-38*¹, Decrees of 28 January 1938 and 20 June 1938 placed at the disposal of undertakings several successive allowances of overtime. Then in September 1938 an agreement was concluded between the employers' and workers' organisations under which the miners consented to work 11 extra shifts of 7 hours 45 minutes between 1 September 1938 and 11 March 1939. The Minister of Public

¹ Cf. *I.L.O. Year-Book 1937-38*, pp. 139-141.

Works estimated that the increase in French production resulting from the working of this overtime would be 2 million tons, which would involve a saving of about half a milliard francs that would otherwise have been exported. In return for this effort the workers received a wage increase of 4 per cent. on wages for ordinary hours and an additional 2 per cent. for overtime hours. The Government further asked coal mining companies to speed up the task of renewing equipment and building workers' houses.

However, under the Legislative Decree concerning hours of work of 12 November 1938, which introduced various methods of making the 40-hour week more elastic, several Decrees or Orders were signed on 30 December 1938 and 20 and 22 February 1939 amending existing provisions concerning hours of work in underground and surface work in underground coal mines and in open lignite mines. For underground work in underground coal mines the amendment chiefly affected the arrangement of hours of work, making up lost time, extensions for preparatory and complementary work and intermittent work, increases in wage scales for hours beyond the normal limit and supervision of the enforcement of the regulations. In addition the procedure for having recourse to various methods of application has been simplified, particularly as regards the use of overtime, and the consultation of employers' and workers' organisations concerned has been abolished in the preparation of some of these methods. The weekly hours of presence in the mine may now be spread over any of the five working days of the week or over six days of the week. A system of shifts may be organised so as to allow work on every day of the week. The methods of making up lost time have been made more elastic and it is now permissible to make up lost time in advance, in the week preceding the collective stoppage of work. Additional hours of work required by supervisory staff for the preparation of reports and for the relations between this staff and the workers and management have been increased from 4 to 6 a week.

Extensions of time for continuous and preparatory or complementary work have been increased by half an hour a day (one hour instead of half an hour), but the weekly limit is still fixed at 2½ hours. The number of hours of overtime required to meet exceptional pressure of work has been increased from 93 to 186 hours a year (24 shifts of 7 hours 45 minutes). For every authorised extension of time (accidents, technical reasons, exceptional pressure of work) the wage increase has been reduced from 25 to 10 per cent. of the normal wage. The wage increase of 6 per cent., however, which was granted under the agreement of September 1938, still remains part of the normal wage, as the result of an arbitration by the Minister of Public Works. Provisions similar to those mentioned above for underground workers are laid down for surface workers. The maximum number of hours of overtime is fixed at 192 in the year (previously 96).

In open lignite mines hours of work must be spread over 5½ or 6 days. They may be spread over 5 days only by permission of the

mines engineer. Organisation of work in relays or shifts may be authorised. Actual hours of work exclude time required for change of clothing and light meals as well as collective rest periods. 100 hours of overtime are placed directly at employers' disposal and permission to work further overtime may be granted in successive portions up to a maximum of 72 hours.

In February 1939 the National Council of the Underground Workers' Federation protested against the amendments to the regulation of hours of work in mines which, it claimed, would worsen the labour conditions of miners "already exhausting enough and increasingly dangerous". It also considered that these measures would increase unemployment, which had already reappeared. It stated that the effort which the miners as a whole had already made in the interests of the country should have been accompanied by a number of technical provisions making it possible to increase national production without having recourse to further additional shifts. It again urged the organisation of work in shifts so as to utilise plant on all six working days in the week.

Great Britain. — The hours of work in coal mines remained unchanged during the year.

The annual Conference of the Miners' Federation of Great Britain, meeting in July 1938, instructed the Executive to take all possible steps to bring about an immediate reduction of hours in all coal mines in Great Britain. The resolution stated that the increased nerve strain and physical exhaustion caused by intensified mechanical mining made it necessary that increased leisure should be provided for recuperation and that, further, a reduction of hours would contribute to reducing the abnormal unemployment in the industry.

Mexico. — For the application of Convention No. 46 the Department of Labour has announced that it will take the necessary steps for the regulations on industrial hygiene to observe the provision of the Convention on the compensatory rest to which workers are entitled who are engaged to any considerable extent on special technical work. It will also ensure that the labour regulations and collective agreements provide for calculating hours of presence in the mine in the manner laid down in the Convention.

Netherlands. — During the year the miners' trade unions again brought forward their demand that the hours of work should be reduced from 46 to 45 in the week. They urged that owing to mechanical progress and the miners' increased efforts production per worker and per shift had so much increased that the Netherlands was at the head of the coal-producing countries of Europe. In their opinion reduction of hours of work should not depend on international action but should be examined only in relation to the situation of the country's mining industry.

United States. — Hours of work in coal mines in the United

States continue to be regulated through the effective operation of collective agreements applying a 7-hour day and a 35-hour week. These agreements were analysed in the *Year-Book 1937-38*¹.

In addition, a new contract negotiated between the United Mine Workers and the coal operators in the Harlem district covering about 15,000 miners provides for the same 7-hour day and 5-day week.

International Regulation

As was stated in the *Year-Book 1937-38*², the Governing Body decided in May 1937 that the Tripartite Technical Meeting for the Coal Industry, the convening of which had been requested by the Conference, in 1936, should be held in May 1938. In October 1937, however, the Governing Body had placed on the agenda of the Twenty-fourth (1938) Session of the Conference the question of the generalisation of the reduction of hours of work, so that the question of reduction of hours of work in coal mines was raised again in connection with the general question. The result of these various decisions was that the reduction of hours of work in coal mines was discussed, with a month's interval between them, by the Tripartite Technical Meeting for the Coal Industry and by the Conference.

The Tripartite Technical Meeting was held at Geneva from 2 to 10 May 1938. After a comprehensive discussion, in which the economic and social factors liable to influence hours of work in the coal mining industry were reviewed, the Meeting examined the points submitted to it by the Office for the preparation of a questionnaire to be sent to the Governments on the subject. The Meeting finally adopted a resolution in which among other matters it suggested that it would be desirable to place the question on the agenda of the 1939 Session of the Conference as a separate question for final discussion. The resolution also indicated that the proceedings of the Tripartite Meeting had provided the International Labour Office with all the information and opinions necessary for drafting a questionnaire for the consultation of Governments on the subject and that therefore to treat the question as a first discussion at the 1938 Session of the Conference appeared unnecessary.

By decision of the Governing Body the Meeting's Report was submitted to the Twenty-fourth (1937) Session of the Conference, which joined in the view expressed by the Meeting and placed on the agenda of the 1939 Session, for second discussion, the question of the reduction of hours of work in coal mines. It had previously adopted the list of points to serve as a basis for consultation of the Governments.

Since the last issue of the *Year-Book*, the following action has been taken on the revised international Convention of 1935:

¹ Cf. *I.L.O. Year-Book 1937-38*, p. 143.

² *Ibid.*, p. 144.

*Convention No. 46: Hours of Work (Coal Mines) (Revised), 1935*¹

In *Mexico*, Decree to approve Convention promulgated on 28 October 1938.

In *Argentina*, Message of 22 September 1938 from Executive Power to Congress proposing that Convention should not be ratified since Argentina has no coal mines.

In May 1938 Parliament informed by *British* Government that it was prepared to ratify Convention simultaneously with the six principal coal-producing countries named in Article 18 of Convention (Belgium, Czecho-Slovakia, France, Germany, Netherlands and Poland).

HOURS OF WORK IN TRANSPORT

The development of the national regulation of hours of work in road transport to which attention was drawn in last year's issue of the *Year-Book*² continued during the year under review. The aim of such regulation is not only to extend social legislation to a class of workers who had often been left entirely unprotected but also to ensure road safety. As a rule, the new regulations have not been confined to fixing a maximum limit for the working day or week; they also contain provisions fixing the minimum length of breaks and of daily and weekly rest periods. The progress made in this particular field of social legislation lies not so much in the statutory reduction of hours of work as in the establishment of a legal basis for labour protection where it had hitherto been lacking and in the extension of existing regulations to cover occupational groups or aspects of the problem which had hitherto been left untouched.

Thus new regulations on hours of work and rest periods or regulations amending existing measures on the lines indicated above were introduced in the following countries: Australia (Queensland), Belgium, Finland, Germany, Greece, India, New Zealand and the United States of America.

Several of the regulations introduced in 1938 contain provisions dealing with two problems of special interest to persons employed in road transport, namely, the fixing of a maximum period for uninterrupted driving time during the course of the working day and the introduction of a control book for checking the hours of work and rest periods of professional drivers of motor vehicles. Such control books were introduced in 1938 in Bulgaria, France, Germany, Greece and the United States.

Reference should also be made to two cases in which hours of work were reduced below the limits hitherto in force for certain classes of professional drivers (in Western Australia and in New Zealand). Lastly, the French regulations concerning the 40-hour week were made more flexible, in conformity with the measures of this kind adopted for most branches of activity.

¹ The information given here relates only to the period 16 March 1938-15 March 1939. See the table at the end of the volume for the general situation as regards the Convention.

² Cf. *I.L.O. Year-Book 1937-38*, pp. 144 *et seq.*

In other sections of the transport industry there was little new regulation. Mention may be made, however, of the application of the 44-hour week on the railways of South Australia and the new regulations for dockers in Yugoslav seaports.

National Regulations

Argentina. — A Bill was introduced in the Chamber of Deputies for the second time in July 1938, which provides for the reduction of weekly hours of work to 40, without any change in wages, for workers and salaried employees on the railways operated by the national authorities. The hours of persons responsible for traffic safety and regularity, who are employed in places classed as unhealthy or whose work calls for constant attention, would be reduced, according to the Bill, to 6 a day and 36 a week. The Bill is being studied by the Commission on Labour Legislation.

The Railwaymen's Federation, which has a membership of 100,000, submitted to the Triennial Congress of the International Federation of Transport Workers (Luxemburg, 31 October-5 November 1938) a draft resolution which was adopted by the Congress, "reaffirming the necessity of intensifying the struggle to secure for the workers and employees of all kinds of transport a 40-hour week without reduction of earnings".

Australia. — The 44-hour week, which the Commonwealth Court of Conciliation and Arbitration awarded to railway workers in 1937, came into operation for some 3,500 railway employees in South Australia on 8 October 1938, under a fresh decision of the Court.

In Victoria, on the recommendation of the Railway Classification Board, the Commonwealth Arbitration Court awarded an 84-hour fortnight for shunters and signalmen but the compromise was considered unsatisfactory by the men concerned and the agitation for a 40-hour week continued.

Some changes were also made in the regulation of hours of work in road transport.

A new State Transport Act, passed by the Queensland Legislative Assembly on 24 November 1938, contains clauses limiting the driving hours of all drivers of road vehicles, including animal-drawn vehicles, weighing over 25 cwt. These provide that no driver may drive for more than 5½ hours continuously without a break of at least 30 minutes, or for more than 11 hours in the day, driving time being defined as including all other work in connection with the vehicle or its load.

In Western Australia, an award covering both horse and motor drivers in goods transport reduced weekly hours from 48 to 46, from 15 April 1938 onwards. An award for the same classes of drivers in Government employment fixed weekly hours at 44. The hours of passenger transport drivers were also reduced from 48 to 44 weekly or 88 fortnightly, by an award of 26 August 1938.

Belgium. — A Royal Order of 17 November 1938 authorised the National Company of Local Railways to calculate hours of actual work as an average of 8 per day and 48 per week over a period of not more than eight weeks.

The National Joint Board for Motor Bus Transport drafted regulations concerning the hours of work of travelling staff which would fix the spread of the working day at 12 hours, with a possible extension to 14 hours and the length of the nightly rest at 10 hours, and would establish a rest day of not less than 30 hours after every five days of duty.

Bolivia. — A draft Labour Code, at present being studied by the Ministry of Labour, provides that transport undertakings shall be subject to a special time-table, drawn up within the limits of the general regulations for workers and salaried employees.

Bulgaria. — The efforts made in 1937 to apply the laws and regulations concerning hours of work as strictly as possible were continued in 1938 and led to the adoption of Regulations on 5 February 1938 which introduced a system for checking the conditions of employment of the drivers of motor vehicles. The results of the check, together with any observations thereon, must be recorded in a special register, which each undertaking has to keep up to date.

Canada. — The regulation of hours of work in transport made further progress in 1938 through the enactment of provincial regulations in Alberta, British Columbia, Ontario, Nova Scotia and Saskatchewan. Although these regulations relate primarily to the taxi-cab industry, some of them have also affected other forms of road transport.

Czecho-Slovakia. — An Order issued on 12 May 1938 fixed the hours of work of drivers and depot staff employed on the road services of the State railway system. In conformity with the Eight-Hour Day Act of 1918, hours of work might not exceed 192 in any four weeks.

Ecuador. — Act No. 210 of 5 August 1938, containing the Labour Code, fixes the maximum working day at 8 hours for the staff of transport undertakings. When work is organised in shifts, the distribution of hours must be such as to make the total hours of duty of each worker 8 in the day.

Finland. — In pursuance of an Order of 30 December 1937 concerning motor traffic, model regulations were approved in July 1938 by the Ministry of Communications and Public Works, whereby the hours of work of motor drivers are regulated by the provisions of the Eight-Hour Day Act, subject to the condition that they may not exceed 12 in any period of 24 hours. Hours of work are taken to include actual driving time, time spent in work on the vehicle and in loading and unloading goods, and breaks of not more than half an hour. No driver may drive for more than 6 hours at a stretch without a break of at least half an hour.

France. — A number of legislative measures were taken during 1938 concerning the regulation of hours of work for different classes of transport: railways, road transport, goods handling in stations and ports.

Decrees were issued to apply the general measures of the Legislative Decree of 12 November 1938 concerning hours of work¹ to the persons employed by the French National Railway Company, the secondary railway systems of general importance and local railways, the International Wagons-Lits Company (staff working on French lines), the urban and suburban tramways and the motor bus and trolley bus services connected therewith, the Paris Metropolitan Railway and the Passenger Transport Company for the Paris Area. These Decrees maintained the 40-hour week but made far-reaching changes in the methods of applying it.

The memorandum which accompanied the Legislative Decree introducing the new hours of work regulations for the French National Railway Company stated that the provisions of the Decree of 18 January 1937, concerning the limitation and determination of hours of actual work, spreadover, breaks, daily and periodical rest periods and the hours of presence of staff whose work includes periods of inaction, had led to a decrease in the output of the staff; for this reason and in order to enable the National Railway Company to reduce its expenses, the Decree of 18 January 1937 was repealed by a Decree of 12 November 1938, under which new regulations the Forty-Hour Week Act was adapted to the provisions which formerly covered railway workers. The memorandum clearly showed the object and scope of the new regulations for the French National Railway Company and also for the other transport undertakings mentioned above.

The principal features of the new hours regulations for these undertakings are as follows. The hours of office staff of the French National Railway Company, the secondary and local railways and the tramways are fixed at 7 in the day and 42 in the week; nevertheless, this staff is not required to make up time lost on account of days of holiday granted in excess of the statutory period. For the rest of the staff of these undertakings, time so lost must be made up by an extension of hours by not more than one a day. For the whole of the staff of the Paris Metropolitan Railways and the Passenger Transport Company for the Paris Area, such lost time is made up by the fixing of the working week at 42 hours. The method of calculating hours of actual work has been changed so as to reduce the equivalent value of time spent travelling passenger, depot relief time, hours of mere attendance or waiting, etc. The distribution of hours of actual work has been made more flexible by extending the periods over which hours may be averaged and by increasing the maximum daily or other limits, extending spreadovers and amending the regulations concerning rest periods. For certain classes of workers who are required to work out of doors,

¹ See above, pp. 47-48.

the system of calculating hours covers several months in order to allow for seasonal fluctuations. The hours of attendance of persons whose service includes periods of inaction are regulated on a new system. These hours range from 12 in the day and 60 in the week to 15 in the day and 90 in the week, and are treated as equivalent to normal hours of work. The system of overtime needed to cope with exceptional pressure of work (reasons, amount of overtime, remuneration) has been brought into conformity with the provisions of the Hours of Work Decree of 12 November 1938.

As regards land transport undertakings, an Order of 10 September 1938 determined the conditions for the keeping of the service books which must be made out for each member of the traffic staff and must accompany the vehicle to which he is attached. An Order of 31 December 1938, reorganising the Paris taxi industry, limited the number of hours worked in a single spell to 10 per day.

A Decree of 22 October 1938 determined the methods of applying the 40-hour week in the private undertakings which provide a service of porters in stations on behalf of the French National Railway Company. Hours may be distributed over periods of not more than 30 days. The spreadover may not exceed 10 hours (12 hours, if the worker is entitled in certain conditions to a break of 2 hours). Permanent exceptions are allowed in the case of intermittent work and periods of inaction, but the uninterrupted rest period may not be reduced to less than 12 hours (10 hours in exceptional cases).

The regulation of the conditions of dockers in the port of Marseilles gave rise to a very serious dispute, which lasted from 11 July to 12 September 1938. An Order issued by the Minister of Labour and the Minister of Public Works established regulations which were accepted by both parties. These regulations define hours of work and the system of rotation and determine the conditions for the working of overtime and for night work and Sunday work. Later, two Decrees of 27 and 31 December 1938 amended the regulations for the application of the 40-hour week in undertakings engaged in handling merchandise in all ports. The 40 hours of actual work must be spread over the six days of the week in a manner which allows for fluctuations in the volume of business. The system of exceptions was extended to certain other kinds of work.

Germany. — On 12 December 1938 the Minister of Labour issued administrative regulations concerning the hours of work and rest periods of drivers of motor vehicles used in road transport, and their assistants. The hours of these workers may not exceed the limits fixed by the Hours of Work Order; they include driving time, preparatory and complementary work, other subsidiary work and periods of attendance or waiting. Driving time may not exceed 8 hours in any one shift. The maximum spreadover, including breaks, may not exceed 12 hours.

Running time must be interrupted by breaks long enough to guarantee adequate rest for drivers. Breaks are defined as inter-

ruptions of work of not less than a quarter of an hour. Uninterrupted driving time may not exceed $4\frac{1}{2}$ hours, after which the driver is entitled to a rest of not less than half an hour. The uninterrupted rest period between two shifts may not be less than 11 hours but in passenger transport services it may be reduced to 10 hours. Two uninterrupted rest periods of at least 36 and 24 hours respectively must be granted every two weeks.

The regulations lay down that work books shall be issued to drivers and their assistants. The necessary entries must be made in the book by the driver, who must keep it by him during his running time, in order to be able to show it to an inspector on demand.

Great Britain. — The Road Haulage Wages Act received the Royal Assent on 13 July 1938. In the case of drivers of vehicles engaged in transport of goods for hire or reward, it establishes machinery to make proposals to the Minister of Labour for the fixing of the hours which have to be worked on any day or week. In the case of drivers of vehicles engaged in transport of goods in connection with the business of the owner of the vehicle, the Act requires conditions of work to be fair in relation to those granted to other workers doing similar work.

Greece. — New regulations concerning the hours of work of drivers of motor lorries and their assistants, to replace the provisions in force under the Decrees of 14 August 1936 and 21 July 1937, were introduced by a Royal Decree of 28 January 1938. The weekly limit of hours for drivers for all classes of goods vehicles and their assistants is fixed at 48 hours. The daily limit varies, the vehicles being classified in three categories for this purpose. Drivers of A-class vehicles, which comprise public goods transport vehicles not operating for one specific employer, may be employed for a maximum of 15 hours daily, this period to include all time on duty except time spent waiting at the home depot. Drivers of B-class vehicles, i.e. vehicles used to operate the essential services of electricity, water and gas supply and telephone companies, may be employed for a maximum of 16 hours daily. For drivers of C-class vehicles, which comprise vehicles owned by all other companies and undertakings, the daily limit is 8 hours.

Every vehicle must be provided with a special road book, which must be kept and filled in with the required particulars by the driver of the vehicle, and it must be produced for inspection on demand and examined monthly by the labour inspector.

India. — A Motor Vehicles Act, passed by the Legislative Assembly on 17 September 1938, provides that no person shall cause or allow any person who is employed by him to drive for longer than 5 hours without an interval of rest of at least half-an-hour, or for longer than 9 hours in the aggregate without an interval for rest of at least 11 hours, or for longer than 54 hours in the week. The Provincial Governments are empowered to extend all or any of these provisions to drivers of such motor

vehicles as may be prescribed and to grant such exemptions as they may think fit to meet cases of emergency or of delay due to circumstances which could not be foreseen. The Provincial Governments may also require employers to fix hours of work beforehand and may provide for the recording of the hours so fixed.

Netherlands. — On 24 May 1938 the Second Chamber of the States-General adopted a Bill providing for the introduction of certain provisions of the Stevedores Act, which was amended in 1931 but has not yet been put into force.

In November 1938 the Minister for Social Affairs announced that unless anything unforeseen occurred, the Act would come into force in the early part of 1939. The relevant provisions which it is proposed to make operative by means of public administrative regulations relate to the registration of undertakings, supervision, hours of work, dock labour advisory boards, stevedores' safety boards, and managing staff. The Minister also announced that the Vehicles (Hours of Work) Act would be brought into force within a few months.

New Zealand. — By an Order of 17 December 1938 amending the regulations under the Government Railways Act, the conditions of bus drivers and motor mechanics employed in the road services branch of the railways are assimilated to those prescribed in the Passenger Transport Drivers' Award and the Motor Mechanics' Award. The hours of work of leading tradesmen employed in this branch are limited to 40 a week and 8 a day.

A new award of 1 June 1938 covers all the drivers of passenger service vehicles in the Dominion. In the case of drivers of motor vehicles engaged in town and suburban transport, the limit of hours is fixed at 80 in the fortnight, 44 in the week and 9 in the day, to be worked within a daily span of 12 hours. The maximum period for continuous driving is fixed at 5½ hours. Three rest periods of 24 hours must be allowed in each fortnight and the broken shifts may not exceed three in twelve. In the case of drivers of other vehicles (not being taxi-cabs) engaged in passenger transport, the hours of work are fixed at 88 in the fortnight, 48 in the week and 10 in the day, to be worked within a daily span of 13 hours. The period of continuous driving may not exceed 5½ hours. In both cases time books must be kept, which must be available for inspection by a representative of the workers' organisation.

Paraguay. — Decree No. 3544 of 6 January 1938 concerning hours of work (which is analysed above under "Hours of Work in Industry") applies also to tramways and to transport in general.

Switzerland. — A Federal Order of 30 September 1938 contains general regulations concerning the conditions for the transport of persons or goods by motor vehicles on public highways. The object of this Order was to solve the problem of competition between

rail and road. It contains among other things provisions by which the hours of persons employed by the concession-holding undertakings can be regulated. Subject to the provisions of existing Federal legislation, these conditions may be regulated by collective agreements, which can be made generally binding on all the persons concerned. The Federal Council will fix the date on which the Order is to come into operation.

United States. — Reference was made in the last issue of the *Year-Book* to the regulations issued by the Interstate Commerce Commission on 29 December 1937, to come into effect in July 1938, prescribing maximum hours of service for drivers of motor vehicles operated in interstate or foreign commerce.

In response to petitions by representatives of organised labour, the coming into force of these regulations was postponed and it was decided to re-examine the question. New regulations were then issued, to come into force on 1 October 1938, but before that date representatives of the motor carriers asked for a further postponement and re-hearing of the matter. This was granted in respect of carriers of property, but carriers of passengers became subject to the regulation of hours and the monthly reports required under the regulations as from 1 October 1938. After further re-hearings during November 1938, the Interstate Commerce Commission issued a new series of regulations by an Order of 27 January 1939. These came into force on 1 March 1939 and replace all previously issued regulations. They determine the hours of service of all drivers and operators of motor vehicles coming within the scope of the Motor Carriers Act of 1935.

The regulations provide for both daily and weekly maximum driving time and hours of duty for all drivers of any motor vehicle in transportation in interstate or foreign commerce. The term "drive or operate" is defined to include all time spent on a moving vehicle and any interval not in excess of ten minutes in which a driver is on duty but not on a moving vehicle; it does not include time spent resting or sleeping in a berth on the motor vehicle. No driver may remain on duty for a total of more than 60 hours in any week, that is, in any period of 168 consecutive hours beginning at the time the driver reports for duty. However, carriers operating vehicles on every day of the week may permit drivers to remain on duty for a total of not more than 70 hours in any period of 192 consecutive hours. Except under certain conditions, described below, no driver may work for more than 10 hours in any period of 24 consecutive hours unless he is off duty for 8 consecutive hours during or immediately following the 10 hours' aggregate work. Two periods of resting or sleeping in a berth may be accumulated to give the required total of 8 hours off duty.

In case of adverse weather conditions or of unusual adverse road and traffic conditions, the 10-hour limit for driving time may be extended to 12 hours in order to permit a driver to complete his run. This extension was included as a safety measure and may be permitted even though the conditions were known to the

employer before the trip was begun, subject, however, to immediate notification of the Interstate Commerce Commission with a statement of the reasons for which it was necessary. The regulations do not apply in case of earthquake, flood, fire, famine, drought, epidemic, pestilence or other calamitous visitation or disaster.

A carrier driving his own vehicle may not remain on duty or drive for longer periods than those prescribed for employed drivers. Further provisions of the regulations deal with the keeping of drivers' logs.

A number of new collective agreements for road transport fixed hours of work at figures varying from 44 to 51 per week.

A Federal Act of 23 June 1938 to create the Civil Aeronautics Authority provides for a board of five members and requires all air carriers to maintain rates of compensation, maximum hours and other working standards for pilots and co-pilots in conformity with the findings of the National Relations Board.

Yugoslavia. — An Order of the Minister of Social Policy and Public Health, dated 14 March 1938, regulates the hours of work of persons employed in loading and unloading vessels in seaports. It fixes hours at 8 in the day and 48 in the week and allows their extension by not more than 2 hours a day in case of necessity. The Order prescribes the method of distributing hours of work over the working day and allows modification of this method for important reasons. In case of need work may be organised in shifts.

International Regulation

The progress made in the different countries with regard to the hours of work and rest periods of persons employed in road transport was matched in the international field by the decisions of the International Labour Conference. On the basis of a "Grey Report" prepared by the International Labour Office, the Conference had a first discussion at its Twenty-fourth Session, held in June 1938, on the question of the regulation of the hours of work and rest periods of professional drivers (and their assistants) of vehicles engaged in road transport. This discussion led to the adoption of a list of points, which was used by the Office as a basis for a questionnaire for submission to Governments.

Further, in consequence of a decision taken by the Governing Body of the Office at its Eighty-fifth Session (London, October 1938), a Preparatory Technical Conference on Rail Transport was convened to meet in Geneva on 20 March 1939.

Allied Questions

WEEKLY REST

The great majority of countries already possess legislation regulating weekly rest and new legislation is therefore confined as a rule to details of application. In some countries, and especially in Latin America, a tendency is perceptible to extend the benefit

of the weekly rest to fresh categories of workers, whether in industry, commerce or public administration.

National Regulations

Argentina. — In the Province of Entre Rios an Act (No. 2183) of 3 August 1938 and a Decree of 3 September 1938 to apply it introduced weekly rest for all drivers of private cars employed by industrial or commercial undertakings, public institutions, etc. They are entitled to a compulsory weekly rest of 24 consecutive hours, without decrease of wages. Control of enforcement is effected by work books which show the length of the rest granted.

In the Province of La Rioja an Act (No. 791) prohibits all work after midday on Saturday. Exceptions are made for continuous work and work which cannot be suspended without public detriment; for these regulations will be issued later.

In the Province of Santiago del Estero a Decree (No. 506) of 26 April 1938 issued regulations for the application of Act No. 120 on the weekly rest and Act No. 1352 on the Saturday half-holiday. All work is prohibited between midday on Saturday and midnight on Sunday in factories, workshops, commercial establishments and other places of employment, with the exception of family undertakings, domestic service, the liberal professions, agricultural work, stock-farming, etc. Permanent exceptions are laid down for a whole series of continuous processes, public services, cultural institutions, places of amusement, etc. Temporary exceptions are allowed, among others, for the provision trade and for work which is urgent or required by *force majeure*.

Bolivia. — A draft Labour Code now under consideration by the Ministry of Labour prohibits work on Sundays and public holidays in all industrial establishments in general and in offices and workshops, even in the case of vocational training or charitable undertakings.

Brazil. — Under a Legislative Decree (No. 452) of 20 May 1938 the provisions of the Decrees regulating hours and other conditions of work have been extended to office workers of every kind. Since their hours of work are 48 in the week a rest of 24 consecutive hours will be granted for every period of six days.

Canada. — A number of new provisions concerning weekly rest were enacted in certain Provinces of Canada during 1938.

An Order of the Board of Industrial Relations of the Province of British Columbia provides that every employee in the mercantile industry is entitled to 24 consecutive hours' rest in each week; the employer must notify the employee of the day on which this takes place. A further Order covering employees in the taxicab industry of British Columbia provides for a weekly rest period of 24 consecutive hours. Here also the employer must notify the employee on which day this takes place.

An amendment was made to the One Day's Rest in Seven

Act of Saskatchewan, providing for the exemption of hotels and restaurants where not more than two employees are employed in any classification of work. However, where such exemption is applicable employees are entitled to two half-day holidays in every seven days.

At the annual meeting of the Trades and Labour Congress of Canada, held in September 1938, a resolution was adopted asking for one day's rest of 24 consecutive hours each week for employees in the amusement industry in the Province of Quebec.

The annual memorandum presented to the Federal Cabinet in December 1938 setting forth the legislative proposals of the Federation of Catholic Workers of Canada requested the Government to enact legislation providing that any worker employed in an industry operating continuously should be entitled to one day of rest following six consecutive days of work. In addition, it was requested that, in order to avoid any ambiguity in the enforcement of the Sunday Observance Act, the Dominion Government should list all industries in which it would be prejudicial to cease operations on Sunday and that this list should be inserted in the Act.

Cuba. — Decree No. 2513 of 19 October 1933 concerning the eight-hour day provisionally excluded from hours of work regulations domestic servants in private service. This exception was repealed by Decree No. 2174 of 19 October 1938, providing that any employer with one or more servants, cooks, chauffeurs or children's nurses in his permanent service must allow them two hours' rest period in the day and for every month of employment four days' rest, two of which must fall on a Sunday or public holiday.

Czecho-Slovakia. — The Government of Slovakia issued on 24 October 1938 an Order concerning weekly rest in industry and commerce. The rest period is a minimum of 24 consecutive hours. The Provincial Office of Slovakia at Bratislava may allow exceptions in certain cases, in particular if a continuous process requires it or if urgent requirements have to be met.

Denmark. — At the opening of the 1938-1939 Session of the Rigsdag on 4 October 1938 the Minister for Social Affairs announced that later in the session a Government Bill would be introduced to amend the Workers' Protection Act. This Bill contains provisions relating to weekly rest. The present provisions of the Factory Act concerning Sunday rest will be extended to all undertakings covered by the hours of work provisions of the Workers' Protection Act and it is also proposed to introduce the "week-end" as an institution.

Ecuador. — Act No. 210 of 5 August 1938, which forms a Labour Code, provides that in all factories, workshops and commercial and other establishments employing labour Sundays and Saturday afternoons shall be compulsory rest periods, amounting to at least 42 consecutive hours. Work may be permanently or temporarily allowed on Sundays and Saturday afternoons (1) in cases

where the industry, process or work clearly cannot be interrupted, owing to the nature of the needs which they supply, for technical reasons or because interruption would be detrimental to the public interest; (2) owing to impending accident and in the case of some unforeseen event or *force majeure* which has to be dealt with without delay. Compensatory rest is to be granted for work on Saturday afternoon and Sunday, and wages for such work are to be doubled.

Estonia. — The Act of 20 April 1938 regulating hours of work in commerce and offices¹ grants persons covered by the Act a weekly rest of 24 consecutive hours, falling, if possible, on Sunday.

A Decree issued at the end of 1938, however, authorises Sunday work up to a maximum of four hours for persons employed in newspaper printing and in printing works publishing Acts, regulations or other matter on behalf of the State.

France. — The effective length of weekly rest was affected by the Legislative Decree of 12 November 1938 concerning hours of work, which made the spreading of the 40-hour week over five days exceptional. This arrangement is now permitted only in cases which have been definitely authorised and the number of wage earners who enjoy two consecutive days' rest has been considerably reduced.

In Paris and in the Seine Department several Orders have required the Sunday closing of establishments for the retail sale of clothing and underclothing, hats, textile materials, sports articles, umbrellas, parasols and walking sticks.

The Chamber of Deputies has adopted a Bill to exempt certain exhibitions and fairs from having to close to the public once a week.

The National Federation of French Salaried Employees' Unions, at its Congress in April 1938, protested against the fact that salaried employees do not yet enjoy Sunday rest in all towns. It asked for the generalisation of Sunday rest and the suppression of all the exceptions.

Germany. — An Order by the Minister of Labour dated 12 December 1938 to give effect to the Decree on hours of work of 30 April 1938 regulates weekly rest for hotel and restaurant staff. This staff is entitled weekly to a continuous rest period of at least 24 hours, immediately preceded or followed by a period of night rest. At least once a month the rest must fall on a Sunday. In watering places and excursion centres the full day of rest may be replaced during the season by a half-day. The labour inspectorate may, on sufficient grounds, allow a different arrangement of rest periods.

Great Britain. — The Baking Industry (Hours of Work) Act, 1938, repeals the sections of the Bread Act, 1822, and the Bread Act, 1836, which restrict Sunday baking, and provides that the Sunday

¹ Cf. p. 66.

Observance Act, 1677, shall cease to have effect as far as the manufacture of bread or flour confectionery is concerned.

A private Member's Bill was introduced in the House of Commons on 1 June 1938 to amend the Shops (Sunday Trading Restrictions) Act, 1936, in respect of holiday resorts. It was not discussed.

The report of the Committee appointed to enquire into the legislation for shops in Northern Ireland recommended that the provisions in force in Great Britain regarding Sunday trading should be adopted in Northern Ireland, subject to minor modifications.

Guatemala. — Various business houses have begun to close on Saturday afternoon. The Chamber of Commerce and Industry, while leaving employers to decide whether to introduce this measure or not, noted that the generalisation of compulsory weekly rest was not yet accomplished.

Ireland. — The Shops (Conditions of Employment) Act, 1938, which provides among other matters that shop assistants shall not be employed on Sunday unless a compensatory rest is given, came into force on 16 May 1938. Particulars of this Act were given in the *Year-Book 1937-38*¹.

Particulars regarding the application of the Shops (Hours of Trading) Act² which affects Sunday trading are given below under the heading of "Shop Closing"³.

Italy. — The Minister of Corporations has prolonged until the end of July 1939 the exception from the enforcement of the Act of 20 June 1935 concerning the "Fascist Saturday" already allowed for wholesale and retail commercial establishments (apart from staff not employed on sales) and for the staff of nursing homes and travel agencies.

Mexico. — The "Mexican Petroleum Administration", a corporation which has replaced the expropriated companies, is preparing the provisions concerning weekly rest required by the collective agreement—the subject of the oil dispute—which was made binding by the decision of 18 March 1938 of the Supreme Court of Justice. After a 40-hour week spread equally over five consecutive days the workers are entitled to two days' rest (Saturday and Sunday). For shift workers the manner in which these two days are to be granted is to be settled in accordance with the requirements of the service; shifts are to be changed over every two months, to allow workers to enjoy different rest days. Except in cases of *force majeure*, the workers may refuse to work on rest days. Workers receive wages for compulsory rest days; these wages are doubled when the rest day falls on a public holiday, tripled for all overtime worked on an ordinary rest day and quadrupled for overtime worked on a rest day which falls on a public holiday.

¹ Cf. *I.L.O. Year-Book 1937-38*, pp. 130 and 167.

² *Ibid.*, p. 174.

³ See p. 95.

In the State of Guanajuato a Decree which came into force at the end of September 1938 applied § 78 of the Federal Labour Act, introducing at least one day's rest for every six days' work. A Sunday rest of at least 24 hours is provided for industry, commerce and all other undertakings which do not have to use continuous processes.

Under the Act fixing the legal status of the staff of the Federal Administration (analysed above under "Hours of Work in Commercial Establishments and Offices" ¹) for every six days' work the staff is to be granted at least one day of rest, with full pay.

Finally, by a decision of the Supreme Court of Justice (analysed below under "Public Holidays" ²) it will no longer be necessary to pay double wages for weekly rest days which fall on public holidays.

Rumania. — An Act of 2 August 1938 allows certain exceptions to the provisions of the 1925 Act concerning Sundays and public holidays. In particular it permits commercial establishments in watering places and resorts to stay open on Sunday. Hairdressers' shops may also work on Sunday morning, provided that a day of compensatory rest is given, and commercial establishments of all kinds may make sales on Sunday if it falls on the eve of a public holiday, but they must in compensation be closed on a working day in the following week.

Salvador. — Owing to difficulties caused by the application of the weekly rest to chemists' shops the Minister of Labour informed the Conciliation Boards that Sunday rest would be compulsory in these shops from 13 November 1938.

United States. — The Massachusetts law concerning one day's rest in seven was amended so as to make it apply to certain restaurants and to make it clear that the 24 hours' consecutive rest period must include an unbroken period between 8 a.m. and 5 p.m.

The New York law requiring one day's rest in seven was extended to apply to janitors, watchmen, superintendents, and supervisors or managers employed in dwellings, apartments, lofts and in other buildings. It also now applies to engineers and firemen employed in theatres.

Venezuela. — The Labour Act of 16 July 1936, which fixed the compulsory rest days (Sundays and public holidays) left the Federal Executive to issue the necessary exceptions. By Decree of 30 November 1938 to give effect to the Act, the exceptions were defined in great detail for various kinds of work which must be carried on continuously either in the public interest or for technical reasons, for urgent repairs to machinery or plant, to prevent the loss of perishable materials and in case of accident or *force majeure*. For work performed on Sunday the compulsory

¹ See p. 70.

² See p. 106.

rest is to be one full day if the work lasted more than four hours and one half day if it lasted four hours or less.

International Regulation

The Governing Body of the International Labour Office decided at its 86th Session (January-February 1939) to place on the agenda of the 1940 Session of the Conference the question of "weekly rest in commerce and offices"; the question will be dealt with by the double discussion procedure. The term "commerce and offices" is intended to cover not only shops and commercial undertakings whose activities consist of office work, but also hospitals, hotels and restaurants and public entertainments.

The possibility of such international regulation has been under discussion by the Governing Body for several years. In coming to a final decision it considered that the adoption of an international Convention on weekly rest in commerce and offices would complete the work begun in 1921: at its Third (1921) Session the Conference adopted a Recommendation on the subject, at the same time as it adopted the Weekly Rest (Industry) Convention (No. 14). Since 1921 legislation on weekly rest in commercial establishments has become quite universal—except for the Asiatic countries—so that the proposed international legislation can be based on a foundation of wide practical experience.

*Convention No. 14: Weekly Rest (Industry), 1921*¹

Ratified by *New Zealand* (29 March 1938).

Submitted to competent authorities in *Iraq*; ratification cannot be contemplated until special regulations have been issued.

Preparation by National Institute of Social Welfare in *Ecuador* of draft Decree for approval of Convention.

NIGHT WORK IN BAKERIES

National Regulations

Australia. — The question of the starting time of work in bakeries was reconsidered in several States during the year.

In Western Australia an amendment to the Bread Act assented to on 18 January 1938 fixed baking hours at 3 a.m. till 8 p.m. from Monday to Thursday and 3 a.m. till noon on Friday. On Friday night and before double and treble baking days the hours are fixed at 8 p.m. on the previous night until midnight on the day.

In New South Wales an application by the employers for a reversion to night baking was refused by the Industrial Commission. The judge decided, however, that the ordinary starting time should be 4.30 a.m., since the starting time of 5.30 a.m. which had been legally prescribed since 1926 had been almost entirely disregarded for the past few years.

Bolivia. — A draft Labour Code at present under consideration by the Ministry of Labour lays down a scheme of night work in bakeries. In certain establishments work of any kind is prohibited

¹ The information given here relates only to the period 16 March 1938-15 March 1939. See the table at the end of the volume for the general situation as regards the Convention.

between 10 p.m. and 5 a.m. except in case of urgent necessity in the public interest. The prohibition does not apply to workers engaged in dough making and heating ovens, whose work may not however begin before 2 a.m. The bakeries of the armed forces which make bread exclusively for the forces are not covered by the prohibition of night work.

Bulgaria. — A new Order issued on 21 April 1938 prohibits all night work in bakeries between 10 p.m. and 5 a.m. It allows exceptions on the chief public holidays and for carrying out certain preparatory work, provided that such work does not exceed 2 hours a day in summer and 2½ hours in winter.

Chile. — As a result of a dispute between bakery employers and workers on the effective application of the legislation concerning night work, a committee was appointed in October 1938 to examine the question as a whole. On the basis of its report, published on 16 January 1939, the Department of Public Health will enforce the following measures. The labour inspectorate for bakeries will be made more effective and may order establishments which infringe the prohibition of night work to close for six months for the first offence and altogether for any further offence. In the latter case Chilean employers will have to pay a heavy fine and foreign employers will be expelled from the country. The Department of Industrial Hygiene will submit to the Government a Bill to introduce only day work in bakeries and the use of a health book for the adequate control of the health and working conditions of bakers.

Great Britain. — The Baking Industry (Hours of Work) Act, which received the Royal Assent on 13 July 1938, regulates night work in bakeries.

It applies to all persons employed in any factory in the manufacture of bread or other work incidental to it. On the application of any trade board or association of employers or workers concerned the Secretary of State may make regulations restricting the extent to which persons who, otherwise than in pursuance of a contract of service, engage by way of trade or for purposes of gain in the manufacture of bread, may be employed during the night.

In principle, no person may be employed between 11 p.m. and 5 a.m. Other arrangements of hours of work are, however, permitted on seven days' notice being given to the district inspector and to the workers employed. These arrangements may permit: (i) employment between 11 p.m. and 5 a.m. on not more than five consecutive nights of the same week, the other two nights being free; (ii) employment between 11 p.m. on Friday and 5 a.m. on Saturday and between 4 a.m. and 5 a.m. on any day of the week; or (iii) employment between 11 p.m. and 5 a.m. in not more than half the weeks in any period of six weeks or such longer period as may be specified by Order.

The Secretary of State may, by regulation, provide that the restrictions thus imposed shall not apply, or shall apply subject to

specified modifications, in the case of dough making and oven firing, of work undertaken by reason of breakdown of machinery or plant or for unforeseen emergencies, of work for the purpose of providing supplies to meet seasonal demand in holiday resorts, of extensions of hours required where the occupier of a factory is acquiring or erecting new plant or premises up to two years from the coming into force of the Act, and of work for the purpose of providing supplies for public holidays and feast days, of work for the purpose of meeting a sudden and unexpected demand for bread, and of work done in any other circumstances or for any other purpose in or for which the Secretary of State is satisfied that it is desirable that special provision for work at night should be made.

The Act is to come into force not later than 1 January 1940. It does not extend to Northern Ireland.

A Trade Board for the baking industry was set up by special order of the Minister of Labour on 17 May 1938. Similar boards were set up for Northern Ireland and for Scotland.

Ireland. — By regulations dated 11 April 1938 exemptions from the provisions of the Night Work (Bakeries) Act, 1936, were permitted on account of unusual pressure of work in connection with certain specified public holidays during 1938.

Italy. — Under a Decree of 5 January 1938 the manufacture of bread was allowed to begin at 3 a.m. instead of 4 a.m. during the period 10 January 1938-30 June 1938. The measure was continued until 30 September 1938 and then, provisionally, beyond that date, pending the adoption of a final arrangement. The national employers' and workers' federations concerned have concluded an agreement under which work performed between 3 and 4 a.m. would be paid by a wage increase of 15 per cent., except in the case of bakeries permitted to work continuously with a succession of shifts.

Luxemburg. — An Order of 9 July 1938 was issued as the result of an agreement reached between representatives of master bakers and their employees. The Order provides that the day's work may begin at 4 a.m. in undertakings whose owners have made a written declaration to the labour inspectorate; work will then be prohibited after 9 p.m. The normal rest period from 10 p.m. to 5 a.m. may at any time be restored by a declaration communicated by the owners to the labour inspectorate.

*International Regulation*¹

Convention No. 20: Night Work (Bakeries), 1925

Decision of Mexican Government (Decree of 9 January 1939) not to ratify.

Decision of competent authorities in Iraq to postpone any action on ratification.

¹ The information given here relates only to the period 16 March 1938—15 March 1939. See the table at the end of the volume for the general situation as regards the Convention.

Message of the Executive Power in *Argentina* (22 September 1938) proposing to Congress not to ratify, since existing legislation diverges from Convention.

SHOP CLOSING

National Regulations

Argentina. — Act No. 2707 of 30 June 1938 concerning shop closing in the Province of Rosario provides that commercial establishments may be open only from 7 a.m. to 12 noon and from 2 to 8 p.m. and chemists' shops from 7 a.m. to 12.30 p.m. and 2.30 to 8 p.m. The following are permanently excluded from the scope of the Act: markets; bars, restaurants and other similar establishments; petrol stations; the sale of newspapers; booths at fairs and exhibitions; undertakers' establishments; tobacco shops, etc. Shops for the retail sale of provisions may remain open until 9 or 10 p.m. on Saturdays. Closing hours may also be advanced or retarded one hour at most throughout the Province or in certain districts for climatic or other reasons to be decided by regulations which will be issued later. Enforcement will be controlled by posting up the hours or by individual work books. First offences will be punished by a fine of 20 to 100 pesos and the fine will be doubled if the offence is repeated.

Australia. — There were two developments of interest in the course of the year under review.

In Victoria the Factories and Shops Act was amended with effect from 28 November 1938 to regulate the trading hours of garages and to prohibit the carting of aerated water and ice cream on Sunday. The Act makes provision for the supply of petrol in cases of emergency.

In Tasmania a five-day week in shops operated throughout the year in Hobart and its suburbs under Saturday closing legislation which came into force on 1 January 1938. The scheme is to be given a further trial, after which a final decision will be taken as to whether Saturday closing shall become general throughout the State.

Chile. — The provisions of § 324 of the Labour Code limiting the hours for chemists' and druggists' shops to be open on working days to 8 a.m. to 8 p.m. were repealed by Decree of 20 August 1938, which came into force on 31 August 1938.

Great Britain. — A Private Member's Bill to amend the Shops (Sunday Trading Restriction) Act, 1936, in respect of holiday resorts was submitted to the House of Commons on 1 June 1938. It was not discussed.

A report issued by a committee appointed to enquire into the regulations relating to shops in Northern Ireland recommended that the provisions in force in Great Britain should be adopted in Northern Ireland, subject to certain modifications.

Ireland. — The Shops (Hours of Trading) Act came into effect on 16 May 1938. This Act was summarised in the *Year-Book 1937-38*¹.

As a result of representations from interested quarters, the Minister issued an Order on 2 June 1938 temporarily suspending the restrictions imposed by the Act in respect of Sunday trading. Proposals for the modification of these restrictions were issued by the Department of Industry and Commerce on 9 November 1938.

An Order of 8 September 1938 specified the businesses which, in addition to those already enumerated in the Act, are exempted from the requirement that shops must be closed after 1 p.m. on one day a week. These include among other matters the business of selling certain foodstuffs, pharmaceutical and toilet products, haberdashery, the product of handicraft industries, etc.

New Zealand. — On 7 August 1938 the Court of Arbitration, in connection with the Retail Grocers' Trade Award, rejected a claim made by the workers that employment in shops should be prohibited on Friday evenings and Saturday mornings.

Rumania. — The Act of 3 August 1938, which has already been mentioned², provides that the hours during which shops may be open are to be fixed by joint committees, but that the closing time may not be later than 8 p.m. in towns (9 p.m. on the eve of public holidays) and that the midday rest may not be less than two hours.

Exceptions are allowed for some kinds of shop, the list of which will be laid down by regulations.

Venezuela. — Under the Decree of 30 November 1938 issuing regulations under the Labour Act of 16 July 1936, shops for the retail sale of provisions may remain open on public holidays, including Sundays, up to 12 noon. In centres with as many as 6,000 inhabitants work will be allowed up to 1 p.m. with the permission of the labour inspector. This time-table will not apply to fair days.

ANNUAL HOLIDAYS WITH PAY

Important progress has been made in the extension of annual holidays with pay to new countries and to further categories of workers. This extension and in some cases the generalisation of national schemes are based either on special legislation or on collective agreements or arbitration awards.

Legislation, collective agreements or arbitration awards frequently render the conditions more elastic for using the right to an annual holiday.

¹ Cf. *I.L.O. Year-Book 1937-38*, p. 174.

² Cf. pp. 71 and 90.

National Regulations

Argentina. — The Bill concerning the 40-hour week in railways, which has been described above¹, provides for all staff with at least one year's service in railways under Federal jurisdiction an annual holiday with pay of 30 days.

Australia. — The number of industries and occupations in which an annual holiday with pay is granted by Commonwealth or State awards is steadily growing and in several cases the length of the holiday period was also increased during 1938.

One factor in the progress of the movement has been the favourable attitude adopted by the Commonwealth Court to holiday claims.

In New South Wales the Industrial Commission has also adopted the practice of awarding annual leave in suitable cases. In November 1938 over 190 of the awards in force, applying to a great variety of trades and industries, provided for annual leave.

In Victoria a number of Wages Board determinations included new provisions for annual leave and in Queensland the annual holiday was lengthened in several industries. In the building industry, for instance, the holiday was increased from one to two weeks by an award of 16 August 1938.

Belgium. — An Act of 20 August 1938 amended and supplemented the Act of 8 July 1936 concerning annual holidays with pay. The 1936 Act did not cover undertakings employing less than 10 persons. The new Act applies to all undertakings, whatever their number of wage earners, and to home workers. Previously the wage earner was required to have worked for at least a year with the same employer in order to earn an annual holiday; this condition has now been removed.

The paid holiday is still fixed at a minimum of six days in the year, but additional holidays, to an undefined number, may be granted to all wage earners by Royal Order, according to the financial resources of the National Paid Holidays Auxiliary Fund, and a holiday of 12 days is granted to workers under 18 years of age.

Bolivia. — A draft Labour Code at present under consideration by the Ministry of Labour provides for all salaried employees with more than one year of service a holiday of 15 working days, with full salary; and for workers employed in underground galleries, in mineral-crushing works and at calcination ovens, or in any other place or process liable to cause occupational diseases, a holiday of 15 consecutive days, with full wages, for every period of 220 days' work in the year.

Canada. — Holidays with pay in Canada have been extended during 1938 in a number of new collective agreements and in some

¹ See p. 78.

of the orders and regulations issued under Provincial statutes. For example, holidays with pay for nurses and hospital attendants were granted in a Wage Order issued under the Quebec Fair Wages Act. However no general legislative action was taken during 1938 on this subject, in spite of the efforts made by the organised labour movement.

The All-Canadian Congress of Labour, in its annual convention and in presenting its legislative programme by a delegation to the Dominion Government, urged the enactment of Federal legislation obliging all employers to grant at least two weeks' holiday with pay and drew attention to the fact that the Government's representative at the 1936 International Labour Conference had voted in favour of an international Convention for holidays with pay. The Congress felt that this could be made a subject for discussion with the Provincial Governments.

Denmark. — On 29 June 1938 the Minister of Social Affairs promulgated an explanatory circular concerning the application of the Holidays with Pay Act of 13 April 1938, the adoption of which was mentioned in the *Year-Book 1937-38*.

The circular contains detailed rules for the establishment and application of the holiday stamp system and concerning the different methods of payment of the sums paid into the holiday stamp fund.

The Act also authorised the Minister of Social Affairs to make special provisions for workers in certain occupations of a particularly intermittent character, such as dockers. The circular provides for one day's holiday for every 200 hours of work, the total holiday remuneration to be calculated in proportion to the earnings over the whole of the holiday year.

Ecuador. — Act No. 210 of 5 August 1938, which forms a Labour Code, contains provisions for annual holidays with pay for salaried employees in private employment. The holiday is 15 consecutive days and its date is fixed in the contract of employment; if not, the employer must inform the employees of the date at least three months in advance.

Estonia. — The Act of 20 April 1938¹ provides that all employees in commerce and offices in the employment of the same undertaking for at least 12 months shall be entitled to annual holidays with pay, the length of which is two weeks after one year of service, three weeks after three years and four weeks after five years of service. If the holidays have to be suspended for unavoidable reasons the employer must pay the worker the amount of wages owing for the holidays.

France. — The Legislative Decree of 12 November 1938 concerning holidays with pay provides for the introduction of a rotation system for undertakings in the same branch of industry or in the same district, either by agreement between the undertakings

¹ See pp. 66 and 88.

concerned or by agreement with the Minister of Labour or the Prefect. This "spreading" of paid holidays avoids complete interruption in the working of specially important industries or undertakings, will facilitate transport arrangements and diminish the overcrowding of watering places and tourist centres during the holiday period.

A provision of the Legislative Decree of 12 November 1938 concerning hours of work lays down that holidays with pay granted in excess of the 15 days required by law may be made up without wages. Some action has been taken towards making up these days, for example, by extending hours of work to 42 in the week throughout the year or by extending daily hours of work by one hour until the lost time has been made up¹.

An Act of 13 January 1939 fixed the length of holidays with pay for doorkeepers at 15 days. In cases where the service is performed by both husband and wife, they must both be given their holiday at the same time.

A public administrative regulation issued under the Act of 18 July 1937 laid down the conditions for holidays for commercial travellers and agents.

A circular of the Minister of Labour of 26 July 1938 laid down, provisionally for 1938, a number of measures for workers employed in succession by private undertakings compulsorily affiliated to paid holiday funds and by public authorities not required to be so affiliated; to decide what holidays are due, the hours worked for the various employers in the 12 months preceding the holidays are lumped together; for the payment of the holiday wages each employer has to pay that part of the wages which corresponds to the work performed in his service.

Important legal decisions have been given concerning the calculation of the holiday indemnity and interruption by strikes of the period of service entitling the worker to a holiday. For the calculation of the holiday indemnity not only the maximum period of work fixed by the Act has to be taken into consideration but also the number of hours of work actually performed in the establishment at the time when the holiday is taken, provided that the employer has not evaded the law by reducing hours of work at that moment. It was held that a strike, even of short duration, breaks the contract of employment; but an Order provided that if a worker has to endure the effects of a strike and the employer recognises that fact, this period of enforced unemployment does not interrupt the length of service in the establishment.

Two proposals for legislation have been placed before the Chamber of Deputies; one to extend holidays with pay to home workers, the other, to jobbing workmen employed by departments, communes and public establishments, whether they work alone or assisted by their families, with tools which are their own property but without mechanical power.

¹ See pp. 48, 67 and 80.

The annual Congress of the General Confederation of Labour (Nantes, November 1938) urged that the following amendments should be made to the existing legislation on paid holidays: creation of compensation funds in all corporations; introduction of a strictly proportional system for the right to holidays in accordance with the number of hours worked; consideration of hours of work lost through industrial accidents and sickness; and calculation of the daily holiday wage on the basis of the normal working week of the establishment.

Great Britain. — The year was marked by the publication of the Report of the Departmental Committee on Holidays with Pay, the adoption of an Act which gave partial effect to the recommendations of that Committee by enabling wage-fixing bodies to grant holidays with pay and the spread during the year of agreements granting holidays with pay to about one and a half million additional workers.

The Committee on Holidays with Pay appointed in March 1937 under the chairmanship of Lord Amulree issued its report in April 1938. The Committee strongly recommended that an annual holiday with pay should be established without undue delay for all employees covered by State insurance schemes, as part of the terms of the contract of employment. For the rest, the Committee considered that any attempt to apply at once to all industries and trades one uniform rule would be likely to produce many serious difficulties and that the matter should in the first instance be left to be settled by collective agreements. Legislation making provision for holidays with pay in industry generally should only be introduced in the Parliamentary Session of 1940-41. The nature of that legislation would depend on how far the principle of holidays with pay was being carried out in practice and details should be left to be settled by agreement. Legislation should, however, be introduced at an early date with regard to holidays for domestic workers. The Committee also made recommendations regarding the dates at which holidays should be taken, a matter which is referred to below.

The Holidays with Pay Act, which received the Royal Assent on 29 July 1938, is a permissive measure, enabling trade boards, agricultural wages committees and the Road Haulage Central Wages Board to direct that any workers covered by their decisions shall be entitled to an annual holiday with pay. The length of the holiday must be related to the duration of the period of the workers' employment but must not exceed in the aggregate one week a year and in the case of workers covered by an agricultural wages committee the continuous holiday fixed must not be more than three consecutive days. Provision must be made for payment during the holiday. The Act also empowers the Minister of Labour to assist in the administration of any scheme jointly submitted by employers' and workers' organisations and approved by the Minister.

The Act does not apply to Northern Ireland but a similar Act

passed by the Parliament of Northern Ireland received the Royal Assent on 24 November 1938.

On 30 November 1938 the Minister of Labour stated that ten trade boards had met to consider the grant of holidays with pay in accordance with the Act for Great Britain and in the case of seven of them schemes were being drafted for consideration. In the case of one board it had been decided not to proceed with the statutory scheme but the organisations represented had entered into a collective agreement to provide for paid holidays up to a maximum of six days a year. 27 out of 47 agricultural wages committees had arranged to consider the matter. Two of the committees had decided to issue statutory public notice of proposals to grant holidays with pay and fix the remuneration therefor.

During the year collective agreements granting holidays with pay continued to be concluded. On 30 November 1938 the Minister of Labour estimated that the number of workpeople covered by such agreements was four and a quarter million, as against two and three-quarter million at the end of 1937.

The Minister of Labour stated on 2 June 1938 that the Government attached special importance to the recommendations of the Committee on Holidays with Pay for stimulating the co-ordination of industrial, educational, transport, lodging and other holiday arrangements, which was essential if workers were to be enabled to take proper advantage of their holidays. A standing interdepartmental committee was being set up to deal with this aspect of the question, as well as a special branch in the Ministry of Labour. It was suggested that large towns should take decisions to alter the customary dates of the local holiday week with a view to the spreadover of holidays. This was first done in the case of Coventry.

The question of the educational aspects was the subject of discussions between the Board of Education and educational authorities.

At the end of the year it was estimated by the Minister of Labour that about nine million persons were entitled to holidays with pay. This represented about 47 per cent. of those in the employment field.

The new Holidays with Pay Act might cover potentially 600,000 agricultural workers, 1,300,000 workers under the Trade Board Acts and 200,000 road haulage workers, or a total of about 2,100,000.

Ireland. — The Shops (Conditions of Employment) Act, which was described in the *Year-Book 1937-38*¹, came into operation on 16 May 1938. It provides for holidays with pay for shop assistants.

On 19 October 1938 the Minister of Industry and Commerce submitted a Bill to the Dail to extend the grant of holidays with pay to certain classes of workers not covered by previous legislation.

¹ Cf. *I.L.O. Year-Book 1937-38*, pp. 130 and 189.

Mexico. — In the petroleum industry, under the provisions of the collective agreement annual holidays with pay are fixed at 21 working days for workers with one to ten years' service and at 30 working days for those with more than ten years' service. Special paid holidays may be granted in case of *force majeure* and for the discharge of temporary or permanent duties on behalf of the trade union or the State. Temporary workers will be entitled to holidays after 275 days' service.

Staff of the Federal Administration¹ with more than six consecutive months' service will be entitled annually to two periods of paid holidays, each of 10 days.

Netherlands. — In connection with the provisional report presented by the Second Chamber of the States General on social questions during the discussion in November 1938 on the budget for 1939, the Minister for Social Affairs in his written reply stated with regard to legislative action in respect of holidays with pay that he still considered that this was a question for industry itself and that the authorities should not take the matter out of the hands of the competent organisations of employers and workers.

The Netherlands Federation of Trade Unions at its Seventeenth General Conference in May 1938 adopted a resolution expressing the opinion that the introduction of statutory holidays with pay was an urgent necessity and calling upon the Executive Committee to do everything possible in order to secure the introduction of legal holidays with pay as early as possible.

Official figures published by the Central Statistical Office show that on 1 June 1937 861 agreements applying to 199,736 persons, or 71 per cent. of all industrial workers covered by collective agreements, included provisions relating to annual holidays. The length of the holiday was fixed at one week in 546 agreements, covering 30 per cent. of the workers, at less than one week in 202 agreements, covering 50 per cent., and at more than one week in 112 agreements, applying to 20 per cent. of the workers concerned.

New Zealand. — In evidence submitted to the Court of Arbitration in June 1938 it was stated that among the awards and agreements in force at the end of 1937 over 160 made provision for paid annual leave, in most cases in addition to the statutory holidays.

The Minister of Labour stated on 8 December 1938 that he intended making provision for paid annual holidays for all workers.

Norway. — The Norwegian Confederation of Trade Unions at its Congress in May 1938 stated that one of the most important questions for discussion in connection with the future revision of collective agreements was the improvement of holiday pay, the "economic basis of the twelve days' annual holiday now granted to the majority of workers", together with the extension of the present annual holiday wherever possible.

¹ See p. 70 (Commerce).

Portugal. — The Under Secretary of State for Corporations and Social Welfare announced in a circular of 7 March 1938 that employers might not refuse paid holidays to workers or salaried employees who, owing to military service, could not claim the length of service required to entitle them to holidays.

All the various collective agreements concluded during 1938 contain provisions concerning holidays with pay. In the match industry the workers are entitled to a holiday of eight working days; for supervisors and foremen the holiday is 8 or 12 days, according as the persons concerned have less than or more than five years' service. In the fish canning industry the length of the holiday is one or two weeks, according to district. Employees in the provision trade in the Lisbon district receive holidays of 5 to 15 days, according to length of service. Office workers in the Setubal district who are on the permanent staff receive holidays of 8 to 20 days.

Rumania. — An Order of 17 October 1938 amended the Act of 28 March 1929 concerning contracts of employment so that a continuous period of service is no longer a necessary qualification for holidays. This measure, which was issued to prevent abuses, was supplemented by a decision of the Minister of Labour and Social Welfare requiring the keeping of leave tables for the current year showing the wage earners' names, their date of departure on holiday and the number of days to which they are entitled.

The staff regulations for postal, telegraph and telephone employees fix the length of the normal holidays at a maximum of 30 days in the year.

Salvador. — A large industrial undertaking having refused to grant its employees the paid holidays required by the Act for the protection of commercial employees, the Conciliation Commission announced that the Act applied as much to industrial as to commercial undertakings.

Sweden. — As already stated in the last issue of the *Year-Book*, an Act to provide for 12 days' annual holiday with pay for workers passed the Riksdag on 2 June 1938.

The Act replaces certain not entirely compulsory provisions—introduced in 1931 in the Workers' Protection Act—and covers all persons in public or private employment, with the exception of salaried employees in State or local public services who already enjoy more favourable conditions under special regulations; members of the employer's family; and persons remunerated exclusively by a share in the profits of the undertaking. Every person covered by the Act who has been employed in the same undertaking for not less than 180 days is entitled to one day's holiday with pay for every month of employment during the preceding calendar year. Short interruptions of service do not, as a rule, affect the right to a holiday nor is it affected by the transfer of ownership of the undertaking or vessel. No holiday

may be claimed on account of any employment which is not the employee's main occupation and source of livelihood. The right to a holiday is calculated only on the basis of those months during which the employee in question has been working for the employer for not less than 16 days (in this way short-time workers working four days a week are covered). Working days are also deemed to include days during which the employee has been on leave or unable to work owing to an occupational accident or a disease covered by the Act concerning compensation for occupational diseases, or has been absent on military service. Public holidays may only be reckoned in the holiday period when the holiday covers not less than six consecutive days. These provisions do not affect any more favourable conditions already granted in respect of the duration of the holiday. The date of the holiday is fixed by the employer, who must notify the employee at least a fortnight in advance.

As a general rule the holiday must be taken at one time; exceptions are allowed in respect of workers in agriculture and its auxiliary occupations and in horticulture, and of domestic workers in rural households. The remuneration due for the holiday period is calculated on the basis of the average earnings (not including overtime pay, free housing or remuneration intended to cover special expenses) during the qualifying period. The employee has also the right to reasonable compensation for board to which he is normally entitled.

The Act also contains special holiday provisions for home workers, agricultural workers and seamen.

A person who leaves his employment or is dismissed before he has enjoyed the holiday to which he is entitled must receive compensation calculated on the same basis as the holiday pay.

Any employee who undertakes paid work in his own occupation during any part of this holiday loses his right to holiday pay.

No penal sanctions are provided in the Act itself. It was not considered desirable to "criminalise" social legislation. The control exercised by the employees themselves or by their organisations should, however, in the opinion of the authorities, be a sufficient guarantee for the enforcement of the legislation.

Switzerland. — The Federal census of factories of 16 September 1938 enabled an enquiry to be made into the progress made since 1936. In 1937, out of 360,485 workers covered by the Federal Factory Act, 238,501, or 66.2 per cent. received holidays with pay; 15.5 per cent. of these workers received one to three days, 46.5 per cent. four to six days, 30.6 per cent. seven to twelve days and 7.4 per cent. more than twelve days. The great majority of the workers received full wages during their holidays and only 16,428 received only part wages.

The industries with the highest proportion (93.6 per cent.) of workers (4,250) receiving holidays were those of electricity, gas and water production and distribution; next came the printing industry

with 86.8 per cent. (12,253 workers), watch making and jewellery with 82.6 per cent. (31,145 workers) and the chemical industry with 79.5 per cent. (9,777 workers). Taking the absolute number of workers receiving holidays, the metallurgical industries show the highest number, with 116,090 (78.9 per cent.) and next come the textile and clothing industries, with 66,660 workers (66.4 per cent.).

United States. — The increasing extent to which holidays with pay have been granted in the United States during 1937 and 1938 has been indicated in studies published by the Bureau of Labor Statistics of the Department of Labor and the American Federation of Labor.

A detailed study carried out by the Bureau of Labor Statistics into the extent of holidays with pay in industry during 1937 showed that more than one-fourth of the 19,842 manufacturing plants covered by the survey have a policy of holidays with pay for wage earners. Plants which gave such holidays employed 43.3 per cent., or 1,693,152 wage earners in manufacturing establishments. It is further estimated that 36.7 per cent. of all wage earners employed in 1937 were in plants in which wage earners come under plans for paid holidays.

A further special study, published by the Bureau of Labor Statistics, shows that one week's annual holiday for wage earners and two weeks' annual holiday for salaried workers, both given after one year of service with an individual company, are typical provisions of the regulations governing holidays with pay in American manufacturing industries.

A study made by the American Federation of Labor showed that 814,555 members of its affiliated unions had holidays with pay as a result of collective agreements during the autumn of 1937.

U.S.S.R. — In order to counteract the instability of labour and to prevent abuses an Order of 28 December 1938 extended from 5½ months to 11 months the period of continuous employment in the same undertaking which entitles the worker to an annual holiday with pay (at least 12 days for adult wage earners).

Venezuela. — A Decree of 30 November 1938 issuing regulations under the Labour Act of 16 July 1936 laid down the methods of applying annual holidays with pay. Workers with more than one year of continuous service will be entitled to an annual holiday of seven working days for manual workers and 15 working days for salaried employees. These periods will not include periods of sick leave or justifiable interruptions of work but will include all unjustifiable absences exceeding seven days in the year. During their holidays the workers will receive in addition to their wages any other usual payment in kind. Workers who accept paid employment during their annual paid holidays will lose the right to wages for the period in question.

*International Regulation*¹*Convention No. 52: Holidays with Pay, 1936*

Ratified by *Brazil* (22 September 1938).

Ratification authorised by *Danish* Parliament.

Decision by *Swiss* Federal Assembly (29 March 1938) not to ratify, owing to difficulties which introduction of Federal legislation corresponding to Convention would cause.

Ratification recommended to Parliament in *Argentina* (22 September 1938), *Colombia* (1 August 1938) and *Finland* (9 September 1938).

Decision of competent authority in *Iraq* to postpone ratification.

Parliament informed by *British* Government (May 1938) that it did not seem at present possible to take a decision regarding ratification since report of Committee to enquire into holidays with pay was still under consideration.

When adopting Act on annual holidays with pay (2 June 1938), *Swedish* Riksdag expressed opinion that ratification was impossible, since legislation diverged from Convention on important points.

Statement by *Egyptian* Government that it cannot contemplate promulgation of suitable legislation, since small industries could not support the burden which would be placed on them.

Recommendation No. 47: Holidays with Pay, 1936

Other Information

Submission by *Finnish* Government to Chamber of Representatives (2 September 1938): Government pointed out that most of principles of Recommendation are already applied in Finland; except on certain points where application would cause practical difficulties, a Bill now before Parliament brings national legislation considerably closer to principles of Recommendation.

Submission to Congress in *Argentina* (22 September 1938) by message from Executive.

PUBLIC HOLIDAYS

National Regulations

Cuba. — To allow day workers to benefit by public holidays the Executive decided by Decree No. 1824 of 3 September 1938 to include in the effective hours of work as previously defined by Decree No. 798 of 3 September 1938 regulating contracts of work "the time during which a worker employed by the day remains idle owing to suspension of work on account of public holidays or days of national mourning". This provision applies only to day workers employed by the same employer for at least 15 consecutive days. Some employers have refused to pay the wages in question and the Chamber of Commerce has addressed a protest to the President of the Republic; the Supreme Court of Justice is to decide upon the constitutionality of the Decree.

Ecuador. — The general Act concerning banks, No. 423 of 9 July 1938, fixed at 13 days in the year the total of public holidays

¹ The information given here relates only to the period 16 March 1938—15 March 1939. See the table at the end of the volume for the general situation as regards the Convention.

to be granted in this branch of commerce, or five more days than is required by the Labour Code.

Act No. 210 of 5 August 1938, which forms the Labour Code, applies to all manual and non-manual workers and provides that only the following days shall be recognised as public holidays: 1 January, 1 and 24 May, 10 August, 9 October, 3 November and 25 December, or seven days altogether in the year. In future wages are to be paid for these holidays, provided they do not fall upon the weekly rest day.

Iraq. — An Act of 7 Dhil Hijja 1356 (8 February 1938), amending the Gazetted Holidays Act of 1931, adds the sixth and seventh days of the Hebrew month of Siwan to the eleven days already regarded as official holidays for Jews. These are additional to the twelve holidays prescribed by the Act of 1931 for all religious communities.

Italy. — On 20 February 1938 the Council of Ministers decided that workers should be paid wages for the following public holidays even if no work is done: anniversaries of the Foundation of Rome (21 April), Foundation of the Empire (9 May), the March on Rome (28 October) and the Victory (4 November).

Mexico. — In the petroleum industry the provisions concerning public holidays contained in the collective agreement (which was the subject of the dispute in the industry) were made binding by Order of 18 March 1938 by the Supreme Court of Justice and enforced by the "Mexican Petroleum Administration" which replaced the expropriated companies. The workers will receive a total of 16 public holidays in the year and full wages for those days. Work performed on these days will be paid at double wages and at triple wages if the holiday falls on a weekly rest day; the lowest wage must be equivalent to that for two hours' work.

As regards public holidays in general, in contradiction to the principles laid down by several advisory opinions of the Department of Labour and by an award of the Sixth Chamber of the Federal Conciliation and Arbitration Committee, the Supreme Court of Justice decided, by Order of 10 November 1938, that there was no legal obligation to pay workers double wages for public holidays and for weekly rest days if both days fell together. This decision, which called forth a protest from the General Confederation of Labour, definitely settled more than 400 cases on the double wage question, which had been the subject of great controversy between employers and workers in 1938, since the public holidays on 1 May, 20 November and 25 December fell on Sunday days of rest.

Rumania. — The Act of 2 August 1938, amending the 1925 Act concerning rest on Sundays and public holidays, to which reference has already been made¹, adds Restoration Day (8 June) to the list of legal public holidays.

¹ See p. 90.

United States. — A certain number of laws concerning public holidays were passed by State legislatures.

The Louisiana legislature enacted that "Mardi Gras" should be a holiday in the Parish of East Baton Rouge.

In Virginia, Thomas Jefferson Day (13 April) was declared a public holiday.

In Massachusetts an amendment was made to the Act concerning public holidays to permit the sale of certain products on Sundays preceding Christmas and Thanksgiving Day.

In Porto Rico certain establishments are now permitted to remain open on Sundays and 27 July and 19 November were declared holidays.

Venezuela. — The methods of enforcing the compulsory rest periods for which the Labour Act of 16 July 1936 provides, covering Sundays as well as public holidays, were laid down in a Decree of 30 November 1938 issuing regulations under the Act (see above, under "Weekly Rest").

Industrial Medicine

The year 1938 has been characterised by the very intense interest shown not only in the general problem of industrial medicine but also in certain questions which, though by no means new, have recently come to the forefront of attention and the dominant features of which may be said to be, on the one hand, the importance accorded to the human factor (industrial physio-psychological aspect) and, on the other hand, special interest in the study of pneumoconioses and particularly of silicosis.

INDUSTRIAL PHYSIOLOGY

Protection of women and young persons. — A primary consideration must be the less effective resistance of young workers and of women to morbid agents. In this sphere, among the countries which did not until now possess a system of health protection for young persons, *France* (Pas-de-Calais) has instituted such a system under the direction of the Departmental Office of Social Hygiene for persons employed in commercial or industrial establishments.

Protection of women workers has been organised, not only in the case of heavy work—for instance, in the stone-cutting and glass industries (*Germany*), by means of attention directed to the effects of modern organisation of industry (*Great Britain*), continuous processes (reduction of the working day to five hours in the *Union of South Africa*)—but also by means of stricter application of regulations concerning hygiene and by supervision of employment (*Belgium, Hungary*).

Weights and loads. — Progress has again been made as regards the transport of weights (limitation to 75 kg. in conformity with the accident prevention regulations, *Mexican* Department of Railways). This problem had already been the subject of a study undertaken by the International Labour Office, and of discussion at the 1928 Conference, while the *Cuban* workers' delegate has requested that it should again be placed on the agenda of the Conference.

*Nutrition*¹. — Workers' nutrition has been made the subject of study by several international institutions which have organised enquiries in various countries on the basis of publications and resolutions of the League of Nations and the Office. These enquiries have everywhere revealed the existence of a state of under-nutrition among the less favoured classes of the population, due not only to some ignorance in the choice of foodstuffs but also to poverty and low wages. It is therefore necessary for an economic programme to be developed parallel with the question of workers' nutrition.

This question affects at certain points that of scientific management, particularly in regard to intervals in working hours and their importance relative to the practical problem of meals in the factory. While some experts are inclined to attribute to the application of extreme forms of rationalisation increased morbidity rates and, more particularly, a higher incidence of accidents among workers, and while on the other hand it is claimed with justice that women and young persons should not be engaged continuously for a period exceeding 4½ hours per shift, the fact of the matter is that relaxation is an urgent necessity for the human body—being most satisfactorily achieved by the introduction of rest periods of 5 to 10 minutes per hour—and that organisation of industry on a physiological basis implies provision of facilities for the workers to take their meals under more favourable conditions than those existing at present. It is true that this latter problem meets with opposition on the part of the workers, who are not inclined to favour factory meals; yet experience has proved that where canteens are organised with consideration for the habits of the workers, and more especially with their collaboration, better results can be achieved, while the increased efficiency which results enables the expenses of new installations to be met.

INDUSTRIAL PATHOLOGY

The protection of the workers' health still remains one of the most urgent tasks. It has been emphasised by many congresses, as well as by workers' organisations. It is obvious, however, that it is essential to ascertain and watch the state of health of the

¹ See also Chapter X, under "Nutrition".

industrial population in order to discover, suppress or attenuate in good time the causes of injury. In this connection it is gratifying to note that in several countries the competent authorities have appointed special commissions for the study of working conditions in industry (*India, Mexico*) or that similar action has been taken by employers themselves (*United States, etc.*).

In enquiries of this kind the principal part is played by the medical man, as was emphasised at the VIIIth International Congress for Industrial Accidents and Diseases (Frankfort, September 1938) and also by the Reporter to the *Belgian* Senatorial Commission appointed to examine the Public Health budget. Such enquiries cover a wide field, which it is the duty of both official and private institutions to explore, for it is a highly practical task, both as regards general welfare and reduction of the cost of social assistance and compensation.

The results of enquiries should be made more accessible to those affected in the industries concerned, in order that they may use them as examples and put them into practice in their undertakings.

With this purpose in view, the Office in 1938 began the publication of an Annual Supplement to the Encyclopædia "*Occupation and Health*", of which the two first parts issued deal to a large extent with forms of pneumoconiosis and with certain forms of poisoning and technopathies.

Poisoning

White lead. — The *Greek* Act (20 April 1938) prohibits the use, with certain exceptions, of lead colours containing more than 2 per cent. of metallic lead, lays down very detailed measures on hygiene in workshops and personal hygiene and also regulates by Decree the work of spray-painting. The new Act makes provision for compulsory withdrawal from work and treatment of workers suffering from lead poisoning. In *Venezuela* the regulations under the Factory Act (30 November 1938) reproduce the measures laid down in the White Lead (Painting) Convention, 1921 (No. 13). In *Iraq* the Convention has been referred to the services concerned for examination.

Lead poisoning. — Among new sources of risk mention should be made of a solder containing 75 per cent. of lead used in motor body building (metallic). A Circular has been issued by the Ministry of Labour (10 September 1938) in *Germany* to restrict the effects of this new risk.

Enquiries into the increase in cases of lead poisoning in the lead industries have been made in *South Australia* and *Victoria*. In the first State measures of prevention have been adopted, more especially in regard to spray-painting (motor trade) and in the second it is considered that periodical examination of the workers should be contemplated.

The new regulations issued in *New South Wales* (21 January 1939) to supplement those of last year contain a formula for the estimation of the amount of free silica in silica paint.

Mercury. — In *Germany* the study of the question of the substitution of a harmless product for mercury in carroting has been resumed. Pending a practical solution, the Minister of Labour has issued an Order and instructions (26 March, 28 May 1938) relating to conditions of hygiene in felt hat factories.

Chromium. — After a committee of enquiry had visited a number of countries, a report was published in *France* on the protection of workers in preparing or using chromium salts. In *Belgium* two Orders (1 April, 11 May 1938) laid down measures of hygiene and medical supervision to be observed in chrome-plating shops.

Solvents. — Solvents are still the cause of numerous notifications of cases of poisoning and have been the subject of important scientific publications (*France, Germany, Great Britain, United States*). It is impossible to enumerate all the many products responsible. From the legal point of view mention should be made of the *Belgian* Order (25 August 1938) prohibiting the use of so-called motor spirit for greasing, cleaning (hands) etc., as well as the Order (14 January 1939) concerning benzol, the use of which is regulated in photo-engraving.

Toxic products. — Disinfection, which was the subject of a resolution of the Correspondence Committee on Industrial Hygiene (I.L.O.) and of an enquiry of the Health Committee (L. of N.) is being increasingly regulated by legislative authorities (*South Australia*) either as regards labelling (*France, Norway, Union of South Africa, Uruguay*) or as regards restriction of the amount of certain toxic substances (arsenic, ethylene oxide, etc.), or again as regards the application of methods involving the use of cyanogen compounds (*France, Germany, Great Britain, Norway, South Australia, Tasmania, Union of South Africa, Yugoslavia, etc.*).

Silicosis

The second International Silicosis Conference convened by the International Labour Office was held in Geneva from 29 August to 10 September 1938. It was attended by experts from 12 States Members of the Organisation, as well as representatives of the three groups in the Governing Body, and also by representatives of four important countries who were present as observers. Dr. Orenstein (Union of South Africa) was Chairman and Dr. Middleton (Great Britain) Reporter to the Conference. The meeting discussed first of all the pathology of silicosis; pneumoconiosis of coal miners, occupational pulmonary diseases due to dust other than silica and silicates, the early diagnosis of silicosis, the determination of disability caused by forms of pneumoconiosis and methods of prevention (examination on engagement in dusty trades, campaign against dust, measures of individual protection). For the conclusions of a medical order which were reached, and which it would take too long to enumerate here, the reader may be referred to the report of the Conference.

A resolution was passed expressing the desire that all persons interested in silicosis problems would forward to the International Labour Office results of experiments made by themselves or made by others known to them. The International Labour Office would then distribute this information as rapidly as possible to all the parties concerned.

Finally, the Conference expressed the desire that similar meetings should be convened periodically, say at intervals of three years.

Prevention. — A campaign against silicosis has been instituted in a large number of countries. In *Chile* an enquiry has been begun which includes radiological examination of workers exposed to silicosis in cement factories. The Minister of Labour has issued instructions to factory inspectors to inspect conditions of hygiene in a glass works in which cases of silicosis occurred.

In *Germany* instructions issued on 1 August 1938 concerned the campaign against silicosis in the metallurgical industry. The Miners' Corporation has created at Waldenburg a centre for prevention: exhibition of means of protection, courses of instruction for workers, foremen, etc. The Society for the Protection of Labour has set up three sub-committees for the sand blasting, grinding and pottery industries which are to organise enquiries not only into raw materials but also into working methods, means of protection and clinical and radiological findings. In several of the *United States* commissions are engaged in ascertaining the incidence of the silicotic risk per industry and, in particular, in factories making silica bricks and in quarries. In *France* a Circular issued by the Minister of Public Works (1 September 1938) refers to the views of the Superior Council of Mines and to the organisation of an enquiry into pulmonary diseases of miners. In *Sweden* a Royal Notification (2 December 1938) deals with medical inspection of workers exposed to silicosis, referring to: examination on engagement and annually thereafter; practical methods to be followed; medical authorities entrusted with examination; recording of results on the health register, etc.

Compensation. — A still greater number of countries have amended their compensation legislation or have issued such legislation for the first time. In *Australia*, New South Wales issued on 11 and 25 March 1938 two new compensation schemes for silicosis contracted in certain processes or industries enumerated.

In *Canada* (Quebec), silicosis complicated by tuberculosis (designated "infectious silicosis") in mines is now compensated (Act of 12 April 1938). In the *Netherlands*, an Act of 15 December 1938 applies the provisions of the 1934 Convention to mining, stone working and sandstone working, china and pottery factories, metal and glass polishing, sand-blasting and manufacture or use of scouring products or of emery grinding wheels in enamelling factories. In the *United States*, the Ohio State Industrial Commission has appointed three physicians to act as referees on claims for compensation under the Workmen's Compensation Act.

A Bill introduced in Rhode Island requires payment of compensation for silicosis and asbestosis. In *Switzerland*, the Order of 14 April 1938 enforces compulsory compensation for silicosis, which has been granted since 1932 on a voluntary basis by the Swiss National Accident Insurance Fund. The *Union of South Africa* (Act of 18 March 1938) has increased the benefit rate granted in certain cases and has authorised miners in receipt of benefit to work at certain processes when excluded from their ordinary occupation by the terms of the legislation in force. In *Southern Rhodesia* a resolution has been adopted calling for compensation of silicosis and asbestosis on the basis of the South African Act.

Other Injuries

Eyesight. — Ocular injuries of occupational origin have been the subject of much discussion in a number of countries and more particularly in *Great Britain*, where it has been computed that out of a total of 200,000 injuries of this kind occurring annually, 80 per cent. of the cases were avoidable. Emphasis has also been placed on the necessity for early intervention in accordance with recognised methods of treatment. Observations made in regard to ocular injuries due to X-rays have led to the suggestion that radiologists should have their eyes examined at regular intervals.

X-rays. — In the *United States* (New York) measures have been outlined for the prevention of bone injuries (sarcomas) affecting workers engaged in painting luminous watch dials. In *Norway* the Act of 18 June 1938 empowers the Government to issue regulations dealing with the length of working hours and with medical inspection of workers exposed to X-rays, radium and the radio-active substances.

Ankylostomiasis. — In *France* an Order (3 May 1938) issued in New Caledonia regulates the campaign against infection in mines. On the basis of enquiries effected by the Social Hygiene Institute in *Hungary* agricultural workers suffering from this disease are subject to compulsory treatment.

Cancer. — The study of the problem of occupational cancer due particularly to light tar and coal oils has proved that, contrary to the opinion so far held, light oils are carcinogenic and capable of setting up primary cancer of the lungs; the necessity for strict preventive measures consequently arises.

MEDICAL CARE

The position of factory doctor in various countries is assuming an importance which cannot be overlooked by the competent authorities. While undertakings employing several hundred workers can and ought to appoint a doctor, those on a smaller

scale may very well jointly appoint a doctor to undertake the medical care of their establishments. As regards the administrative aspect, such a medical officer should be directly responsible to the manager of the undertaking and, as regards his medical activity, he should follow the guiding principles of the State medical factory inspection service. Such is the principle adopted in *Germany* and recommended at various meetings of experts. There is no doubt whatever that at the present time medical inspection in industrial undertakings has become an absolute necessity and that, once adopted, it should be carried out on a uniform basis in accordance with well defined principles.

In *Mexico* mention should be made of a movement in favour of the appointment of industrial doctors, who should be required to respect the rules of professional ethics.

In *Bolivia* a Decree (9 January, 25 February 1938) makes provision for dental service in mining, industrial and railway undertakings employing upwards of 500 workers.

In the *Netherlands* the Order of 19 November 1938 enumerates the occupations in which medical examination is to be compulsory. In *Sweden* a Royal Notification (2 December 1938) provides for the organisation of medical inspection of workers exposed to lead poisoning and to silicosis (examination on engagement and periodically thereafter; duties of the medical officer).

A series of measures have been issued relating to *first-aid*, in *Canada* (Alberta (20 June 1938), Ontario (26 March 1938)); in *Great Britain* (5 May 1938); in *Guatemala* (20 April 1938); in *India* (Madras (6 October 1938)); and in *Salvador*, where a Ministerial Circular requires a first-aid box to be available in agricultural undertakings employing 100 workers.

HYGIENE

General Hygiene

Several legislatures have carried into effect draft regulations outlined last year and a very widespread movement in this connection is reported in Latin America.

In *Germany* instructions (10 October 1938) deal with various welfare measures for factory workers. In *Argentina* the Legislative Chambers have under consideration draft regulations affecting hygiene and safety. The *Bolivian* draft standard labour code contains a chapter on hygiene and safety. *Chile* has applied (Decree of 9 May 1938) legislation dealing with preventive medicine. The Health Code of the *Dominican Republic* (6 January 1938) makes compulsory the organisation of hygiene in factories and the periodical examination of workers in certain industries. In the State of Mysore in *India* a Notification (8 October 1938) contains rules of general hygiene and, more particularly, provisions relative to humidification and cooling of air in workshops. In *Indo-China* (Annam) several Orders issued under the Act of 16 November 1937

deal with relations between employers and workers, particularly as regards hygiene and safety (factory doctor, prohibition of the use of lead paint in buildings on internal and external painting—special regulations for mines). In *Japan*, the Order of 16 April 1938 revises the rules relating to factory hygiene and the prevention of accidents. A *Latvian* Act (14 January 1938) institutes health protection for workers and employees. In *Peru*, a Resolution (1 June 1938) deals with hygiene in workshops. In *Poland* a Circular issued by the Minister of Social Welfare (20 October 1938) relates to the improvement of working conditions in industry, foundries and mines, providing, among other matters, for the installation of baths and of crèches for establishments employing upwards of 100 women workers. The Workers' Protection Act of 1912 in *Sweden* has been amended and extended to cover certain aspects of hygiene and protection for young persons even in the smaller undertakings, as well as medical examination for adults on engagement and periodically thereafter in the case of particularly unhealthy trades, notably those involving exposure to lead poisoning and to silicosis. In *Czecho-Slovakia* (Order of 10 February 1938), detailed measures were adopted relating to the protection of workers (tools, workshops, personal hygiene). In the *U.S.S.R.*, draft health standards to be observed in building plans for industrial undertakings have been issued by the Central Council of Trades Unions, on the basis of a series of studies (noise, atmospheric content of harmful gas, fumes or dust, lighting, ventilation, etc.). In *Uruguay* a Presidential Resolution (24 February 1938) contains industrial hygiene regulations covering such matters as medical service in the factory, first-aid, dormitories, canteens, etc. In *Venezuela* regulations issued under the Labour Act (30 November 1938) comprise hygiene measures more particularly affecting unhealthy, dangerous or offensive trades, and special regulations deal with the manipulation of hydrocarbons (petroleum, etc.).

The following more extensive enquiries may also be mentioned: in *China*, in Shanghai, the municipal health department is engaged in an enquiry into hygiene conditions in small factories; and in the *United States* the American Standards Association has authorised the preparation of standards for permissible limits of concentration for toxic dust and gas in the atmosphere, to enable determination of minimal quantities of toxic materials likely to produce recognisable physiological effects, to be made.

As regards *dust*, mention may be made of the *German* instructions (18 August 1938) containing the conclusions of the Commission on masks and principles of manufacture for effective breathing apparatus. In the *United States* Massachusetts has proposed regulation and control of dust in industrial establishments on the basis of the enquiry effected in 1935-1936.

Lighting. — In *Great Britain* the Departmental Committee on Lighting has published its fourth report, proposing standards of lighting which should be prescribed by regulations under the Factory Act.

The question of lighting has been made the subject of special study in *Germany* in commercial offices, as has likewise that of *working clothes*, which has everywhere aroused an increasing amount of interest and was discussed by the Society for Labour Protection (Frankfurt, 27 October 1938).

In *Venezuela*, *public baths*, intended more especially for workers, are being provided in industrial centres.

Noise. — In *Germany* the Reich railways have issued to workers engaged in their workshops on noisy processes a protective apparatus which is said to eliminate almost completely all risk to hearing; at the same time, working hours have been reduced and those processes which cannot be replaced by less noisy methods have been concentrated in a single workshop. Enquiries into measures for attenuating the intensity of noise have likewise been effected in mines (*Great Britain*) and in industry (*Hungary*).

Hygiene in Particular Occupations

Agriculture, forestry, camps. — Health care for agricultural workers has been prescribed in *Guatemala* (Decree of 21 April 1938). *Costa Rica* is engaged in the preparation of industrial health regulations affecting workers on the banana plantations. At the International Labour Conference (June 1938) a resolution presented by the Swedish Workers' Delegate invited the Office to organise research into conditions of production of wood as a raw material (comprising housing, nutrition, hygiene, occupational diseases, etc.). In *Italy* the National Technical Agricultural Committee (Milan, June 1938) has drawn attention to the ordinary and infectious diseases from which workers in the rice fields suffer and prescribed measures of prevention (wearing of boots, leggings, gloves, etc.). In *Portugal* a Decree (19 February 1938) relates to protection of the health of workers engaged in the cultivation of rice.

Camps have likewise been made the subject of hygiene measures in *Canada* (Alberta (5 January 1938), Manitoba (14 November 1938), Ontario (18 August 1938)), and in *Colombia* (9 November 1938), and *Costa Rica* (9 November 1938). The Superior Health Council of *Honduras* has also begun a study of this problem.

Compressed air. — The *Australian Standards Association* is publishing a labour code dealing with work in compressed air. New regulations have been issued in *Canada* (Ontario (24 June 1938)) and *Venezuela* (30 November 1938).

In *Greece* (Decree, 25 August 1938), a list of qualifications has been published for workers desiring to follow a course in *diving*; physical examination is required, etc.

The use of *pneumatic tools* has given rise in New South Wales to a fairly considerable number of specific diseases and the workers therefore demanded (March 1938) that an enquiry should be held to ascertain the exact pathology of this occupation.

Mines, salt mines and quarries. — In *Germany* new centres have been set up in certain districts to provide "artificial sunlight" for miners. In *Chile* the work of loading and unloading saltpetre has been made subject to special regulations ensuring protection of workers' health (weight of packages, prohibition of handling saltpetre in the hot state with a view to preventing serious injuries to the skin). In *Australia* (Tasmania) regulations (10 June 1938) relate to first aid for miners who are victims of accidents. In *France* the National Congress of the French Miners' Association (Alès, 30 March 1938) voted a resolution on the subject of occupational diseases and the extension of compensation to cover silicosis and diseases caused by or arising from mining operations. The Legislative Decree (24 May 1938) amending legislation on mines and quarries provides for measures of protection and for improvement in industrial hygiene. Decrees will lay down the measures necessary to enable technical research to be carried out in this field. In *Great Britain* the general Regulations of 29 June 1938 relate to quarries and those of 30 June 1938 to metalliferous mines. The annual conference of the Mineworkers' Federation (Whitley Bay, 18 July 1938), declared in a resolution that the increased nerve strain and physical exhaustion caused by intensified mechanical mining rendered it necessary to provide increased leisure for recuperation. At the same time University institutes devoted to mining technology (at Sheffield, for instance) have continued research into such matters as ventilation, lighting in mines, and, more particularly, the possibility of using sodium vapour and mercury vapour lamps. The departmental committee appointed to consider the pathology and diagnosis of *nystagmus* has issued a report which once more emphasises the fact that while insufficient lighting is the principal cause of the disease, considerable improvement in lighting systems is indispensable since the required standard has not, so far, been achieved everywhere. The report stresses the practical value of the electric lamp fixed to the miner's cap, which gives adequate light, more especially at the cutting face. The Congress of the International Federation of Miners (Luxemburg, 23 May 1938), after hearing a report on prevention of accidents and occupational diseases in coal mines, requested the Office to prepare a standard code of health regulations for mines and demanded the provision of adequate compensation for occupational diseases. In *Mexico* the Industrial Mining Union has demanded legislative recognition of tuberculosis as an occupational disease. In *New Zealand* Regulations of 8 August 1938 deal with hygiene in underground work. In *Yugoslavia* general regulations dealing with the control of mines (15 August 1938) provide for medical examination of workers.

Glass and pottery industries. — In *Germany* an Order (23 December 1938) regulates hygiene in glass works and more particularly with regard to certain processes. In *Great Britain* the National Council of the Pottery Industry (27 June 1938) has studied a new dust-removing device. Progress effected by substituting alumina for

flint used in china bedding should be mentioned. The mortality figures for silicosis show the average age at death for workers affected to be higher than that previously recorded. In *Italy* the Glass and Pottery Industry Corporation (February 1938) discussed a demand made by the workers that certain occupational diseases should be recognised for the purposes of compensation (silicosis, pulmonary emphysema, dental caries).

Metal trades. — In *Germany* and in *France* injuries due to arc welding have been made the subject of study and the application of adequate measures of prevention has been proposed.

In the *United States* (New York) a preliminary report published by the Department of Labor contains results of an investigation into the incidence of silicosis among foundry workers. The investigation showed that of 311 foundries about 10 per cent. showed good conditions, while 27.5 per cent. showed fair conditions, 45.5 per cent. poor conditions and 17.3 per cent. bad conditions. In *France* at the Foundry Workers' Congress, Lyons (June 1938), the Industrial Hygiene Committee of the American Association of Foundry Workers submitted, as a memorandum, the code which it had just prepared on the subject of dust removal. In *Latvia* measures of protection have been taken in the metallurgical industry (July 1938).

Transport. — In *Australia* (Commonwealth), after an enquiry into the effects of wheat dust setting up fine pulmonary fibrosis, confirmed by clinical examination, a report submitted to the Ministry of Commerce contained recommendations on the use of masks and the adoption of better ventilation in mechanical transport. The same question was raised in New South Wales and on the basis of the above-mentioned enquiry, it was recommended that the suggestions in question should be applied with the shortest delay and should be carried out by the department controlling shipping.

In *Belgium* the National Congress of Transport Workers (Antwerp, 15 May 1938), asked that a study should be made of occupational diseases affecting motor drivers and that an official service to undertake social and health care for boatmen should be set up.

In *Great Britain* the Associated Society of Locomotive Engineers and Firemen (London, 25 May 1938), drew attention to the increased physical and mental strain and to problems of health and safety affecting drivers. An interim report (London, September 1938) on a series of conferences held to investigate the effect of working conditions on the health of London omnibus men disclosed the fact that these workers are particularly subject to gastric disorders.

Textile trade. — In *Germany* efforts have been devoted to the attenuation of deafening noise to which workers in the textile industry are exposed. In *Great Britain* research has led to the discovery of specially efficient methods of lighting for weaving

sheds. The question of "shuttle kissing" and the substitution of a less risky method has again been raised. At the meeting of the National Union of Dyers, Bleachers and Textile Workers (Blackpool, 24 May 1938), the fact that the death rate in the textile areas of Bradford is 30 per cent. above the average was emphasised and was said to be due to the intense pressure put upon women and young persons in the spinning section. In *India* the Municipal Corporation of Bombay has drawn the attention of the Government and of the employers' association to the risk to which workers in carding departments are exposed in certain factories not possessing adequate installations for the removal of dust.

Hides and skins. — In *Australia* (Victoria) an advisory commission on compensation for occupational diseases has undertaken a study of forms of dermatitis affecting workers in the hides and skins industry as a result of discussions between workers' organisations and insurance authorities concerning the occupational origin of these injuries.

Chemical industries. — The chemical section of the *German Labour Front* (22 June 1938) made a study of the protection of women and proposed their exclusion from heavy work, as well as protection against heat radiation, risk of poisoning, etc. In *France* the Federation of Chemical Trades at the National Petrol Conference (Clichy) submitted a report on occupational diseases and proposed the setting up of safety committees to detect those diseases which should be subject to compulsory compensation.

In *Western Australia* the question of occupational risk in cement works was the subject of an enquiry, the conclusions of which enumerated certain measures of prevention to be embodied in regulations. In *Latvia* regulations (21 May 1938) deal with the protection of the health of employees and workers in the paper industry.

Employees. — At the Congress of the International Federation of Christian Trade Unions of Salaried Employees (Antwerp, 13 May 1938) a report was presented on conditions of hygiene in offices. An Order issued (22 December 1938) in *Estonia* relates to the protection of the health of employees in offices and commercial establishments. In *Poland* this question has also been the subject of several publications relating to workshops, personal hygiene, injuries of a psychological nature, etc.

COMPENSATION FOR OCCUPATIONAL DISEASES

Since the last issue of the *Year-Book* the following action has been taken on Conventions No. 18 and No. 42:¹

¹ The information given here relates only to the period 16 March 1938 to 15 March 1939. See the table at the end of the volume for the general situation as regards these Conventions.

Convention No. 18: Workmen's Compensation (Occupational Diseases), 1935
Ratified by 'Iraq (26 November 1938).

Convention No. 42: Workmen's Compensation (Occupational Diseases) (Revised), 1934

Ratification authorised by Parliament in *Denmark*.

In *Argentina* message submitted to Congress by the Executive on 22 September 1938, recommending approval of Convention; in 'Iraq, ratification recommended to competent authority.

Draft Decree prepared by National Institute of Social Welfare in *Ecuador* for approval of Convention.

The schedule system has been followed in all new Compensation Acts passed during the year. In *Australia* (Queensland) regulations (24 March 1938) amended the measures in force for the compensation of lead poisoning (Mount Isa). An Order (29 September, 15 December 1938) adds to the schedule "Q" fever (rikettsia), confirmed by laboratory research and affecting any person employed in meat canning establishments or in the handling of animal carcasses, hides or skins. In *Victoria* regulations have been issued under the Act (11 and 15 October 1938). In *Belgium* the Royal Order of 22 December 1938 amends the entries in the second column of the schedule (list of occupations) which is now brought into conformity with Convention No. 42, and adds, in the case of pneumoconiosis, sand-blasting processes in iron and steel foundries. In *Bolivia* a Draft Labour Code makes employers liable to pay compensation for occupational diseases. In *Canada*, representatives from the Trades and Labour Congress in co-operation with the Corporation of Railway Transport Workers, have presented a draft scheme of compensation for occupational diseases based on general coverage (Blanket Coverage). *Alberta* (Act of 31 March 1938) and *Nova Scotia* (Act of 30 April 1938) have amended their compensation legislation, while maintaining the schedules in force. *New Brunswick* has added (Order of 14 March 1938) acute bursitis of the elbow (miners), carbon monoxide poisoning, conjunctivitis and retinitis of oxy-acetylene welders and cutters. In *Colombia* the Trades Union Congress (Cali, January 1938) demanded recognition of occupational diseases as industrial accidents. The *Danish* Act (13 April 1938) amends the schedule and covers forms of poisoning caused by phosphorus, arsenic, benzol and their homologues and nitro- and amido-derivatives and halogenated derivatives of the aliphatic hydrocarbons; pathological disorders due to radium and radio-active substances; primary epithelioma of the skin; diseases due to hydrofluoric acid; affections of the muscles and bones caused by pneumatic tools; glass workers' cataract; deafness in the metal industry; forms of dermatitis caused by certain products (cements, flour, essential oils, para-phenylenediamine, etc.) in the industries enumerated in the second column. In *Ecuador* the Labour Code (5 August 1938) makes employers liable for compensation, repeats the definition of occupational disease and publishes a schedule comprising: anthrax, glanders, ankylostomiasis, actynomycosis, leishmaniosis, tetanus,

syphilis, anthracosis, silicosis, tuberculosis, siderosis, tabacosis and other conioses; dermatoses, injuries due to physical agents such as humidity, compressed and confined air; diseases of the eyes and ears; hygroma of the knee; forms of cramp and occupational deformities; forms of poisoning due to ammonia, hydrofluoric acid, chlorine, sulphur dioxide, carbon monoxide, carbon dioxide, arsenic, lead, mercury, sulphuretted hydrogen, to nitrous fumes, carbon disulphide, nitric acid, to hydrocarbons used in the manufacture of perfumes, to hydrocarbons, alkaline chromates and bichromates, and, finally, epitheliomatous cancer due to paraffin, tar and similar substances. For each of these diseases the respective processes are indicated. In the *United States*, where the Federal Act concerning dockers and workers in ports was amended (25 June 1938), the principle of compensation for occupational diseases has now been adopted in 27 different States or jurisdictions as compared with 18 for the previous year. In some States, as in Maine and the Southern States, technical commissions have been set up to effect a study of the problem. In *France*, a Decree (9 December 1938) increases the number of industries covered for compensation for the following forms of poisoning: tetrachlorethane, benzene, phosphorus, dermatoses, and poisoning by trichloronaphthaline, and at the same time adds to the schedule poisoning by carbon tetrachloride, chlorinated derivatives of ethylene, nitro- and chloronitro-derivatives of benzene carbides, dinitrophenol and aromatic amines, as well as diseases caused by pitch (epithelioma), dermatoses due to phosphorus sesquisulphide, and finally anthrax infection. Each entry in the schedule includes either clinical symptoms or the industries and processes covered. In *Great Britain*, notification of disease caused by compressed air has been made compulsory (Order of 15 November 1938). The *Indian Government* (March 1938) and the Province of Bombay (notification of 12 January 1938) have added to the schedule poisoning by nitrous fumes. In Hyderabad a Compensation Bill has been introduced modelled on the legislation in force in the British Provinces, and covering a number of diseases. In the *Netherlands*, of two Acts (15 December 1938), one has applied the schedule appended to Convention No. 42 and covers in addition ankylostomiasis, baker's eczema and diseases due to chromium, while the other covers compensation for occupational diseases in agriculture; poisoning by mercury, arsenic, the halogenated derivatives of the hydrocarbons of the aliphatic series, nicotine, anthrax, trichophytosis, Bang's disease and itch. In *Curaçao* (Order of 15 January 1938), the delay affecting employers' liability for the various diseases has been fixed. In *Peru* a Decree (21 November 1938) requires the preparation of an insurance scheme to make payments under the Act for the compensation of occupational diseases. In *Sweden* (Act of 3 June 1938, notification of 17 June 1938) compensation has been extended to cover forms of dermatitis due to the use of chlorinated derivatives of phenol for impregnating wood. In *Czecho-Slovakia* an Order (25 February 1938, amended Act of

8 April 1938) amended the schedule by the addition of cancer of the lungs in the Joachimsthal mines; simple pneumoconiosis, or pneumoconiosis accompanied by pulmonary tuberculosis or emphysema involving a loss of earning capacity of at least 10 per cent. affecting any person employed in uranium mines, uranium and radium colour factories and the preparation of uranium. In the *Union of South Africa*, a Proclamation (21 October 1938) provides for the addition of further diseases to the schedule: dermatitis (due to acids, oils, lime, cement, sugar, wood, chemical products, petroleum spirit, india-rubber, fruit, varnish, tobacco, tar, soap, etc.) when contracted in a long list of operations, and also anthrax, phosphorus, arsenic and benzol poisoning, poisoning by halogenated hydrocarbons and pathological disturbances due to radium and X-rays. In *Venezuela* the Labour Act of 30 November 1938 includes a chapter dealing with occupational risks and enumerates certain diseases to be compensated: poisoning by lead and mercury; anthrax; silicosis (wording of the Convention); poisoning by phosphorus, arsenic, benzene and its homologues and nitro- and amido-derivatives; poisoning by hydrocarbons; pathological disturbances due to radium and other radio-active substances and to X-rays (forms of primary epithelioma of the skin); ulceration due to chromium; dermatitis due to toxic woods; glanders; glass-workers' cataract; compressed air disease; miners' diseases: nystagmus; subcutaneous cellulitis of the hand, knee or elbow, tenosynovitis of the wrist; and cancer. The second column of the schedule mentions the industries and processes covered. In *Yugoslavia* (Decree of 7 November 1938), the schedule has been extended to include the following diseases: poisoning by nitrous fumes, even where the first symptoms only appear 48 hours after exposure to the fumes; poisoning by benzene and its homologues; poisoning by nitro- and amido-derivatives of the hydrocarbons of the aromatic series.

For compensation of *silicosis* see above.

Statistics

France. — Among the occupational diseases subject to compensation the number of cases notified in 1936 amounted to 729, 521 of which were in conformity with the legal requirements and were distributed as follows: lead poisoning, 494; mercury poisoning, 20; poisoning by benzol, 4; injuries due to radio-active substances, 3.

In addition, the following cases were recorded under diseases subject to notification only: poisoning by benzene, its homologues and their nitro- and amido-derivatives, 37; injuries due to caustic alkalis and cements, 26; poisoning due to arsenic and its compounds, 23; injuries due to tar, mineral oils, 23; chromic acid and chromates, 9; salts of nickel, 7; pulmonary diseases, 22 (4 of which were due to silicious dust); nystagmus, 18; chronic or recurring dermatosis, 14; injuries due to gas and irritant or toxic fumes, 13; various, 16.

Germany. — The Social Insurance Office has published the following statistics of cases of occupational disease compensated in Germany during 1937.

The number of occupational diseases notified in 1937 amounted to 22,363, 3,223 of which received compensation, and were distributed as follows: serious pneumoconioses (silicosis), 1,582; or pneumoconiosis accompanied by tuberculosis, 618; asbestosis, 19; pulmonary disease due to Thomas slag, 13; poisoning by lead, 113, by carbon monoxide, 33; by benzene and its homologues, 27 and by their nitro- and amido-derivates, 9; by arsenic, 23, mercury, 8, carbon bisulphide, 4, sulphuretted hydrogen, 4, halogenated hydrocarbons of the aliphatic series, 2; injuries due to X-rays and radioactive substances, 8; diseases of the muscles, bones, and joints due to pneumatic tools, 203; serious or recurring dermatitis, 199; cancer of the skin (soot, paraffin, tar, anthracene, pitch), 27; cancer of the lungs, 3; Schneeberg lung disease, 2; deafness due to noise, 9; cataract, 12; tropical diseases, 8; infectious diseases, 297.

Great Britain. — The number of cases of occupational disease accorded compensation in 1937 was 11,748. In order of incidence, the causes of these diseases were as follows: sub-cutaneous cellulitis of the knee, 4,962, of the hand, 1,419, of the elbow, 715; inflammation of the wrist joint and tendon sheaths, 566; dermatitis and ulceration (dust or liquids), 2,650; miner's nystagmus, 1,165; poisoning by lead, 109, by benzene, its homologues, and their nitro- and amido-derivatives, 9, by nickel carbonyl, 6, by mercury, 4, by nitrous fumes, 2, by arsenic, 2, by solvents (dope poisoning), 1; epitheliomatous cancer and scrotal epithelioma, 60; new growth of the skin, papilomatous or keratotic (mineral oils), 25; chrome ulceration, 19; cataract (molten or red-hot metal), 13; anthrax, 12; compressed air illness, 3; ulceration (corneal surface of the eye—tar, pitch, etc.), 3; and twister's cramp (cotton or woollen yarns), 3. In addition, compensation was accorded in 707 cases of silicosis (201 fatal) and 47 cases of asbestosis (1 fatal).

Italy. — In accordance with the report submitted to the Congress of Industrial Medicine (Bari, 10 September 1938), 1,693 cases of occupational disease were notified from 1934 to 1937, 221 of which are not so far on the schedule. The cases compensated, totalling 764, are distributed as follows: lead poisoning, 591; poisoning by carbon bi-sulphide, 83; ankylostomiasis, 60; mercury poisoning, 16; poisoning by benzol, 14.

United States. — In the State of New York the number of cases of occupational diseases compensated in 1937 was 1,414, distributed as follows: dermatitis (due to direct contact with acids, alkalis, oil, etc.), 660; blisters or abrasions, 285; bursitis or synovitis, 132; anthrax, 9; poisoning by: lead, 59, nitro- and amido-derivatives of benzol, 54, chromium, 12, carbon monoxide, 8, mercury, 7, formaldehyde and preparations, 7, dope poisoning (solvents), 7, wood alcohol, 6, mineral acids (sulphuric, hydrochloric, hydrofluoric), 5, carbon bisulphide, 3, nickel carbonyl, 3, tar, pitch, etc.,

3, fumes from petroleum products, 3, and nitrous fumes, 4; in addition, compensation was accorded for 13 cases of silicosis and 137 further cases designated "all others due to harmful occupational activity, including dermatitis (30 cases)".

MEDICAL INSPECTION

In *Australia* (Victoria) the Annual Report of the Health Division proposes that the service should comprise a chemist, a medical man and a sanitary engineer. In *Belgium* the chemical laboratory attached up till now to the Medical Inspection Service has been made a laboratory of scientific and experimental research at the disposal of all services connected with the protection of labour. In *Bolivia* a Draft Labour Code provides for the organisation of a medical service attached to the legal labour service. In *Canada* a similar service has just been instituted under the Federal Ministry of Pensions and National Health, and will collaborate in this special sphere with the health services in the various provinces. In *China* the National Government has organised (Regulations of 11 February 1938) a hygiene laboratory comprising, an industrial health section. *Colombia* and *Ecuador* have instituted, under the Ministry of Social Welfare, industrial health and hygiene services especially entrusted with the prevention of occupational diseases and industrial accidents. In *Czecho-Slovakia* a medical service was added to the factory inspectorate.

The *annual reports* of the factory inspection services continue, as usual, to provide valuable information upon industrial pathology and hygiene. This is the case in *Australia*, *Belgium*, *Denmark*, *Germany*, *Great Britain*, the *Netherlands*, *Norway*, the *United States*, etc.

A movement is reported from the *United States* in favour of attaching the Industrial Hygiene Section to the Department of Labor instead of to the Public Health Service. In *India*, in the States of Mysore and Hyderabad, it has been suggested that the protection of workers' health would be better assured by close contact between industrial and public health officers in rural and outlying districts. In *Italy* the medical inspection authorities have been ordered by Ministerial Decree (27 June 1938) to supervise the periodical examination of women under age and of children in certain industries, to be effected at the expense of the employer. In *Latvia*, at a conference of factory inspectors, the importance of co-operation with technical and medical experts was emphasised with regard to the application of the Act concerning the protection of workers' health. In *Mexico* the Industrial Health Office, which had been transferred to the Labour Department, has been retransferred to the Public Health Department as far as concerns some of its activities. In *Rumania* it has been suggested that the industrial health service should be entrusted to the medical officer in charge of the insurance funds most directly affected and most

competent to deal with this work. In *Sweden* the Government has submitted two draft schemes for the reorganisation of the factory inspection service. The creation of the post of Chief Medical Adviser to the Labour Inspection Department is of special interest. In *Switzerland* the introduction of medical inspection of factories was the subject of a report and discussion at the meeting of the Swiss Hygiene Society (Geneva, 18 June 1938).

Institutes. — In *Germany*, a Section of pathology and occupational diseases has been organised in the Dessau Institute and an industrial hygiene and occupational diseases section in the Gelsenkirchen Institute. The District Railway Management (Düsseldorf) has organised a hospital in connection with the campaign against occupational diseases. In *Argentina* there is a growing movement in favour of the creation of an institute of occupational diseases, with a hospital to receive victims of occupational accidents and diseases. In *France* a polyclinic for Parisian workers in the metal trade was opened on 1 December 1938. In *Great Britain* a fracture clinic for the treatment of fractures and other injuries has just been established at the Hull Royal Infirmary. In *Mexico*, besides the proposed creation of an institute of hygiene and industrial medicine, a central clinic has been opened by the Mexican State Oil Industry to provide treatment for employees suffering from medical or surgical complaints. In *Poland* a research institute for social and occupational surgery has for some months past been attached to the second surgical clinic of Warsaw University. The institute studies the mechanism of typical "movements" in various occupations, the influence of certain movements on a given piece of work, etc. In *Czecho-Slovakia* the Workers' Accident Insurance Fund intended to open a clinic in Prague, modelled on that already in existence in Brno, together with a centre for dental treatment.

CONGRESSES

General or special problems of industrial hygiene and pathology have been considered at a number of international or national congresses. The Committee of Experts on Safety in Coal Mines (I.L.O., Geneva, 21 November 1938) discussed the French Government's proposal to establish an International Centre of Mining Information to assemble data on the results of research relating not only to safety but also to hygiene and occupational diseases. The International Congress on Industrial Accidents and Occupational Diseases, which met in Frankfurt-on-Main (26 September 1938), discussed: diseases due to solvents; occupational pulmonary diseases other than silicosis and asbestosis; and, at the joint meeting devoted also to industrial accidents, pre-disposition and premature ageing in industrial accidents and occupational diseases. It was decided to hold the next Congress in Rome in 1942. Some

days earlier, the First International Congress on Legal and Social Medicine was held at Bonn; it devoted particular attention to insurance for occupational accidents and diseases and established an International Academy of Legal and Social Medicine. The Committee of the International Conference of Catholic Employers' Associations, which met at Rotterdam (21 March 1938), considered that among other matters one of the most urgent tasks in the field of international labour legislation was the legal protection of the workers' health and recommended that every effort should be made to obtain prompt ratification of the international labour Conventions concerning the prevention of and compensation for industrial accidents and occupational diseases. In Paris the International Cancer Week and the International Meeting in Commemoration of the Discoverers of Radium, X-rays and Hertzian Waves opened at the Sorbonne on 23 November 1938. On the same date the International Committee for Seamen's Welfare also held a meeting in Paris.

In *Germany* the Society for the Protection of Labour, at its annual meeting held in Frankfort (October 1938), discussed the subject of "Occupation and Clothing". In the *United States* the Council on Industrial Health of the American Medical Association (26 March 1938) outlined its programme, which included a study of present activities in the field of industrial health, establishment of a clearing-house for information in co-operation with the Council of Medical Education and hospitals, and review of compensation legislation for occupational diseases. In *France* the Union of Metals and Mining Industries organised a Study Day devoted to occupational diseases and industrial medicine. The Industrial Hygiene Association and the General Confederation of French Employers organised (December 1938) an Industrial Hygiene Day, devoted more especially to consideration of industrial solvents, the prevention of accidents due to electricity and legislation on occupational diseases. The Lyons Group for Medical, Philosophical and Biological Studies intends to devote its activities and meetings in the near future to medical problems in industry (industrial medicine, vocational guidance, general industrial hygiene, industrial psychophysiology, women's work, work of young persons, agricultural work, workers' spare time, etc.). In *Italy* the Twelfth National Congress of Industrial Medicine was held at Bari (10 to 12 September 1938). In *Japan* the National Conference on Industrial Safety (Yokohama, 25 March 1938) devoted its attention especially to the following problems: consultation centres, improvement of the physical condition of workers, physical culture, nutrition, measures for reducing the number of deaths due to accidents and diseases in factories and mines, etc. In *Mexico* new "Industrial Hygiene Weeks" were organised, with a view to instruction of the workers, by the Departments of Public and Industrial Health. The following subjects were dealt with in lectures and by means of exhibits: prevention of occupational accidents and diseases; rehabilitation; social diseases; work of women and children;

personal hygiene; hygiene in the worker's home and in his industrial environment, etc. In *Portugal* the First National Medical Congress on Industrial Accidents (Lisbon, 17 October 1938) discussed various problems of prophylaxis and clinical study of industrial accidents and industrial hygiene. The Congress paid a tribute to the memory of Dr. de Vasconcellos, one of the national pioneers of labour legislation and industrial medicine.

Prevention of Industrial Accidents

NATIONAL REGULATIONS ¹

General Regulations

General regulations respecting the health and safety of workers were promulgated in the *Belgian Congo* (Leopoldville) on 10 May 1938.

In *Czecho-Slovakia* a Decree containing general provisions for the protection of the life and health of workers was promulgated on 10 February 1938.

In *Estonia* an Order of 22 December 1938 respecting employment in shops and offices contains provisions on safety.

In *France* a number of collective agreements containing provisions for the safety and health of workers, which had been signed by the employers' and workers' organisations in several occupations were made compulsory by various Decrees. Some of the provisions of Book II of the Labour Code concerning safety were amended by a Decree of 14 February 1939. A Decree of 22 November 1938 specified the abstracts of the legislation on industrial accidents that must be posted up. In *Martinique* the regulations respecting the health and safety of workers were amended by a Decree of 13 August 1938.

In *Great Britain* the coming into force of some provisions of the Factories Act of 1937 was postponed by an Order of 30 June 1938. An Order respecting the vocational training of young persons was published on 5 May 1938. Regulations of 30 June 1938 deal with operations at unfenced machinery and Regulations concerning the protection of eyesight were issued on 5 July 1938.

In *India* the general labour regulations were amended and supplemented in Mysore by a notification of 8 October 1938 and in Travancore by regulations of 28 September 1938.

In *Japan* the health and safety regulations for factories were amended by regulations of 16 April 1938.

In *Latvia* an Act of 13 January 1938 contains provisions concerning the protection of workers.

¹ For details see under the heading "Acts and Regulations, Safety Codes", in the *Industrial Safety Survey* (INTERNATIONAL LABOUR OFFICE, Geneva).

In the *Netherlands* a Decree of 19 November 1938 lays down the date of coming into force of some of the provisions of the Safety Act of 1934 and a further Decree of the same date issued general factory regulations.

A general law concerning the prevention of accidents was issued in *Porto Rico* on 15 May 1938.

In *Sweden* the Workers' Protection Act of 29 June 1912 was amended by an Act of 3 June 1938.

In *Uruguay* some sections of the Act respecting the prevention of industrial accidents were amended by an Act of 3 June 1938.

Legislation concerning processes or undertakings considered as *dangerous, unhealthy or obnoxious* was amended in the following countries: *Belgium* (formalities for obtaining permits), *Egypt* (grinding of coffee and other grains), *Guadeloupe, Martinique, British Guiana, India* (Madras) (oiling of machinery and storage of materials) and *Rumania* (mills).

Special Regulations

Steam boilers. — In *Australia* (Victoria) regulations concerning the construction of steam boilers were promulgated on 7 March 1938. In *Canada* (Alberta) the regulations relating to boiler engineers and firemen were amended by Regulations of 17 May 1938 and in Ontario the Boilers Act was amended by an Act of 23 March 1938. In *Finland* an Order concerning the inspection of boilers was promulgated on 30 December 1938. In *French Equatorial Africa* the legislation concerning the supervision of steam-driven machinery was consolidated by a Decree of 26 March 1938. In *Germany* the regulations concerning the supervision of boilers were amended by two Decrees of 19 March 1938 and 12 October 1938 and by an Order of 22 November 1938. The legislation respecting boilers in *India* (Central Provinces and Berar) was supplemented by a Notification of 7 October 1938. In *Poland* a Decree of 21 December 1938 deals with the inspection of boilers. In the *United States* (Texas) a Boiler Code came into force on 10 March 1938. In *Yugoslavia* the technical inspection of ships' boilers was regulated by a Decree of 24 March 1938.

Gas pressure apparatus. — In *Great Britain* the provisions governing the inspection of gas holders were amended by an Order of 16 June 1938. In the *Federated Malay States* a Notification of 4 March 1938 prohibited the use of gas containers other than compressed air receivers for internal combustion engines. In *Hong Kong* provisions for the periodical inspection of gas holders are contained in an Order of 14 April 1938. In *India* a regulation assimilating compressed and liquefied gases to explosives was issued on 28 September 1938. In *Luxemburg* a Decree of 24 October 1938 lays down the conditions which containers for liquefied, compressed or dissolved gas must fulfil. In *Switzerland* an Order concerning the installation and working of pressure vessels was promulgated on 19 March 1938.

Hoisting machinery. — In *Belgium* the regulations on hoisting machinery and aerial railways were amended by a Royal Decree of 12 May 1938. In *Canada* (Alberta) the regulations concerning passenger and goods hoists were amended by a regulation of 17 May 1938. In *Great Britain* two Orders of 16 June 1938 dealt with the examination of chains, ropes, cranes, etc.

Electricity. — Legislation concerning electricity was amended in *Australia* (New South Wales and Western Australia), *Denmark* (X-Rays), *Germany*, *Netherlands*, *Portugal* (luminiscent tubes), *Sweden* and the *United States*.

Prevention and extinction of fires. — Legislative measures dealing with the prevention of fire were promulgated in *Canada* (British Columbia), *France* and *Germany*.

Dangerous substances. — (a) *General regulations.* — In *France* the regulations respecting the transport of dangerous or obnoxious substances by rail were amended by a Circular of 25 March 1938.

(b) *Inflammable substances.* — Regulations concerning mineral oils were issued or amended in *Belgium*, *Canada* (Ontario), the *Falkland Islands*, *Kenya*, the *Malay States* and *Nigeria*. In *Portugal* the storage and handling of crude petroleum was regulated by a Decree of 1 October 1938. In *Venezuela* a general Act concerning hydrocarbons and other mineral fuel was promulgated on 13 July 1938.

(c) *Explosives.* — Regulations concerning explosives were amended in *South Australia*, *Austria*, *France*, *St. Pierre and Miquelon*, *Surinam* and the *United States* (transport).

(d) *Poisonous substances.* — The list of highly poisonous substances used for the destruction of vermin was amended in *Germany* by a Decree of 15 June 1938.

(e) *Acetylene and calcium carbide.* — In *Austria* a Decree concerning the production and use of acetylene and carbide was promulgated on 25 April 1938.

(f) *Celluloid and films.* — Regulations concerning films were issued in *Cuba* by a Resolution of 14 July 1938 and regulations concerning the storage, exhibition and renting of films in *New Zealand* by an Order of 3 August 1938.

(g) *Spray painting.* — Regulations concerning spray painting were promulgated in *Australia* (New South Wales) on 18 June 1938.

Regulations for Special Industries

Mines and quarries. — Regulations concerning mines were supplemented or amended in *Australia* (New South Wales, Queensland and Tasmania), *Belgium* (safety lamps and use of permitted explosives), *Canada*, *Czecho-Slovakia* (mining districts), *Ecuador* (inspection), *France* (rules relating to workers' inspectors and shot-firing by fuse), *Algeria* (workers' inspectors), *Annam*, *French*

Equatorial Africa (enquiries into accidents and storage of certain explosives), *Indo-China* (inspection), *Madagascar* (supervision of work), *Morocco*, *Germany*, *Great Britain* (1) metalliferous mines, (2) coal mines—precautions against fire, telephone and signalling apparatus, turbine lamps, explosives, relighting of safety lamps), *Southern Rhodesia*, *India*, *Italian East Africa*, *New Zealand*, *United States* (California), *U.S.S.R.* (inspection) and *Yugoslavia*.

The legislation relating to quarries was amended in *Great Britain* by Regulations of 29 June 1938 (general) and 13 October 1938 (electricity).

In *Canada* (Alberta) Regulations concerning the exploitation of natural gases were promulgated on 9 December 1938. In the *Netherlands* a Decree of 19 November 1938 contains regulations on safety in peat-cutting. In *Palestine* regulations concerning oil mining are contained in an Order of 30 June 1938.

Building and public works. — In *Bulgaria* an Order concerning the sinking of wells was published on 28 October 1938. In *Canada* (Ontario) the regulations relating to work with compressed air, tunnels, caissons, etc., were amended by an Order of 24 June 1938. In *Quebec* Regulations issued under the Act concerning safety in public buildings were amended by an Order of 15 September 1938 relating to safety belts for window cleaners and an Order of 23 December 1938 concerning safety measures for window cleaners. In *Guadeloupe* a Decree was promulgated on 8 February 1938 concerning health and safety measures to be taken in building and public works. In *Germany* provisions concerning the erection of wooden constructions in the building industry were promulgated on 12 July 1938. In *Poland* a Decree concerning the building industry in Silesia was promulgated on 29 August 1938. Regulations respecting safety in the construction of scaffolding were amended in *Uruguay* by a Decree of 7 September 1939.

Metal industry. — In *Belgium* special precautions to be observed in electrolytic chromium works were promulgated in a Decree of 1 April 1938. A Decree was promulgated in *Germany* on 28 July 1938 concerning magnesium alloys.

Transport. — (a) *Air navigation.* — In *Australia* Regulations concerning air navigation were published on 4 August 1937; in *Belgium* a Decree of 15 June 1938 deals with lights and signals for air traffic; in *Finland* an Order concerning air navigation was issued on 19 October 1938; in *France* a Decree of 20 April 1938 amends the conditions for the examination of navigating staff; and in *French Guiana* Regulations concerning air navigation and enquiries into accidents were published on 25 March 1938.

(b) *Docks.* — The regulations concerning the loading and unloading of ships were amended and supplemented in *Gambia*, *Sierra Leone*, *Sweden*, *Uruguay* and *Yugoslavia*.

(c) *Maritime and river transport (other than docks).* — Regulations on this subject were amended in *Belgium*, *Denmark* (inspec-

tion), *French West Africa, Germany, Norway* (supervision of heavy oil engines), *Switzerland* (Rhine navigation) and the *United States* (notification of accidents, etc.); in *Danzig* an Order of 12 December 1938 regulates work in ships' holds.

(d) *Railway transport.* — Regulations concerning railway transport were amended in *France, French Equatorial Africa, Guadeloupe, Madagascar, Germany, Italy, Norway* and *Poland*.

(e) *Road transport.* — Regulations concerning road transport were amended in *Australia* (Queensland), *Belgium, France* and *Germany*.

(f) *Marking of weight on heavy packages.* — A Decree concerning the marking of weight on heavy packages transported by vessels was promulgated in *Greece* on 20 May 1938.

Other industries. — In *Annam* a decision was promulgated on 9 September 1938 concerning protection against accidents in cane sugar crushing mills. Regulations governing refrigerating plants were published in *Canada* (Alberta) on 17 May 1938. The regulations governing match factories were amended in *Ceylon* by an Order of 3 March 1938. In *Australia* (New South Wales) the regulations dealing with chaff-cutters were amended by Regulations of 16 September 1938. In *India* (Central Provinces and Berar) a Notification concerning cinemas was promulgated on 22 November 1938. The regulations governing sugar mills were amended in Bombay by a Notification of 19 September 1938. In *Canada* (Ontario) safety provisions in the making of wine were included in an Order of 16 December 1938. In *Latvia* regulations concerning safety in the paper industry were promulgated on 21 May 1938.

First aid. — In *Canada* (Alberta) the regulations on first aid were amended on 20 June 1938. In *Great Britain* an Order of 5 May 1938 deals with first aid in factories, an Order of 29 June 1938 with first aid in quarries and an Order of 30 June 1938 with first aid in metalliferous mines. In *India* (Madras) a Notification concerning first aid boxes was promulgated on 6 October 1938.

Examinations in Safety Matters

In *Canada* (Alberta) regulations for the technical examination of firemen and boiler engineers were promulgated on 17 May 1938; in Saskatchewan the legislation dealing with the standard of competency required of firemen was amended by an Act of 23 March 1938. In *Australia* (New South Wales) Regulations were promulgated on 3 June 1938 for the examination of persons in charge of electric motors.

THE SAFETY MOVEMENT

The campaign for the prevention of accidents was continued vigorously during the past year.

The number of enactments dealing with safety which were published and the successful efforts made by associations and institutes for the prevention of accidents are proof that Governments are taking increasing interest in workers' safety and that attempts to prevent accidents are warmly welcomed. This progress is universal, although some countries which have been more severely effected by the economic depression have sometimes had to reduce their expenditure on safety.

It is unnecessary to enumerate the many meetings and congresses which are held annually, but the following items of safety news are of particular interest.

In *Australia* (New South Wales) a Royal Commission is considering safety in mines.

In *Bolivia* a Labour Code was drafted in 1938.

In *Czecho-Slovakia* a general Workers' Health and Safety Act has been published.

In *Great Britain* the Royal Commission on Safety in Coal Mines has submitted a voluminous report, the principal conclusions of which have been accepted by the Government and the regulations concerning metalliferous mines and quarries have been completely revised.

In *Honduras* a new mining code was published during the year.

In *Japan* a mining research laboratory has been set up.

In the *Netherlands* the complete revision of the mines legislation has been undertaken and new regulations will be issued shortly.

In *Poland* a permanent safety exhibition and an advisory office for the prevention of accidents have been founded in connection with the industrial and technical museum at Warsaw.

A national safety council has been set up at *Porto Rico*.

In *Switzerland* an office for the study of accident prevention has been set up.

In the *United States* President Roosevelt convened a national conference on safety in mines.

In *Venezuela* a new labour code has been published.

In *Yugoslavia* the mines legislation has been codified.

INTERNATIONAL ACTIVITIES

The Committee of Experts on Safety in Coal Mines met in Geneva in November 1938, when American, Belgian, British, Dutch, French and Polish experts discussed plans for international regulations and recommendations. They expressed the opinion that a model code of safety regulations would be of very great value to all coal-mining countries and requested that a draft code should be prepared and submitted to them at a later session, with a view to placing the question on the agenda of an early session of the International Labour Conference. The experts also made a number of technical suggestions for improving the comparability of national statistics of mining accidents. Finally, they considered a

proposal made by the French Government for the establishment of an international centre of mining information. The Governing Body of the International Labour Office considered the Committee's views and decided to place on the agenda of the 1940 Session of the Conference the question of safety provisions for underground work in coal mines.

INTERNATIONAL REGULATION ¹

Ratification and Approval of Conventions and Recommendations adopted by the International Labour Conference

Convention No. 27: Marking of Weight (Packages Transported by Vessels), 1929

Ratified by *Canada* (30 June 1938).

In *Argentina*, submission by Executive to Congress (22 September 1938) of message recommending approval of Convention.

Proposal to Parliament by *British Government* (May 1938) not to take decision on ratification, owing to certain technical difficulties in interpretation.

Convention No. 32: Protection against Accidents (Dockers) (Revised), 1932

Ratified by *New Zealand* (29 March 1938) and *Sweden* (3 August 1938).

In *Argentina*, submission by Executive to Congress (22 September 1938) of message recommending approval of Convention.

Consideration by *Iraq Government* of regulations to give effect to Convention as regards workers employed in port of Basrah on loading and unloading ships.

Convention No. 62: Safety Provisions (Building), 1937

Promulgation in *Netherlands* (8 December 1938) of Act reserving to the Crown the right to ratify. Since legislation is not in full conformity with Convention, ratification will be possible as soon as it is amended.

Submission to Senate by President of Republic of *Cuba* of message recommending approval of Convention.

Adoption in *India* by Council of State and Legislative Assembly (2 and 25 March 1938) of resolution recommending Governor General in Council to consult Provincial Governments on desirability and possibility of applying legislation on subject and after consultation to place conclusions before Indian Parliament.

Decision by *Norwegian Storting* (23 May 1938) to postpone ratification until completion of drafting of corresponding regulations under Workers' Protection Act.

In *Siam*, decision by competent authorities that owing to existing conditions of labour no action should be taken at present on Convention.

Approval by *Swiss Federal Assembly* (6 December 1938) of the Federal Council's report recommending postponement of ratification until federal legislation (Act of 13 June 1911 respecting sickness or accident insurance) is brought into accordance with Convention.

Parliament informed by *British Government* (January 1939) that pending issue of regulations under Factories Act of 1937, it reserved its decision as to ratification.

In *Iran*, competent authorities recommended by Ministry of Foreign Affairs to embody Part II of Convention in regulations on subject.

¹ The information given here relates only to the period 16 March 1938-15 March 1939. See the table at the end of the volume for the general situation as regards the Conventions concerning the prevention of accidents.

In *Belgium* bringing regulations into agreement with Convention under consideration by services concerned; in *Egypt*, Convention under examination by Committee appointed by Ministry of Commerce and Industry.

Convention submitted to competent authority, without proposal, in *China, France, Latvia, United States of America.*

Recommendation No. 53: Safety Provisions (Building), 1937

Recommendation No. 54: Inspection (Building), 1937

Recommendation No. 55: Co-operation in Accident Prevention (Building), 1937

Recommendation No. 56: Vocational Education (Building), 1937

Communication to the Secretary-General of the League of Nations

In *India* adoption by Legislative Assembly (25 March 1938) of resolution recommending Governor General in Council to bring Recommendations to attention of Provincial Governments (17 May 1938).

In *Siam*, decision by competent authorities that owing to existing conditions of labour no action should be taken at present (16 January 1939).

Decision by Government of *Union of South Africa* (26 April 1938) not to adopt Recommendations Nos. 53, 54 and 55. Union Government adopted (28 June 1938) Recommendation No. 56 (15 August 1938).

Other Information

Parliament informed by *British* Government (January 1939) that it reserved decision as to approval of Recommendations.

Swiss Federal Council stated in report to Federal Assembly (13 June 1938) that principles laid down in Recommendations were already to large extent applied in Switzerland, but that some new questions arose. After examination by Swiss National Accident Insurance Fund, Federal Council would take account of provisions of Recommendations, in practice, if compatible with existing conditions, or, if necessary, in framing legislation.

Recommendations submitted to competent authority in *China, France, Latvia, Norway, United States of America.*

Women's Work

EMPLOYMENT AND UNEMPLOYMENT

Comment on the movement of unemployment among women in 1938-1939 may be very brief, for of the countries selected in previous years as allowing a clear distinction to be made between men's and women's unemployment, only three this year enable a precise comparison to be made from one year to another for the same extent of territory: France, Great Britain and Poland.

In the first two countries unemployment among women slightly increased between January 1938 and January 1939. The increase was very small in France. According to the employment office statistics applications for employment which could not be satisfied rose for women from 126,666 to 128,651, an increase of 1.5 per cent., while the corresponding figures for men were 311,662 in January 1938 and 332,165 in January 1939, an increase of 6 per

cent. For unemployed persons in receipt of assistance the increase was 1 per cent. for women and 3.7 per cent. for men.

In Great Britain the increase in women's unemployment was more marked, particularly among insured women in receipt of assistance, the number of whom rose from 282,593 to 331,078 (complete unemployment), an increase of 48,485 persons, or 17 per cent. (figures for men, January 1938, 1,183,761, and January 1939, 1,304,300, an increase of 10.1 per cent.). Women's unemployment is, however, still below that of men, since the percentage of women in complete unemployment, calculated on the number of insured women in July 1938, was 8.4 per cent., while the percentage for men was 12.8 per cent. The employment exchange statistics show a smaller increase in unemployment among women (4.7 per cent.) than among men (13.7 per cent.). In absolute figures, women's applications for employment increased from January 1938 (443,445) to January 1939 (464,848) by 21,403.

In Poland, while the number of unemployed is practically stationary (473,727 in January 1938 and 473,702 in January 1939), the number of unemployed women fell from 75,544 to 67,780, or by 7,764, namely, 10 per cent. This slight improvement in the labour market as regards women seems largely due to the improvement in the textile industry, in which unemployment considerably diminished between the two dates, while in specifically masculine occupations the decrease in unemployment which occurred in some directions (mines, metal industry) was offset by increased unemployment in the building industry.

Among the measures specially adopted to combat unemployment mention may be made of the development in *Canada* of relief work and vocational retraining courses for girls, as a result of agreements concluded by the National Employment Commission with the provincial authorities; the programmes have varied in each province, according to requirements, and have been adapted separately for rural and urban districts. In the *United States* the Works Progress Administration has continued to develop very varied plans of work for unemployed women. As regards preparation for employment, mention should be made of the Conference convened by the United States Federal Committee on Apprenticeship to consider apprenticeship training for girls, particularly in essentially feminine occupations such as beauty culture, dressmaking, etc.

Some measures are due to special circumstances: in China, as a result of the retreat of the Chinese armies towards the west and the transference of the factories, the Government has instructed the provincial authorities to encourage and direct the emigration of women workers towards Szechuan. In accordance with this suggestion the provincial government of Kiangsan has decided that board and lodging shall be provided for all women workers, that women textile workers shall be re-engaged in that industry and that clothing factories should endeavour to give home work to emigrated women.

In *India*, the central Government has granted subsidies to the

Governments of Bengal and Bihar for the establishment of schools intended for the vocational rehabilitation of women excluded from employment in the mining industry¹.

In *Germany*, on the contrary, the shortage of labour in the country has caused an urgent appeal for female labour, which is considered to be the most important reserve available. To meet requirements, several steps have been taken: first, intensification of the voluntary labour service for young women, the strength of which, under a Decree of 7 September 1938, is to be increased to 50,000 before 1 April 1940 (up till the date of the Decree, 30,000). A voluntary women's service of assistants in social and hygiene work has also been set up. Lastly, consular authorities were instructed at the end of the year not to renew, save in exceptional cases, the passports of German maidservants in employment abroad, so as to make them return to Germany. Nevertheless, though women's work has been distributed over a variety of employment, as is shown below, women continued in part to be guided to domestic service. The year of compulsory labour, the application of which was at first limited to girls who wished to work at certain occupations, has been extended to all girls seeking manual or non-manual employment in any public or private undertaking (Order of 23 December 1938). For the organisation of domestic apprenticeship the Institute of Placement has appealed to mistresses to engage girls and undertake their training (5 August 1938), while domestic training was made part of the general education of girls by Decree of 1 February 1939.

In several other countries the attempts which have been previously mentioned to turn women towards domestic service have been continued. In the *United States* and in *Canada* this action was related to the campaign against unemployment and the public works plans mentioned above were partly devoted to domestic training for unemployed women. Some Canadian plans combined three months' theoretical training in a school or a domestic course with three months' practical work in a house, after which the final diploma of domestic apprenticeship is awarded. In *Poland* the municipality of Warsaw has started courses in domestic education for the wives of unemployed men but at the same time in the hope that these women, owing to this training, may themselves find employment.

Improvement in technical training for domestic service has been the subject of enquiry by an official committee in *Denmark*, while in *Sweden*, where a similar committee sat two years ago to study conditions of employment for domestic workers in the towns, the Department of Labour and Social Welfare has expressed its views on the recommendations made by the Committee and has stated that it was in favour of introducing compulsory domestic education in the school curriculum, with two purposes: the formation of

¹ Cf. *I.L.O. Year-Book 1937-38*, p. 249.

housekeepers and of domestic servants. The higher education authority has made proposals for carrying out this recommendation. A further enquiry was carried out during the year into conditions of domestic service in rural areas.

In *Switzerland* the question of domestic training arises in connection with the shortage of employees in private employment and the hotel industry caused by the withdrawal of German maidservants; to fill the gap thus created the Federal Department of Public Economy has asked the cantonal authorities to develop as far as possible the recruiting of Swiss employees, in particular by intensifying the methods of vocational training and by improving the conditions of employment so as to render the occupation more attractive. In *Latvia*, to meet the requirements of rural domestic service, a new procedure has been allowed for obtaining the certificate of apprenticeship in agricultural domestic economy; the probationary period may consist of periods of employment on seasonal work, performed over several seasons by young town-dwellers who agree to undertake this work.

PLACE OF WOMEN'S WORK IN THE ECONOMIC SYSTEM

In the international field a declaration relating to women's rights, similar in its main lines to the resolution adopted by the International Labour Conference in 1937, was adopted by the Eighth International Pan-American Conference at Lima in December 1938. The right of women to the widest opportunities for work is recognised in the declaration, as well as their right to full labour protection in work.

The interest shown by the International Labour Organisation in questions relating to the employment of women was attested during the year by the publication by the Office of an important study of legislation relating to the employment of women¹ and by the Governing Body's decision to place the question of women's employment once more on the agenda of the Second Conference of American States Members of the International Labour Organisation, to be held at Havana in the autumn of 1939, in order to examine the effect given to the resolutions adopted at the Santiago Conference in 1936 on the same subject.

In the national field several measures should be mentioned which opened to women callings previously closed to them: the *British* Government's decision, announced in Parliament in December 1938, to admit women in future to administrative appointments in the Dominions Office and Colonial Office, which involves the possibility of duties outside Great Britain; the formal repeal in *Norway* of the

¹ *The Law and Women's Work* (Studies and Reports, Series I, No. 4). The French edition was published in September 1938; the English edition will be published in 1939.

few remaining restrictions in the 1912 Act on the admission of women to the public service (Act of 24 June 1938); and the renewed consideration in *Sweden* of a similar abolition of the still remaining restrictions.

As regards the special rights of married women, the abolition may be noted of the restrictions on the employment of married school-teachers in *New Zealand* (Education Act, 1938) and in *Polish Silesia* (Decree of March 1938); and the adoption in *Argentina* of an Act prohibiting dismissal on account of marriage, which applies in principle to wage earners of both sexes but was in fact passed to protect women employed by certain large companies against the marriage bar clauses introduced into the contracts of employment of the female staff.

In a similar connection attention may be drawn to the unfavourable opinion given by the Superior Labour Council in the *Netherlands* on the proposed Bill to prohibit the employment of married women, the preparation of which was mentioned last year; a preliminary enquiry has been called for. In *Sweden* the official committee set up a few years ago to examine problems relating to the employment of married women presented its report in 1938 and supported the full right of women to employment and especially opposed any restriction of married women's rights; it recommended the introduction of every means calculated to help women wage earners to fulfil their twofold occupational and domestic duties.

As regards practical achievement, a considerable increase in the employment of women is to be noted in *Germany* where the rise in the number of wage earners employed, which was very great during the year, was relatively higher—and absolutely almost as high—for women (9 per cent. or 513,540) than for men (5.2 per cent., or 644,158). The fresh annual contingent contained 44 per cent. of women (24.4 per cent., in 1936, 30.8 per cent. in 1937). From January 1933 to December 1938 the number of women wage earners in employment rose from 4.27 million to 6.20 million. The increase in employment of women was not only quantitative but also qualitative, since it extended to branches of industry which had previously been almost entirely male: metallurgy, the paper industry, electricity, leather, furniture, etc. The employment of women also increased in commercial occupations, banks and especially retail commerce, and even in the liberal professions, in which women engineers, professors, doctors, chemists and physicists are at present in great demand. There is thus a complete reversal of the tendencies which appeared from 1933 onwards. In order, however, to avoid the drawbacks which might arise from the wholesale employment of female labour the German authorities require stricter protection of women workers and especially married women and the development for that purpose of undertakings' social services.

In other countries the increase in the employment of women as compared with general economic progress, as shown by recent

statistical studies, for example, in the *United States*, remains within the limits of normal and regular development. The evolution of women's employment in the *U.S.S.R.*, to which attention has already been drawn in previous issues of the *Year-Book*, has also been marked and has extended to occupations which women have nowhere entered before; notably locomotive engine drivers and firemen.

On the other hand, some new restrictions on the employment of women have to be reported during the year: in *Italy*, numerical limitation of women employees, which had already been applied to public administrations, was extended by an Act of 5 September 1938 to private undertakings, with the quota fixed at 10 per cent. of the staff. Undertakings employing less than 10 persons may not, in principle, employ women but the measure does not apply to occupations which are defined as specially suitable for women and this has already been done for primary and secondary education.

In other countries restriction of the right to employment has affected married women. In *Czecho-Slovakia* the dismissal of women officials on marriage was required by an Order of 24 December 1938 and in *Hungary* a Bill to the same effect has been introduced.

In the *Year-Book 1937-38* reference was made to the movement which has been developing for some years in favour of keeping the mother in the home or sending her back to it by measures calculated to prevent working mothers from endeavouring to augment their family budget by seeking paid employment. A measure reflecting this attitude was introduced in *France* by the Legislative Decree of 12 November 1938, which provides for a special increase in family allowances if the mother remains in the home. Women wage earners, however, who are the only maintenance of their children also receive this increase.

GENERAL PROTECTION OF WOMEN WORKERS

In this section an account is given of measures supplementing those to be found below under the headings "Employment of Women before and after Childbirth" and "Night Work of Women".

*International Regulation*¹

Convention No. 45: Underground Work (Women), 1935

Ratified by *Brazil* (22 September 1938), *Hungary* (19 December 1938), *India* (25 March 1938), *New Zealand* (29 March 1938) and *Turkey* (21 April 1938).

¹ The information given here relates only to the period 16 March 1938-15 March 1939. For the general situation as regards this Convention, see the table at the end of the volume.

In *Argentina*, submission by Executive to Congress (22 September 1938) of message recommending approval of Convention.

Preparation by National Institute of Social Welfare in *Ecuador* of draft Decree for approval of Convention.

The ratifications of the Convention registered during the year have not involved any new legislation, since the measures for its application may be said to exist already universally.

The Convention has, however, led to the issue of regulations; owing to its application in *British India* the State of Jodhpur issued in July 1938 mines regulations which prohibit the underground employment of women.

National Regulations

Regulations have been promulgated to prohibit the employment of women in various forms of strenuous or unhealthy work. In *Venezuela* regulations under the Labour Act (30 November 1938) give a general list of occupations in which the employment of women is prohibited. Previous regulations have been added to in *Germany* as regards barking of wood (Order of 8 February 1939), certain processes in the pottery industry (Collective Regulations of 30 November 1938) and the glass industry (Order of 23 December 1938); in *Greece*, for the use of lead paints (Act of 20 April 1938); in *Indo-China*, for various kinds of dangerous, unhealthy and strenuous work (Order of 3 August 1938); and in *Madagascar*, for strenuous work and in particular the carrying of loads of more than 20 kilograms (Decree of 7 April 1938); while in the British colony of *Grenada* the employment of women at dangerous machinery has been regulated.

Among preventive measures other than prohibition mention may be made of the periodical medical examination required in *Italy* for women under age in certain industries and for women of any age in exhausting and unhealthy occupations (Decree of 6 June 1938).

Hours of work are generally regulated irrespective of the sex of the workers and during the past year legislation has been passed applying to men and women alike in States in which special legislation for women had long been the practice—for example, the Fair Labor Standards Act in the *United States*—but legislation applying specially to women has recently been passed in various States of the American Union, in Louisiana and in Virginia, on the basis of the 48-hour week; in *Great Britain*, the issue of Regulations under the Factories Act, 1937, on the same basis; and in *Japan*, the adoption of the Shops Act, mentioned as a Bill in the *Year-Book 1937-38*, which determines the maximum hours of work for women and young persons as well as the issue of guiding principles by the Bureau of Social Affairs so as to prevent excessive lengthening of women's hours of work in munition factories.

As regards annual holidays for women, the *Belgian* Ministry of

Transport has set up a women's section in the Committee on workers' holidays.

Improvement of working conditions in certain essentially feminine occupations has been considered or carried out during the year; the work of nurses has been enquired into or regulated in *Great Britain*¹, *New Zealand*² and *Yugoslavia*. Rules for conditions of work of doorkeepers have been promulgated in France (Act of 13 January 1939). Conditions of employment in the millinery industry were enquired into in the *United States* by the Federal Women's Bureau with a view to taking practical steps and enquiries were made in several States into the conditions of women's employment in the laundry industry, beauty parlours and the hotel industry.

The improvement of conditions in domestic service is at present under consideration in the parliaments or administrative departments of several countries. In *Germany* new guiding principles, similar to those mentioned in the *Year-Book 1937-38*, have been issued in several districts: Brandenburg, Middle Elbe, Palatinate, Thuringia and South-West Germany. A *Cuban* Decree of 15 October 1938 provided for domestic servants' right to daily and weekly rest. In *Ecuador* the Labour Code of 5 August 1938 contains a chapter laying down various conditions for employment and in *Argentina* the municipality of Buenos Aires has issued regulations concerning the housing of domestic servants. Bills, some of which are very detailed, deal with the rights of domestic workers as regards hours and holidays, housing, care in case of sickness, conditions for termination of contract, etc.; one such Bill is before the *Argentine* Chamber of Deputies; two Bills are before the *Belgian* Senate; and two Bills are before the Chamber of Deputies in *France*, where the Government is also conducting an enquiry into the extension to domestic servants of the provisions of the Labour Code. The Superior Labour Council, at its sittings of 22 and 23 November 1938, and the Departmental Labour Committees, at their annual congress in September 1938, were consulted on the methods of applying various provisions of labour legislation to domestic servants and made a series of proposals and suggestions. In *Uruguay* the extension of old-age insurance to domestic servants is under consideration.

In *Great Britain* the formation of a Union of Domestic Workers, mentioned in the *Year-Book 1937-38*, has been effected; the Union has drawn up a Domestic Charter to define the minimum conditions of employment which domestic servants demand. A domestic servants' union has also been formed in *Mexico* in the State of Orizaba and is the first of the kind in the country to receive official recognition.

Information concerning the *mui tsai* will be found below, under "Protection of Children and Young Persons".

¹ See p. 67-68.

² See p. 70.

EMPLOYMENT OF WOMEN BEFORE AND AFTER CHILDBIRTH

*International Regulation*¹*Convention No. 3: Childbirth, 1919*

Decision by competent authorities in *Iraq* to postpone all action concerning ratification.

Preparation by National Institute of Social Welfare in *Ecuador* of draft Decree for approval of Convention.

National Regulations

Although Convention No. 3 was not further ratified during 1938, the protection of working mothers continued to advance, either through the application of the Convention or parallel to it.

Attention should first be drawn to the development of official bodies for the protection of mothers and children. Several were created during the year: the Department for Maternity and Child Protection in the Ministry of Labour and Social Welfare of *Colombia* (Decree of 18 February 1939), the Child Protection Council in *Ecuador* (Children's Code of 1 August 1938) and in *Venezuela* (Children's Code of 10 January 1939). The chief duty of these bodies is to set up and administer ante-natal and post-natal health centres and crèches and day nurseries for working women's children. In *Venezuela* the creation of 115 centres is part of the three-year social reform plan drawn up at the end of 1938.

In the *U.S.S.R.* the Commissariat for Public Health has approved of the creation of centres for legal and social advice for women, organised in connection with maternity and childhood protection institutions and responsible for protecting the rights and interests of pregnant women, mothers and children (Order of 9 May 1938).

The study of maternity protection is one of the duties of the Institute of Social Hygiene set up in *Sweden* by the 1938 Act amending the Workers' Protection Act and in *France* a Committee of the Superior Childhood Protection Council has been given the same task (Order of 20 January 1939). Provision for a considerable development of rural obstetrical centres had been made in *Lithuania* (Act of 14 January 1938 and Regulations of 3 June 1938).

Maternity leave and other measures concerning the employment of women before and after childbirth have been the subject of a large number of laws.

In *Colombia* an Act of 22 April 1938 grants women wage earners the right to eight weeks' leave with pay and prohibits the employment of pregnant women on strenuous work, while a Decree of 10 September 1938 strengthens the protection of pregnant women against unjustified dismissal and another Decree of 4 August 1938

¹ The information given here relates only to the period 16 March 1938-15 March 1939. For the general situation as regards this Convention, see the table at the end of the volume.

deals with leave for childbirth for women employed in the postal and telegraph service.

In *Estonia* leave with pay for two weeks before, and four weeks after childbirth is given to women employed in commerce and offices and the employment of pregnant women is prohibited on work which is unsuited to their condition (Act of 20 April 1938); it is also intended to amend the Sickness Insurance Act so that it shall provide maternity allowances, in accordance with Convention No. 3.

In *France* several collective agreements have provided for longer maternity leave than is fixed by law (4 months for women salaried employees in the Seine Department and 4½ months for women bank employees, etc.). In several French colonies maternity leave has been increased to the length fixed in France, to 12 weeks (Martinique, Decree of 31 October 1938; Guadeloupe, Réunion, Guiana, Decree of 22 December 1938) and it has been increased from 4 to 8 weeks in Madagascar (Decree of 7 April 1938).

In *India*, a Maternity Benefit Act was passed in the United Provinces and a similar Bill is in preparation in Orissa; in the Madras Presidency the Government, in agreement with the planters, has provided for the employer to bear charges in connection with the free feeding of women for six weeks, care in hospital and an additional bonus; similar benefits are provided in *Ceylon* by an agreement concerning maternity protection for Indian women employed on estates.

Special provisions concerning leave with pay for women employed in certain public services have been promulgated in *Chile* (Police Service Regulations of 23 August 1938) and the *Mexican* State of Yucatan (Order of 24 August 1938 for women school-teachers and other officials), while in *Argentina* intervals for nursing have been granted to women in State employment (Act of 30 September 1938).

The following maternity grants and assistance are to be noted: in *Germany* employers have been recommended, and 80 per cent. of them have agreed, to pay during maternity leave the difference between the wages and the insurance benefit and this provision is also included in several collective agreements; in *Ecuador* the maternity benefit to be paid by the employer has been increased from 50 to 75 per cent. of the wages; in *Hungary* the pregnancy and confinement benefit paid by the insurance funds has been increased by 50 to 60 or to 72 per cent., according to the class of wage earner (Order of 31 December 1938); in *Greece* the Insurance Act granting maternity benefits has been brought partly into force and the regulations concerning the Piræus have improved the system of benefits since provided; and in *France* adjustments have been made in maternity insurance legislation, particularly as regards women employed in agriculture, for whom the scheme is considerably improved (Decree of 14 June 1938) and as regards women employed in maritime service, who are brought under the maternity benefits scheme (Decree of 17 June 1938).

Provision has been made for crèches for women workers' children in *Colombia* (Decree of 10 September 1938), *Ecuador* (Regulations of 9 April 1938) and the *Indian Province of Bombay* (Notification of 16 June 1938).

On the other hand, in the *U.S.S.R.* maternity protection has been diminished; the length of maternity leave and the amount of maternity benefit have been reduced from 56 days before and 56 days after childbirth to 35 and 28 days respectively, while the period of employment giving the right to leave has been extended from six to seven months (Order of 28 December 1938). In *Rumania* the number of contributions to be paid to give the right to maternity benefits has been increased (Act of 14 December 1938).

NIGHT WORK

*International Regulation*¹

Convention No. 41: Night Work (Women) (Revised), 1934

Ratified by *Iraq* (28 March 1938) and *New Zealand* (29 March 1938).

In *Argentina*, submission by Executive to Congress (22 September 1938) of message recommending approval of Convention.

Preparation by National Institute of Social Welfare in *Ecuador* of draft Decree for approval of Convention.

National Regulations

Some further action for the application of the International Labour Conventions has been taken: in *Venezuela* the exceptions to the prohibition of night work of women for which the Labour Act provides have been defined in accordance with Convention No. 41 (Regulations of 30 November 1938); in *Uruguay* a Bill to apply Convention No. 41 is in preparation; in *Rumania* the enforcement of night work legislation has been improved and in the *British Empire* Ordinances to apply Convention No. 41 have been brought into force in British Guiana, Uganda, Grenada, St. Lucia and St. Vincent and Regulations for the application of this Convention have been issued in Basutoland, Bechuanaland and Swaziland, Barbados, Gambia, the Leeward Islands, Malta, Nyasaland, Sierra Leone and Somaliland and draft Regulations in Aden and Tanganyika.

ECONOMIC PROTECTION OF WOMEN WORKERS

From the legislative point of view there is a growing tendency to discard special legislation for women in favour of methods of

¹ The information given here relates only to the period 16 March 1938-15 March 1939. See the table at the end of the volume for the general situation as regards this Convention and the Night Work (Women) Convention, 1919 (No. 4).

fixing minimum wages applicable to both sexes. The most outstanding feature is the adoption in the *United States* of the Fair Labor Standards Act, which provides for a minimum wage for wage earners of both sexes employed in industries producing for interstate commerce. A model Wages and Hours Bill prepared by a Committee appointed by the Secretary of Labor to propose hours of work and wage regulations for undertakings operating in purely intrastate employments, which was approved by the Fifth National Conference on Labor Legislation, held at Washington, in November 1938, is based on the same principle; it makes a reservation, however, for more favourable provisions which may be already in force for women and young persons. The Minimum Wage Conference also decided in favour of applying wage regulations to workers of both sexes, but requested the competent administrative authorities in each State to preserve carefully the advantages already gained by women. The special regulation of women's wages continued, however, to develop, pending the generalised regulation contemplated for the future. Three further States (Louisiana, Kentucky and Kansas) passed minimum wage legislation for women or brought legislation back into force. This brings laws of this nature up to 27. Orders fixing minimum wage rates in certain industries were issued or are in preparation in several States: for beauty parlours, laundry and confectionery in New York; retail stores in Arizona, Utah and Colorado; certain branches of the food industry in Massachusetts; light industry in New Jersey; clothing industry in Rhode Island; hotels in Pennsylvania; and all industries in Connecticut, etc. Preliminary enquiries concerning the jewellery industry (Massachusetts), glove manufacturing and cleaning and dyeing (New York), the underwear industry (Connecticut), etc. are being made. In the District of Columbia the measure of application intended to complete the covering of the various categories of employment is in preparation.

The Women's Bureau of the Department of Labor has moreover made a number of studies in industries employing a large number of women to assist the fixing of wage rates, even irrespective of sex, under the Public Contracts Act: in thirteen branches of the men's clothing industry, in the condensed milk industry, pharmaceutical and cosmetic products, preparation of cereals, etc. Other studies of budgets have been made to serve as a basis for fixing women's wages and enquiries have been undertaken to examine the effects of minimum wage laws. An important enquiry was made into the earnings of women workers in Pennsylvania manufacturing, with special reference to the clothing industry.

Several interesting facts are to be noted as regards the application of the principle "equal pay for equal work": first, the provision in the *United States* Fair Labor Standards Act which prohibits any differences in minimum wage rates based on sex; secondly, the fixing of equal rates of pay for both sexes for the first time in *Australia*, in the Federal Government Territory, as

regards certain kinds of work in retail trade, to prevent competition between the sexes. The Federated Clerks' Union of Australia shortly afterwards circulated a petition to all States asking for the enactment of legislation for equal pay and equal status for men and women and a Council of Action for Equal Pay, bringing together a large number of occupational organisations, was formed in New South Wales to conduct a campaign for the application of the principle of equality. In *Ecuador* and *Mexico*, where legislation is based on the principle of equal pay for both sexes, the competent administrative authorities have been making efforts to secure better respect for the principle. In *Germany* continued use has been made of a single wage rate for men and women to eliminate the employment of women on certain forms of strenuous work (collective agreement for the pottery industry) but the Minister of Labour has stated that he will renounce any wider application of equal pay for men and women owing to the possible economic and psychological consequences of such a change.

Apart from legislative action, mention should be made of other attempts to examine the general economic situation of women workers. A *Swedish* Committee on women's work, mentioned above, has made such an enquiry and recommended in the conclusions of its report a greater development of women's vocational training as a suitable means of providing a sound foundation for the increasing entry of women into the economic life of the country; in *Sweden* the Central Organisation of Salaried Employees has also decided to undertake an enquiry into the situation of women as workers.

In *Mexico* the Committee of enquiry into women's employment is continuing its work not only as regards the making of studies but also by way of practical action and a communication from the Ministry of Labour has instructed women workers to apply to the Committee to assist them to obtain payment of the legal minimum wage.

An improvement has taken place in the status of certain women's occupations, in particular for midwives in the *Union of South Africa* (Regulations of 13 May 1938), *Germany* (Act of 21 December 1938 and Order applying it of 3 March 1939) and *Colombia* (Decree of 20 December 1938 and Resolution No. 56 of 1939) and for nurses in *Germany* (Act of 28 September 1938) and the *Dominican Republic* (Health Code of 11 January 1938, Chap. XXIV). In *Uruguay* admission to nurses' training schools was the subject of a Resolution of 27 October 1938 and admission to courses for health visitors was dealt with by Regulations of 2 January 1939. In *France* certificates for male and female hospital nurses and social service assistants were regulated by Decree of 18 February 1938 and Orders for its application of 13 June 1938 and 7 December 1938. In *Rumania* an Act of 13 October 1938 laid down rules for the social service.

Protection of Children and Young Persons

The protection of young workers has always occupied an important place in the work of the International Labour Organisation and the Governing Body has given a further proof of this interest by placing the question on the agenda of the Second Conference of American States Members of the Organisation, to be held at Havana in the autumn of 1939, in order that the effect given to the resolutions on the same subject adopted by the first Conference may be examined.

AGE OF ADMISSION

*International Regulation*¹

The chief event of 1938 was the first ratification of the Minimum Age (Industry) Convention (Revised), 1937 (No. 59), and the progress made in a number of countries towards ratification of the same Convention. A minimum age of 15 years is becoming normal, as the following information shows.

Ratification and Approval of Conventions and Recommendations adopted by the International Labour Conference

Convention No. 5: Minimum Age (Industry), 1919

Ratification authorised in *France* by Act of 4 January 1939.

Decision of *Mexican* Government (Decree of 9 January 1939) not to ratify.
Preparation by National Institute of Social Welfare in *Ecuador* of draft Decree for approval of Convention.

Convention No. 59: Minimum Age (Industry) (Revised), 1937

Ratified by *Norway* (26 August 1938).

Submission by President of Republic of *Cuba* of message to Senate recommending approval of Convention.

Decision by competent authorities in *Iraq* to postpone ratification; in *Siam*, competent authorities consider that in view of existing labour conditions there is no necessity at present to take action.

Proposal by *Swiss* Federal Council to Federal Assembly (13 June 1938) to postpone question of ratification pending application of new minimum age-legislation (conclusion approved on 6 December 1938).

Parliament informed by *British* Government (January 1939) that it did not intend to ratify, because Convention, unlike Education Act, 1936, does not provide for issue of certificates admitting children of not less than 14 to beneficial employment.

In *India*, submission of Convention to Council of State and Legislative Assembly (8 and 11 April 1938); Government stated that possibility of rati-

¹ The information given here relates only to the period 16 March 1938-15 March 1939. See the table at the end of the volume for the general situation, as regards the Conventions concerning the employment of children.

fication was under consideration; legislation would be required and if ratification was contemplated, Bill would be introduced in Central Legislature.

Statement by *Netherlands* Government in note to Second Chamber of States General (6 December 1938) that measures relating to employment of children and raising of minimum age had already been considered but were mostly regarded as provisional; Government did not therefore consider it possible to recommend ratification.

Submitted to competent authority, with no proposal, in *China, France, Latvia* and *United States of America*.

Convention No. 33: Minimum Age (Non-Industrial Employment), 1932

Ratification authorised in *France* by Act of 4 January 1939.

In *Argentina*, submission by Executive to Congress (22 September 1938) of message recommending approval of Convention.

Decision by competent authorities in *Iraq* to postpone all action concerning ratification.

Preparation by National Institute of Social Welfare in *Ecuador* of draft Decree for approval of Convention.

Convention No. 60: Minimum Age (Non-Industrial Employment) (Revised), 1937

Submission by President of Republic of *Cuba* of message to Senate recommending approval of Convention.

In *Norway*, decision by Storting (23 May 1938) to postpone ratification pending amendment of Workers' Protection Act, 1936, which permits employment of children over 12 on certain light work.

In *Siam*, competent authorities consider that in view of existing labour conditions there is no necessity at present to take action.

Approval by *Swiss* Federal Assembly (6 December 1938) of report by Federal Council proposing to postpone ratification pending application of new minimum age legislation; for practical reasons it would seem necessary to exclude domestic, agricultural and forestry work from application of future minimum age legislation.

Parliament informed by *British* Government (January 1939) that it did not intend to ratify, because Convention, unlike Education Act, 1936, does not provide for issue of certificates admitting children of not less than 14 to beneficial employment.

In *India*, submission of Convention to Council of State and Legislative Assembly (8 and 11 April 1938); Government stated that it did not believe that legislation covering whole of India, drafted on lines of Convention, could be adapted to prevailing Indian conditions.

Statement by *Netherlands* Government in note submitted to Second Chamber of States General (6 December 1938) that measures relating to employment of children and raising of minimum age had already been considered but were mostly regarded as provisional; Government did not therefore consider it possible to recommend ratification.

Submitted to competent authority, with no proposal, in *China, France, Latvia* and *United States of America*.

Recommendation No. 52: Minimum Age (Family Undertakings), 1937

Communications to the Secretary-General of the
League of Nations

In submitting Recommendation to Council of State and Legislative Assembly (8 and 11 April 1938) Government of *India* stated that no action was proposed, since Indian legislation contained no special provisions for family undertakings (17 May 1938).

In *Siam*, competent authorities consider that in view of existing labour conditions there is no necessity at present to take action (16 January 1939).

Decision by *South African* Government not to adopt Recommendation (13 April 1938).

Other Information

Accepted by *Irish* Government.

Starting informed by *Norwegian* Government (26 October 1938) that no action was necessary, since existing legislation applied to family undertakings.

Submitted to competent authority in *China, France, Great Britain, Latvia, Switzerland* and *United States of America*.

National Regulations

Considerable progress has been made in a number of countries, often in relation with International Labour Conventions, but sometimes on higher or lower standards than they lay down.

In the *United States* the Federal Fair Labor Standards Act prohibits the sale in interstate commerce of goods produced in an establishment in which any "oppressive" child labour has been employed, that is, children under 16 years of age. Some exceptions are allowed for limited periods laid down by the Children's Bureau for children between 14 and 16 years, in occupations other than manufacturing and mining. A Bill was even submitted to Congress to raise the age to 18 years; on the other hand, there has been no new ratification of the Child Labor Amendment to the Constitution¹. In *Switzerland* a Federal Act raised to 15 years the age for admission to employment in industry and commerce and a Home Work Bill would introduce the same minimum age even for independent work. In *Germany* the Youth Protection Act fixes more generally than before 14 years as the age for admission to employment in industry and commerce. In the *Union of South Africa*, where the legal age of admission is 14 years, it has been raised to 15 years in certain branches of industry, either by determinations under the Wage Act or by agreements concluded under the Industrial Conciliation Act. In *Ireland* the age for admission to employment in commerce was fixed at 14 years by the Shops (Conditions of Employment) Act, 1938.

In *India*, in order to bring Indian legislation into accordance with the Minimum Age (Industry) Convention (Revised), 1937 (No. 59), a Bill has been introduced extending the minimum age (12 years) to work in factories employing from 10 to 20 persons and to undertakings which, though they do not use mechanical power and are not therefore defined as factories, are deemed to be unhealthy; and an Act has been passed fixing at 15 years the minimum age for admission to employment in transport and in the handling of goods in ports. Lastly, there are Bills in *Bolivia* and *Salvador* to fix the minimum age at 14 years and in *Mexico* the Department of Labour has submitted to the President of the Republic a request for the appointment of an interdepartmental committee to consider the regulation of the age for admission to employment and the period of compulsory school attendance.

¹ Cf. *I.L.O. Year-Book 1937-38*, p. 270.

Higher ages than the normal minimum age have been fixed for employment on certain dangerous, unhealthy or strenuous forms of work in several countries: from 15 to 21 years, according to occupation, in *Germany* for employment in glassworks and 18 years in felt hat manufacture and wood barking; 18 years in the *United States* in hazardous or detrimental occupations in establishments producing for interstate commerce (Federal Fair Labor Standards Act) and in the State of Wisconsin for certain dangerous occupations; in the *French* colony of Madagascar for the carrying of heavy weights and in Indo-China for various occupations; in *Greece* for the use of lead paints, in *Czecho-Slovakia* for employment on power generation and near transmission shafting and belts and in *Yugoslavia* for underground work in mines (16 years for light surface work); 18 years is also the age contemplated in the *Bolivian* draft labour code for admission to unhealthy, dangerous and strenuous occupations. Lastly, in *Great Britain* the Royal Commission on Safety in Coal Mines has proposed that the minimum age for the employment of boys underground should be raised to 15 years.

The age of admission to employment presenting certain moral dangers was regulated in *China* by the prohibition of employment of girls under 15 as singers in tea rooms in Shanghai, in *Guatemala* for shoe polishers and in the *Union of South Africa* for street trading in East London. In *Hong Kong* the age for admission of girls to domestic service has been raised from 10 to 12 years. In *Switzerland* the cantons have been authorised by the Minimum Age Act to fix higher minimum ages than 15 years for certain occupations (hotels, itinerant trades, markets and open-air stalls). In the *United States* the Industrial Division of the Children's Bureau has undertaken an enquiry into the employment of children in street trades in order to improve working conditions in that occupation.

The extension of minimum age legislation to colonial territories was the subject of various enactments and bills; in the *French* colonies of Madagascar, Martinique, Guadeloupe, Réunion, Guiana and New Caledonia the minimum age has been fixed at 14 years. In *British* colonies the minimum age has been raised to 16 years in Uganda and to 15 years in Aden and has been fixed at 14 years in Basutoland, Bechuanaland and Swaziland, in Kenya and in the Leeward Islands. In Barbados the minimum age has been fixed at 12 years, but the raising of the age to 14 years is proposed. It is also proposed to fix the age at 12 years for admission to employment in industry (Nyasaland) and in commerce (Ceylon). In order still further to develop colonial minimum age legislation the Secretary of State for the Colonies has addressed a circular despatch to all Colonial Governors requesting them to consider the enactment of legislation fixing a minimum age for the admission of children to employment in any occupation.

Various measures have also been taken to safeguard compulsory school attendance. In *Great Britain* the London educational authorities have drawn up a list of occupations which are not to be

considered beneficial employment, that is, as justifying the employment of children at 14 years as an exception to the Education Act, 1936, which fixed the school-leaving age at 15¹. In *Japan* prefectural governors have been instructed to prevent the employment of children who have not completed their elementary education. In *Germany* compulsory school attendance throughout the Reich has been regulated uniformly by law for the first time (eight years' attendance, starting at 6 years of age). In *Bolivia* a Decree provides for compulsory school attendance up to 14 years and prohibits the employment of children without a certificate of such attendance. In *Switzerland* the Federal Government has asked the cantons to take steps to abolish the gap which still exists in some cantons between the school-leaving age and the minimum age for admission to employment, fixed at 15 years by the new legislation of 1938. Lastly, in *Latvia* an interdepartmental committee has suggested that the school-leaving age should be raised to 15 years.

CONDITIONS OF EMPLOYMENT

Progress is to be reported in various respects in legislation for the protection of employed young persons.

As regards the prohibition of *night work*, the following action has been taken on the International Labour Convention on the subject since the last issue of the *Year-Book*:

*Convention No. 6: Night Work (Young Persons), 1919*²

In *Iraq*, submitted for consideration to competent authorities; ratification cannot be contemplated until special regulations have been issued.

Preparation by the National Institute of Social Welfare in *Ecuador* of draft Decree for approval of Convention.

Although the Convention has not been further ratified, in the national field a number of States have improved their legislation on the subject or are contemplating improvements. In *Germany*, *Ecuador* and South Carolina in the *United States* the age below which the night work of young persons is prohibited has been raised from 16 to 18 years. In *Great Britain* the Young Persons (Employment) Act, 1938, prohibits the night work of young persons under 18 in running errands in various classes of establishments. The *Bolivian* draft Code provides for the prohibition of night work up to 16 years of age.

On the other hand, regulations allowing exceptions to the prohibition of night work for young persons have been issued in *Germany* for the iron, glass, paper and mining industries, in *Ireland* for the manufacture of paper, in accordance with the Convention, and in

¹ Cf. *I.L.O. Year-Book 1937-38*, p. 270.

² The information given here relates only to the period 16 March 1938-15 March 1939. See the table at the end of the volume for the general situation as regards the Conventions concerning the employment of children.

Venezuela for cases of *force majeure* and when the public interest or unusually serious circumstances require it.

The extension to colonies of legislation prohibiting the night work of young persons is particularly noteworthy in the *British* colonies; the Convention has been applied during the year to Basutoland, Bechuanaland and Swaziland, Barbados, the Leeward Islands and Somaliland; prohibition is under consideration in Aden and Nyasaland and in Ceylon there is a Bill to prohibit the night work of young persons in shops.

Some legislation affords wide protection to young workers from various aspects. In *Germany* the Youth Protection Act and in *Ecuador* the Labour Code extend various provisions for special protection as regards hours of work, rest periods, prohibited occupations, etc. to young persons from 16 to 18 years and make some of these provisions more strict. The *German* Act and a *Belgian* Act provide for longer *annual holidays* for young persons.

In *Great Britain* and *Italy* various regulations deal with the *medical examination* of young workers. General protection for young workers is provided by a Bill in *Salvador*.

Hours of work of young persons are affected in the *United States* by regulations in New York State, where the application of the 44-hour week has been extended to young persons under 16 employed in beauty parlours, and in Wisconsin, where hours of work for young persons under 18 have been fixed at 40 in the week in all gainful occupations except agriculture and domestic service. In *Great Britain* regulations under the Factories Act, 1937¹, deal with overtime and breaks for young persons and the Young Persons (Employment) Act, 1938, limits hours of work to 48 in the week for young persons employed in running errands for various classes of establishments and to 44 in the week for young persons employed about the business of shops. In *Japan* the Bureau of Social Affairs has issued guiding principles to prevent excessively long hours of work for young persons in munition factories and an Act concerning employment exchanges prohibits the employment of young persons in shops for more than 11 hours in the day.

Regulations dealing specially with the *safety* of young persons have been issued in the *British* colony of Grenada (protection against dangerous machinery) and in *Uruguay* (driving of vehicles).

The *placing* of young persons has been the subject of various measures in a number of countries, including *Australia*, *Czechoslovakia*, *Denmark*, *Estonia*, *Great Britain*, *Sweden* and the *United States*. In *Japan* a detailed plan has been adopted for the recruiting, vocational training, transport and establishment of 30,000 young persons between 16 and 19 years who are to be sent yearly to Manchuria.

The protection of young persons' *wages* is dealt with by several measures. In the *United States* a Minimum Wage Act for women

¹ Cf. *I.L.O. Year-Book 1937-38*, p. 272.

and young persons has been passed in Kentucky; in *Ecuador* the Coast Division of the Department of Labour has reminded heads of commercial and industrial undertakings that the legal minimum wage must be paid to young persons; and in *Mexico* the Committee set up to examine conditions of work of women and young persons endeavoured to remedy the insufficient wages paid to young persons.

Mention must lastly be made of *administrative measures* for the protection of young persons and children. To protect in particular children who are without moral or material defence against the abuses and dangers to which they are exposed, especially by giving them vocational training which will enable them to earn their living, the following bodies have been created: in *Colombia*, a Child and Maternity Protection Department in the Ministry of Labour and Social Welfare; in *Cuba*, a child guidance centre; in *Ecuador* the National Children's Council in the Ministry of Social Welfare and Public Assistance; and in *Venezuela* the Children's Councils and various other bodies. In *China* the Shanghai Municipal Council examined the moral and material protection of young girls transferred for employment as domestic servants (*mui tsai*), decided to adopt such protection and to extend it to all "transferred" children and young girls and set up for this purpose a child protection section. Bodies entrusted exclusively or partially with the protection of the health of young persons were set up in *Mexico* (health section under the Committee to examine conditions of work of women and young persons) and in *Sweden* (National Health Institute). In *Chile* the creation of an office to examine and follow questions affecting young persons is under consideration.

Labour Inspection

NATIONAL DEVELOPMENTS

In a number of countries the organisation or the work of labour inspection services has been affected by new legislation or by administrative reforms. In some cases the adoption or the entry into force of new social legislation has extended the competence of inspection services in respect of undertakings to be inspected or of the subjects to which the respective services have to devote attention. In other cases new national services have been created, or existing services have been extensively reorganised. In yet others, new methods of organisation or procedure in regard to points of detail have been adopted.

New general services. — Mention was made in the *Year-Book 1936-37* of the provisions adopted in 1936 in *Venezuela*, by which a labour inspection service was set up for the first time. Administrative Regulations issued on 30 November 1938, under the

Labour Act of 16 July 1936, have now laid down detailed rules for the organisation and work of the Labour Inspectorate. The enforcement of the Labour Act (which is in fact a Labour Code, covering all branches of economic activity and all the subjects normally dealt with by labour legislation in general) is entrusted to the district labour inspectorates which have been set up throughout the country and each of which is directly responsible to the National Labour Office (forming part of the Ministry of Labour and Communications). The new Regulations prescribe in detail the powers and duties of the inspection staff, and cover such points as the following: right to enter premises at any hour of the day or night, without previous warning; obligation not to divulge trade secrets; formalities for the granting of exemptions allowed by the Act; information to be supplied by employers; posting of notices; monthly and annual reports to be supplied to the National Labour Office by the local inspectorates; and collaboration between the ordinary inspectors and the legal, medical and engineering experts of the National Labour Office.

The coming into force on 24 October 1938 of the Fair Labor Standards Act in the *United States* marks an important date in the history of labour law enforcement in that country, inasmuch as it provides for the first time a basis for the creation and development of a federal labour inspection service, as distinct from the services previously existing in the various States for the enforcement of the local (State) legislation. This Act, it will be remembered, aims at fixing a "ceiling to hours" and a "floor to wages" and abolishing child labour in the major industrial and commercial activities of the whole country. It provides for the creation, in the Federal Department of Labor, of a "Wage and Hour Division", under the direction of an Administrator. The latter is empowered, subject to the civil service laws, to appoint such employees as he deems necessary to carry out his functions and duties under the Act. He and his designated representatives are given full powers of investigation, interrogation, entry and inspection, etc. With the consent and co-operation of State agencies charged with the administration of State labour laws, he may, for the purpose of enforcing the Act, utilise the services of State and local agencies and their employees and may reimburse such agencies for the services that he may call upon them to render. The Chief of the already existing Children's Bureau of the Federal Department of Labor is given similar powers in respect of the enforcement of the provisions of the Act concerning the employment of minors.

Mr. Elmer F. Andrews, former Industrial Commissioner of New York State, has been appointed Administrator of the Wage and Hour Division. In addition, the Division is to function through a Deputy Administrator and two Assistant Administrators. Mr. A. L. Fletcher, former Commissioner of Labor of North Carolina, has been appointed Assistant Administrator in charge of enforcement. It is expected that the Division will be composed of about 1,000 employees (all under civil service regulations).

The Administrator has announced that he expects eventually that the consent of the State authorities concerned will be obtained to the utilisation of State Departments of Labor in making all investigations and inspections under the wage and hour provisions of the Act. In the meantime, the Division and the Children's Bureau have prepared minimum standards for States desiring to co-operate in enforcement of the Act. These standards include provisions to the effect that the State agency concerned must have as its primary function the administration of State labour laws; that it must be engaged in inspecting workplaces for (i) enforcement of State child labour regulations, and (ii) enforcement of State maximum hours or minimum wage regulations; that an adequately staffed unit within the State agency must be designated to make investigations and inspections under the Act; and that the staff rules and regulations must include, *inter alia*, provisions for selection by competitive examination, the serving of a probationary period, promotion and security of tenure.

Regulations have been issued by the Wage and Hour Division concerning the records to be kept by employers to facilitate enforcement of the Act. A Wages and Hours Unit has been created in the Anti-Trust Division of the Federal Department of Justice to conduct civil and criminal prosecutions under the Act.

As regards the spirit in which inspection is to be carried out, the Assistant Administrator in charge of enforcement has declared that "we intend to be doubly careful against the possibility of imputing guilt until it is proved . . . We are confident that employers who have failed to comply with provisions of the Act through honest error can be induced to observe the law by measures far less drastic than court action. One of these measures certainly is education . . . I am sure we may trust to the voluntary assistance of workers to disclose a majority of cases of wilful violation . . . We probably can look to the individual employer for the same amount of assistance . . . Trade association, union and civic groups interested in the maintenance of decent standards of living unquestionably will join employees and employers in helping us weed out the chisellers . . . When we have exhausted the possibilities of co-operation, education and moral suasion, we will be forced to resort to court action where violations continue".

Mention must also be made, in the same connection, of the issue, by the Federal Department of Labor, of an Inspection Manual drawn up by the Department's Advisory Committee on National and State Labor Department Problems. The purpose of the manual is to set forth the various inspection methods which have been found effective as a result of long experience in the several States, with a view to helping State Labor Departments to prepare their own handbooks adapted to their own laws, administrative organisations and policies. One of the "minimum standards" laid down by the Wage and Hour Division and the Children's Bureau for State agencies desiring to co-operate in the enforcement of the

Fair Labor Standards Act (see above) provides for agreement to follow the procedure outlined in this manual.

New special services. — Two new services were set up in *Argentina* by a Decree of 1 October 1937. This Decree provides, in the first place, that local officers, acting as delegates of the National Department of Labour, shall be entrusted by the Governors of the ten national territories (i.e. territories which have not the status of Provinces but which, geographically, include almost half the area of the whole country) with the enforcement of labour legislation throughout their respective territories, or in part of such territories, or for a specified industry, or for a special process. Such delegates are to have the powers of labour inspectors as laid down in the Act of 25 September 1929. Secondly, the Decree provides that special inspectors shall supervise the application of the Act of 16 June 1934 concerning the opening and closing of commercial undertakings in the Federal capital and the national territories and of the Act of 25 September 1935, which requires that all workplaces shall be provided with chairs with backs. These special inspectors are to be chosen by the municipalities.

In *Great Britain* the Road Haulage Wages Act, 1938 (which lays down provisions with regard to the remuneration of workers employed by private carriers in connection with the mechanical transport of goods by road) empowers the Minister of Labour to appoint inspectors (invested with the usual powers) to secure proper observance of the Act.

In *India* the Employment of Children Act, which received the assent of the Governor-General on 1 December 1938 and forbids the employment of children under 15 in certain transport operations, provides for the appointment of inspectors to secure its enforcement.

In *Ireland* the Shops (Conditions of Employment) Act, 1938, deals with the conditions of employment of juveniles, working hours and mealtimes, holidays, the regulation of wages, and arrangements for the health and comfort of shop employees. Enforcement of the Act in respect of the first four of these subjects is made incumbent upon inspectors appointed by the Minister; in respect of the fifth subject (health and comfort) enforcement is entrusted to the sanitary inspectors of the local sanitary authorities. The Shops (Hours of Trading) Act, 1938, is to be enforced by the ordinary police authority (*Gárda Stochana*).

New auxiliary services. — The *Argentine* Act No. 12,360 concerning the national budget for 1938 introduced the principle that 10 per cent. of sums collected in respect of fines for breaches of labour laws (with the exception of provisions concerning maternity protection) should be paid to the employees or officials who report the contraventions. It further laid down that, in addition to the regular inspection staff, the executive authorities may appoint other employees to inspect industrial and commercial undertakings and supervise the application of labour legislation,

who shall receive no salary beyond the 10 per cent. of fines collected as a result of their reports.

In *Bulgaria*, with a view to remedying the shortage of regular inspection staff, the Minister of Commerce, Industry and Labour, in agreement with the Minister of the Interior, issued an Order on 25 November 1937 conferring the rights and powers of factory inspectors on mayors, deputy mayors, and members of the police force. Reports of contraventions are to be transmitted to the Labour Directorate for necessary action.

Extension of the competence of ordinary inspection services. — In *Great Britain* the Young Persons (Employment) Act, 1938, contains provisions concerning the employment of young persons in occupations which had not previously been the subject of national legislation (running errands, carrying messages, handling goods, operating lifts, etc. in various classes of premises not covered by the Factories Act, the Shops Acts, or other special legislation). Local authorities are required to provide for inspection and enforcement in most of the categories of undertakings covered; but the factory inspectorate and the mines inspectorate are made responsible for enforcement of the Act on railway premises and in mines and quarries respectively.

It may also be mentioned that the British Factories Act of 1937 has brought various additional categories of undertakings or occupations under the control of the factory inspectorate: e.g. places in which articles are cleaned, washed, broken up or demolished; work on ships in harbour or wet dock; various building operations (particularly demolition and excavation work); and civil engineering operations ("works of engineering construction"). It is estimated that the number of persons protected by British factory legislation has thus been increased from $5\frac{1}{2}$ to nearly 7 million.

In *India* the United Provinces Maternity Benefits Act, 1938, provides for the necessary inspection under the Act to be carried out by inspectors of factories. The Indore Payment of Wages Act, 1938, extends to Holkar State, with certain adaptations to meet local conditions, the provisions of the Payment of Wages Act adopted for British India in 1936. The work of inspection is assigned by the Act to inspectors of factories appointed under the Indore Factories Act, 1929 (though it is also provided that the Government may appoint such other inspectors as it thinks fit).

In *Japan* the new Shops Act of 26 March 1938 (regulating hours of closing, hours of work of women and young persons, and health and safety) is to be enforced by the ordinary labour inspectorate. Further, under two draft Imperial Ordinances, approved by the National Mobilisation Inquiry Commission on 28 December 1938, the labour inspectorate will have to concern itself with two new subjects, namely (a) control of wage rates, and (b) hours of work of adult male workers, in certain kinds of factories or workshops.

In *Norway*, by an Order of 18 November 1938, the enforcement of the Workers' Protection Act on the State railways has been

brought within the competence of the ordinary labour inspectorate.

Organisation and strength of inspection services. — In *Western Australia* a comprehensive revision of the law regulating conditions in factories and shops became operative in 1938. As regards administration, the changes made include provision for the appointment of an Assistant Chief Inspector empowered to exercise authority delegated to him by the Chief Inspector, and to replace him in case of necessity.

In *Colombia* Decree No. 2392 of 30 December 1938, concerning the organisation of the Ministry of Labour, Hygiene and Social Welfare, embodies detailed provisions concerning the organisation of the entire National Labour Department, including the labour inspectorate. Similarly, in *Ecuador* the Labour Code of 5 August 1938 contains provisions concerning the organisation and duties of the labour inspectorate. In *Egypt*, also, a recent Ministerial Order has reorganised the Department of Labour, which will in future be divided into five sections, including a Labour Inspection Section.

The *Estonian* labour inspectorate includes one "inspector for special duties". Under an Order of 14 June 1937 this officer was made responsible for conducting inspections on the railways of the Republic, including the workshops attached thereto. By an Order dated 4 October 1938 work carried out by the Inland Waterways Department has also been brought under his special competence.

In the *Year-Book 1937-38* an account was given of the Act of 17 July 1937, by which the *French* labour inspectorate was reorganised and strengthened. In accordance with the provisions of the Act, an Inspector-General and 110 Assistant Inspectors have now been appointed.

In *Great Britain*, as a consequence of the additional duties thrown upon the factory inspectorate by the new Factories Act, a scheme has been sanctioned which will have the effect of increasing the strength of the inspectorate by 62—i.e., by 23 per cent.—over a period of three years. The scheme includes the appointment of a fourth Deputy Chief Inspector and an additional Superintending Inspector to take charge of a new Division which has been created in addition to the 11 formerly existing; and the addition of 3 medical, 1 electrical and 7 engineering inspectors. A number of the new inspectors have already been appointed.

In *Rumania*, in consequence of a new territorial division of the country for administrative purposes, the number of regional labour inspectorates has been reduced from 15 to 10. Each regional inspectorate is now termed "inspectorate-general" and 12 subordinate areas ("inspectorates" and "sub-inspectorates") have been created.

In the *U.S.S.R.* the number of official labour inspectors appointed by the central committees of the trade unions was increased during 1938 from 4,651 to 5,124.

In *Sweden* an Act has been passed for the reorganisation of the labour inspection system, (which has, since 1 January 1938, been attached to the State (Accident) Insurance Institution). The new Act provides for an improvement in the quality and an increase of the number of the staff of the central office and in the districts, the number of which has been raised from 9 to 11. On the other hand, the maritime expert formerly attached to the Labour Inspection Department has been transferred to the Board of Trade. Women inspectors continue to form a special body with a special chief but the country has been divided into four women inspectors' districts, with a view to decentralisation. A post of chief medical adviser to the Department has been created but it is not a full-time one, in view of the close collaboration which it is intended to organise between the central labour inspection authority and the new Institute for National Health.

Selection and training of inspectors. — In *Western Australia*, under the new factories and shops legislation, all inspectors of factories (as distinct from inspectors of shops and warehouses) are in future to be required to pass an examination.

In *France* rules for the recruitment and training of members of the new grade of Assistant Labour Inspector have been laid down by a Decree of 18 November 1938. Recruitment is to be by competitive examination and provision is made for a probationary period of one year. The Decree also deals with promotion and discipline. A further Decree of 1 January 1939 consolidates the regulations with regard to the recruitment and conditions of employment of Labour Inspectors proper. This Decree introduces the following reforms: (a) the probationary period (one year) may, if necessary, be prolonged for a further year; (b) promotion by seniority alone is abolished and promotion in future is to result from selection on a merit basis.

In the *U.S.S.R.* the trade union organisations have been endeavouring during the past year to improve the qualifications of labour inspectors.

In *Venezuela* the Minister of Labour and Communications has decided to introduce a probationary period for newly appointed Labour Inspectors and Special Labour Commissioners (assistant inspectors). The probationary period is to be not less than 30 or more than 60 working days. Inspectors are to spend their probationary period at the National Labour Office and Commissioners at the office of the district inspectorate to which they are to be attached. Rules have been laid down on the methods of work and training during the probationary period. Probationers will receive no salary. The probationary period will end with an examination, conducted by a jury appointed by the Minister in each case.

Procedure, records, notices, etc. — In *Western Australia* the new factories and shops legislation has placed additional obligations on employers in respect of the posting of notices and the keeping of records. Further, new rules are laid down as regards the proof of

contraventions. Thus, in future any person other than the occupier employed in a factory is to be deemed to be employed from the time he begins work until the time when working operations cease for the day and is required forthwith to leave the factory and not to remain on the premises for his own purposes. The fact that a person was on factory premises, whether work was being carried on or not, is in future to be *prima facie* evidence that he was being employed at that time.

An amending Act which came into force in *Queensland* on 2 January 1939 introduced various changes in the provisions of the Industrial Conciliation and Arbitration Acts with regard to the enforcement of industrial awards and agreements. Every employer must henceforth make available to the inspector on the occasion of his visit a time and wages book containing records of all persons employed during the preceding six months; hitherto records were required only of the workers actually employed at the time of the inspector's visit.

It has been made obligatory on the Industrial Court or industrial magistrate to order, in proceedings for the recovery of arrears of wages, the payment of the arrears found to be due to the worker; previously the making of such an order was optional and in many instances the magistrate had refused to make an order.

In order to expedite proceedings under the Act the competence of industrial magistrates has been extended. The Industrial Court is now empowered to remit to such magistrates, in addition to proceedings for the enforcement of penalties or the recovery of wages, cases relating to victimisation of employees and claims for breaches of contract under an award or for failure to comply with an order of the Industrial Court or of an industrial magistrate. To facilitate the hearing of cases and reduce the travelling expenses of parties, the latter may now agree that cases be heard by the industrial magistrate of a district other than that in which the alleged offence occurred.

In cases where two or more partners are convicted of an offence, one of them will be liable to a penalty not less than the prescribed minimum or more than the prescribed maximum; on the remaining partners a fine less than the prescribed minimum may be imposed.

The new *British* Factories Act contains an important new provision calculated to assist the inspectors in the promotion of industrial safety: in future all machinery sold or hired must comply with certain requirements as to the sinking or guarding of set-screws, gearing, etc.

A decision taken on 24 September 1937 by the President of the *Argentine* National Department of Labour raises interesting issues. By this decision he refused to recognise "Previl", a limited liability company formed to advise employers on the application of social legislation and to pay the fines imposed by the Department for breaches of such legislation. In the preamble to the decision it was stated that, according to the opinion of the Department's legal adviser, the validity of agreements by which the company under-

took to pay such fines was open to question, since any such agreement assumed the character of an insurance contract, and as such it could not cover risks which arose from penalties imposed as a result of illegal action. Even if the company were only to pay fines for breaches committed in error or owing to ignorance of the relevant statutory provisions, its action might nevertheless lead employers to become careless in interpreting and applying the provisions of labour laws. The President had therefore instructed the Inspectorate to inform any employers who had concluded an agreement with the company, or with any other similar companies, that in the opinion of the Department such an agreement could be contested in case of a legal dispute. He had also instructed the Inspectorate to pay special attention to the supervision of the application of labour legislation in undertakings belonging to employers known to have concluded agreements of this kind.

Co-operation with employers and workers. — In France a Legislative Decree of 12 November 1938 requires the appointment of staff delegates in all industrial and commercial undertakings employing more than ten wage earners. It is the duty of these delegates to transmit to the management any individual or collective complaints with regard to conditions of work. They may address complaints or observations to the Labour Inspectorate with regard to the observance, in their respective undertakings, of the laws and regulations which it is the duty of the Inspectorate to enforce. A labour inspector may take with him the competent delegate when he carries out an inspection visit. The observations of the delegates and the replies of the management must be recorded in a register which must be made available to the inspectors.

In the *Year-Book 1937-38* reference was made to the U.S.S.R.'s Regulations of 21 October 1937, under which labour protection commissions were attached to the trade union committees of the larger undertakings, in order to associate the mass of trade union membership with supervision of the enforcement of labour legislation. The creation of these commissions has, in fact, made it possible to associate a very considerable number of workers and salaried employees with enforcement work. By 1 January 1938, according to information supplied by 154 trade unions, there were, in addition to the 239,000 voluntary labour inspectors elected by meetings of the workers, 219,000 members of the labour protection commissions.

In the *United States* the American Federation of Labor has taken steps to organise committees to assist in the enforcement of the Fair Labor Standards Act (see above). A pamphlet has been circulated making known the provisions of the Act and secretaries of Central Labor Unions in 792 cities have been urged to appoint wages and hours committees to disseminate information about the Act, its operation and enforcement, to render advice and assistance to affiliated unions and groups of unorganised workers regarding the enforcement of procedure and to make known to the

unorganised workers how standards above the minimum laid down in the Act can be obtained through organisation in unions.

INTERNATIONAL DEVELOPMENTS

In pursuance of a resolution adopted by the International Labour Conference in 1936 (on the proposal of Mr. Jurkiewicz, Polish Government Delegate), the Governing Body of the International Labour Office decided, in February 1939, to place the question of labour inspection on the Agenda of the 1940 Session of the Conference, to be dealt with according to the single-discussion procedure. (Mr. Jurkiewicz's resolution proceeded from the assumption that the time has come for the adoption of a Draft International Convention on the subject of labour inspection.)

With a view to preparing the way for the discussion of the subject by the general Conference, the Governing Body has instructed the Office to convene a Preparatory Technical Conference, to meet at Geneva on 29 May 1939. This Conference will have to consider the following question: "The general principles for the organisation of systems of inspection carried out in industrial undertakings (excluding mining and transport undertakings) and commercial undertakings, in order to secure the enforcement of legal provisions relating to conditions of work and the protection of the workers while engaged in their work".

For the purpose of the Preparatory Technical Conference, the Office has prepared and published a report on "The Organisation of Labour Inspection in Industrial and Commercial Undertakings", consisting (a) of a survey of the organisation and working of labour inspection in the various countries and (b) of the conclusions at which the Office has arrived, as a result of this survey, on the proposals for international regulations that might now be put forward.

SPECIAL BRANCHES OF LABOUR INSPECTION

Legislative provisions concerning the inspection of certain special industries, operations or plant have been amended in the following countries: in *Australia* (New South Wales), by an Order of 5 October 1938 (electrical installations) and a Notification of 8 July 1938 (mines); in *Czecho-Slovakia*, by an Order of 19 November 1938 (mines); in *Denmark*, by a Notification of 15 March 1938 (ships); in *Ecuador*, by a Decree of 26 January 1938 (mines); in *France*, by Decrees of 2 and 24 May and 12 November 1938 (workers' inspectors); in *Algeria*, by a Decree of 19 January 1938 (workers' inspectors); in *Indo-China*, by an Order of 14 September 1938 (mines and quarries); in *Germany*, by a Decree of 19 March 1938 and an Order of 22 November 1938 (inspection of boilers), a Decree of 28 November 1938 (mines) and a Decree of 22 January 1938; in *Hong Kong*, by an Order of 14 April 1938 (periodical inspection

of compressed air receivers); in *Norway*, by a Resolution of 11 November 1938 (ships); in *Sweden*, by an Instruction of 14 October 1938 (electricity) and a Notification of 30 June 1938 (loading and unloading of ships); in *U.S.S.R.*, by a Decree of 5 September 1938 (mines); and in *Yugoslavia*, by an Order of 24 March 1938 (inspection of steam boilers).

Social Aspects of Management

The most important event in this field in 1938 was the meeting in Washington of the Seventh International Management Congress. The Congress, which followed on that held in London in 1935, sat from 19 to 23 September 1938, under the auspices of the International Committee of Scientific Management.

The International Labour Office submitted two communications to the Congress: "Recent developments in international management terminology" and "Historical survey of the contributions of the International Labour Organisation to the study of management".

The importance of the Congress is shown by the fact that it was the first international meeting on American soil of a movement which undoubtedly originated in the United States, where F. W. Taylor at the beginning of this century was the pioneer of "scientific management". Indeed, the American conception of this doctrine guided the proceedings of the Congress and most of the members and of the reports were American. For this reason the European members were able to gain a rapid and comprehensive view of the changes which the conception has undergone as a result of the New Deal and to realise the progress which the management movement has made, especially in those of its activities which concern the human factor. Questions of personnel administration were left in the background even at the Sixth International Congress in London, but they held the foreground at the Washington Congress, not only because of the creation of a section to deal specially with personnel questions, but also owing to the attention paid to them in the debates in all the other sections (production — distribution — administration — home management — agriculture) and even in the numerous general sessions. The speakers at these general sessions were mainly chosen from the leaders and chief personalities in industrial and economic life and social science in the United States.

Another far-reaching change was clearly apparent for the first time in Washington: the management movement, which at its outset was confined to Taylor's disciples and to those who continued his work, has now an established footing among technicians, consulting engineers, experts and specialists. "Scientific management" in the strict sense produced as science or art only technical principles and methods, applicable in the various departments of an establishment or in the different branches of a factory. The:

heads of undertakings in most countries, with rare exceptions, took little interest in it and held aloof from the movement and from the science of scientific management.

The Washington Congress showed a new aspect. The representatives of American "top management"—that is, the representatives of the highest direction of industry in the country—instigated its organisation. The programme as well, especially that of the general sessions, bore signs of a marked change, in that so-called "top management" questions were far more prominent than technical management in its various branches. And since questions of personnel administration, owing to the important labour legislation of the New Deal, especially engage the present attention of the leaders of American industry, the remarkable result ensued that the first international management congress, the organisation and direction of which had passed from management specialists to the actual leaders of management, was also that at which the human factor received for the first time far more attention and consideration than at previous Congresses even in those reports which were devoted at Washington to other technical aspects of scientific management.

It is interesting to note in this connection that, in the United States at least, the fields and activities of "scientific management" and "industrial relations" seem to be coalescing; a number of universities and colleges have recently opened departments of industrial relations which deal with questions of scientific management and especially with personnel questions. There has also been much recent activity in the form of lectures, publications and enquiries on the part of the old technical organisations for scientific management, whose programmes are entirely or mainly devoted to questions of industrial relations. Such a change is bound to influence the leaders of industry and a noticeable alteration can be detected in many of the employers' statements at the Washington Congress, as, for instance, in "The Significance of Management, a Symposium", published for the Congress, and in several parts of the "Program for American Progress" adopted by the National Manufacturers' Association at its annual meeting in December 1938¹.

Owing to the development just described the scientific management movement has thus won the attention of the leaders of industry; but at the same time the movement has lost none of its coherence and its technical value and has even increased the interest which it receives from labour and trade union circles. This sympathetic interest, which had already been expressed in 1920 by the American Federation of Labor, seems to be shared by the Committee for Industrial Organization, an important branch of which, the Steel Workers' Organization Committee at Pittsburg, has recently published a pamphlet under the modest title of "Pro-

¹ Cf. pp. 14-15.

duction Problems" which deals with various questions in the technical field of scientific management.

The impressions made by the Washington Congress as regards the recent development of scientific management in its country of origin do not however justify any generalisation on the subject of other countries. Most of them continue to develop their systems and technical methods, to diffuse knowledge of them and to encourage their application in practice.

This applies particularly to countries in which the scientific management movement is still in its infancy. In the South American Republics, for example, a congress on "administrative rationalisation" met at Buenos Aires from 27-30 September 1938. Its proceedings were mainly devoted to technical questions, divided into four sections: public administrations, industry, banking, commerce. A number of resolutions were adopted, one of which deserves the attention of the International Labour Organisation, since it reproduces and recommends the definitions of the terms "organisation", "rationalisation", etc., as they were drawn up by the Advisory Committee on Management when it dealt with terminology. These definitions have moreover been translated during recent years into about ten languages and circulated in most industrial countries.

The Advisory Committee on Management held its annual session in May 1938 at the International Labour Office under the chairmanship of Mr. Hume Wrong (Canada). The Committee examined the following two questions, which it had selected at its last session and on which the International Labour Office had submitted to it reports:

Practical measures to be taken by undertakings to alleviate the immediate social consequences of the elimination of surplus works, technical equipment and the rapid and extensive mechanisation of production;

The use of office machinery and its influence on conditions of work for staff.

In its discussion of the first question the Committee noted that current industrial transformations and more especially those introduced during economic depression very often involve the total or partial suppression, either temporarily or permanently, of whole undertakings or individual workshops and of certain machines or groups of machines, with the consequent dismissal of workers. Similar consequences occur in connection with the application of all kinds of technical inventions which lead to the progressive mechanisation of certain production processes or even to their becoming entirely automatic.

The Committee held that these drawbacks might be alleviated by measures taken by the undertaking itself which is obliged to dismiss workers in this manner and it drew up a list of such measures, which may be classified as follows:

(1) Preliminary measures calculated to postpone or reduce to the strict minimum, or even avoid, dismissals, in the first place

by the reduction of hours of work and by transfer to other services;

(2) Measures for organising inevitable dismissals in the most appropriate manner, taking into account all the psychological and moral issues involved. Among these measures the Committee proposed the selection of workers for dismissal on the basis of objective criteria, the information of the staff in advance and the careful spreading of dismissals over a certain period;

(3) Measures to help workers who are dismissed; material assistance and occupational assistance;

(4) Measures of adjustment among the remaining staff (occupational, wage and psychological adjustments);

(5) General measures, such as collaboration with staff representatives, collaboration with other undertakings, and collaboration with official or private bodies such as trade unions, employers and industrial organisations, employment exchanges, public authorities and social service and welfare institutions.

On the second question on its agenda the Committee noted that the increasing use of office machinery affects the office worker in several ways, physiological and psychological, in his employment and conditions of work, and in his occupational status. This subdivision provided the Committee with a basis for classifying measures to meet the unfavourable consequences of mechanisation for the staff.

The Committee suggested various technical means of mitigating the physiological and psychological consequences of office mechanisation. As a means of counteracting occupational consequences it considered that the social guarantees of every kind recognised as due to industrial workers should be granted equally to office employees, more especially by a general extension of social legislation and of the system of collective agreements.

As regards the general effects on office staff the Committee expressed the opinion that, as in the case of industrial work, a reduction of hours of work in offices would help to reduce these drawbacks.

The Committee suggested that the following questions should be placed on the agenda of its next session and that the International Labour Office should submit reports on them:

(1) The organisation and functions of personnel management in industrial undertakings;

(2) The training in industrial relations of persons occupying positions of supervision or management in industrial undertakings.

The Advisory Committee has also maintained its active collaboration with the International Committee of Scientific Management. That Committee held its triennial statutory meeting, also at Washington, after the Seventh International Management Congress.

In his report the Chairman noted with satisfaction that since the last International Congress (1935) four new national bodies had joined the International Committee: the Management Council of Great Britain, the National Management Committee of Sweden, the National Management Committee of Greece and the German National Board of Efficiency (*Reichskuratorium für Wirtschaftlichkeit*).

After reading a report on the activities of the Committee in collaboration with the Advisory Committee on Scientific Management since its creation in the I.L.O. in 1935, the Chairman stated how highly this collaboration was appreciated and how important it was to the management movement for the I.L.O. to continue and extend its work on the social aspects of management.

The Committee elected its officers for the next three years and accepted the invitation of the Swedish National Management Committee to hold the Eighth International Congress at Stockholm in 1941.

It was also decided in principle that between the general congresses international technical conferences should be convened to discuss specific topics which should previously have been studied by experts in each country. Germany consented to hold the first of these technical congresses, the subject of which is not yet fixed, in Berlin in 1940.

It was further decided that a quarterly bulletin should be issued, on behalf of the International Committee of Scientific Management and under its responsibility, by the Italian National Committee "Enios".

CHAPTER V

SOCIAL INSURANCE

Economic developments, the amount and intensity of employment and the movement of wages are reflected, to varying degrees, depending upon their structure, in social insurance bodies. This fact is well known and is confirmed by the annual survey below. The survey, although confined to the chief legislative measures and the outstanding events in the field of social insurance, also affords proof of the continued endeavour to adapt social insurance bodies to the new tasks placed upon them by structural changes in economic policy and the new requirements which arise from them.

The development of social services, of which compulsory insurance is the most important form, has gone forward in spite of the ups and downs of the economic and political situation and even perhaps because of them. The desire to strengthen the scheme of social security remains in the foreground in many countries. This is due to the conviction, now widespread, that all material progress is dependent on the wide and fair distribution of purchasing power and on the effective protection of the workers and their families against the dangers of life.

NATIONAL SCHEMES

Argentina. — Social insurance questions continue to hold the attention of political circles and public opinion and 1938 was a year of intense activity.

In the legislative field, two provincial achievements deserve mention. On 2 August 1938 the Government of the Province of Mendoza issued a Decree under which all persons employed in agriculture will be subject to the accident compensation scheme. Secondly, by Act No. 3784 of 2 September 1938, the Province of Cordoba provided journalists with an invalidity, old-age, widows' and orphans' insurance scheme; this is administered by an autonomous fund which obtains its resources from contributions made by the insured persons (rising with earnings from 5 to 8 per cent. of the total), from employers' contributions equal to one-third of those of the insured persons and an annual subsidy of 50,000 pesos

from the authorities. Pensions are payable to insured persons aged 45 years who have completed 15 years' service, and to invalids; they may be neither above 450 pesos nor below 90 pesos a month (60 pesos for invalidity pensions). Surviving relatives may claim pensions equal to half that to which the deceased person was or would have been entitled.

In the national field, the new Act to establish a tuberculosis commission will enable the campaign against this disease to be intensified. The commission, composed of seven members nominated by the Government, is required to establish and manage hospitals, sanatoria, dispensaries and preventive institutions, to grant subsidies to benevolent societies and anti-tubercular institutions and to study the possibility of introducing a national tuberculosis insurance scheme which would finance the work of the commission. Meanwhile it has an annual credit of 2 million pesos at its disposal.

Several Bills, either to improve the present industrial accident compensation or to establish new invalidity, old-age and widows' and orphans' insurance schemes, have been submitted to the national Parliament.

As regards compensation for industrial accidents there are three Bills, one to include all agricultural workers within the scope of the Act of 1915, and another to extend the Act to the staffs of theatres and other public entertainments. The third Bill proposes to include all employed persons in the scope of the compensation scheme, to introduce provision of benefits in kind and to centralise insurance operations under a national fund.

Among the proposals to bring new classes of employees within the scope of invalidity, old-age and widows' and orphans' insurance, reference may be made to that which contemplates establishment of a national insurance fund for salaried employees and workers in industry and commerce, and provides for the payment of employers' and employees' contributions equal to 10 per cent. of wages, as well as for a Government subsidy. Another Bill, which would cover the same group of employed persons, provides for insured persons' contributions varying between 4 and 12 per cent. and employers' contributions ranging from 8 to 12 per cent. of earnings. Moreover, the General Confederation of Commercial Employees has submitted a petition to Parliament calling for the introduction of compulsory invalidity, old-age and widows' and orphans' insurance.

There are other Bills and petitions aiming at the establishment of a seamen's insurance scheme. The governing body of the Seamen's Union has sent to the President of the Republic a memorandum suggesting the issue in the near future of an invalidity, old-age, and widows' and orphans' insurance Act and the ratification of the Conventions adopted by the maritime Sessions of the International Labour Conference.

Lastly, two Bills are also before Parliament providing for the introduction of a non-contributory pensions scheme for persons who have reached the age of 60 or 65 years respectively.

Australia. — Legislation providing for compulsory pensions and health insurance was passed in 1938 but the scheme has not been put into effect in its present form and its fate still remains uncertain.

The National Health and Pensions Insurance Act was passed on 5 July 1938 and payment of contributions was to start on 4 September 1939. Under this Act provision was made both for health benefits, including general practitioners' services, sickness and disablement benefit, and for contributory old-age, widows' and orphans' pensions. All employed persons over 14 years of age, with the exception of non-manual workers earning more than £365 a year, were to be liable to insurance. The scheme was to be financed by contributions of employer and employee beginning at a weekly rate of 1s. 6d. each in respect of men and 1s. in respect of women, and by means of a Commonwealth grant of £100,000 per year for the administration of health insurance, 10s. per insured person over 16 years to meet liabilities for health benefits and a sum rising from one million pounds to 10 million pounds a year for pensions.

Administration was to be entrusted to a National Insurance Commission administering the pensions provisions and arranging for medical and pharmaceutical benefits, and to approved societies administering sickness and disablement benefits and collecting contribution cards.

This legislation had not been passed without some opposition. The Labour Party, while supporting the principle of national insurance, opposed the principle of contributory pensions, considering that pensions should be a charge on the consolidated revenue of the Commonwealth. It also criticised the omission to grant medical benefit to dependants of insured workers and the differentiation between men and women in the scales of cash benefits. On the other hand, supporters of the Government criticised the lack of provision for small employers such as farmers and also considered that free medical attendance should be extended to dependants. The Government had therefore promised to prepare a scheme for the voluntary insurance of such persons as small farmers and other classes of workers on their own account and undertaken to assist the medical treatment of the wives and children of insured persons through their voluntary insurance in such organisations as friendly societies.

Difficulty was also experienced in working out schemes for medical benefit. The British Medical Association had protested against the proposed capitation fee of 11s. and the Government had appointed a Royal Commission to consider the views of the medical profession and the possibilities of extending free medical treatment to dependants. Subsequently, however, opinion within the Government parties grew more divided and in view of the country's increased liabilities on account of defence, the prospective additional costs involved in liberalising the Insurance Act in accordance with the Government's undertakings at the time of its passing, and the general economic and financial situation of the country, the Government decided to substitute a less extensive system for the

one embodied in the National Insurance Act. Provisions on contributory pensions are to be abandoned and the health insurance scheme is to provide medical services for dependants of insured workers. It is intended to continue the approved society system and the cash health benefits substantially on the same scale as under the Act. The question of medical benefit is being discussed with representatives of medical benefit organisations, the medical profession and approved societies.

Political events following on the death of the Prime Minister, Mr. Lyons, have further delayed the preparation of the new scheme.

During the year ended 30 June 1938, the number of beneficiaries under the existing non-contributory pensions scheme was 310,250, as against 299,086 a year earlier, at a cost of £15,800,000 as against £14,000,000.

The law of workmen's compensation is a matter within the jurisdiction of the various States. For seamen on ships engaged in interstate or foreign trade, however, compensation is governed by the Commonwealth Seamen's Compensation Act. By an amending Act of 10 December 1938 the employer is now made liable for the cost of medical, surgical and hospital treatment up to an amount of £25. Weekly pensions are increased from one half to two-thirds of the average earnings with a maximum of £3 10s. instead of 30s., and an additional pension of 7s. 6d. is paid in respect of each child under 14 years of age if incapacity is total. Compensation in the aggregate, however, is limited to £750. For specified permanent injuries such as loss of member, the amount payable is fixed in the Act. Lump sum payments to the dependants of a victim amount to four years' earnings of £400 instead of three years' earnings or £200, subject to a maximum of £750 as compared to £500 before the amendment.

A number of States have also passed or prepared amending legislation. In Western Australia, a flat rate of £750 was substituted in place of the sliding scale between £400 and £600 by way of payment in case of death. Other provisions enable the free allocation of artificial teeth, artificial eyes and spectacles and certain travelling, subsistence and lodging expenses in connection with attendance at hospital and at medical examinations. Other important provisions strengthen the rights of an injured worker to compensation. The adequacy of the compensation agreed upon by the parties in a lump sum settlement must now be verified by the clerk of the court registering the agreement. When a court orders redemption of a pension by a lump sum the amount must represent the full balance of the present value of the pension. Where a worker has an alternative remedy against his employer under the Workmen's Compensation Act or against a third person under common law, he may receive compensation pending recovery of damages from the third party and the compensation paid by the employer will be a charge upon the damages recovered, if any. Similarly, in New South Wales, an amending Act of December 1938

permits the worker to receive compensation during six months without prejudice to his right to proceed against the employer for damages where the injury was caused by the negligence of the employer. If the claim is brought before the Workers' Compensation Commission the worker must sign a declaration that he knew of his alternative remedy and chose to claim compensation.

Belgium. — The miners' old-age, invalidity and survivors' insurance scheme was again amended by an Act of 8 July 1938, which increased the benefits payable to invalids, aged persons and widows already in receipt of a pension and also considerably widened the conditions for the grant of invalidity pensions.

While invalidity pensions were hitherto granted to miners only if they could show at least 500 days of work in the two years preceding the beginning of the illness which caused the invalidity, that condition will in future be much mitigated by the fact that it will be possible to count the two years either up to the beginning of the illness which caused the invalidity or up to effective cessation of contribution to the working miners' pension fund.

In addition, no condition of contribution will be required of miners who since first engaging on coal mining have never left the industry for another occupation.

Bolivia. — A committee set up at the Directorate-General of Labour has drawn up a draft labour code under which the compensation scheme would apply only to employees of undertakings with a capital exceeding 20,000 bolivianos. The benefits accorded to injured persons would include medical and pharmaceutical assistance and cash benefit in the form of lump sums amounting, in case of permanent total incapacity, to two years' wages but not exceeding 9,000 bolivianos. In case of fatal accident, the surviving relatives would be entitled to compensation equal to the deceased person's wages for two years and a funeral allowance of at least 200 bolivianos.

The draft labour code also provides for the introduction of an invalidity, old age, widows' and orphans' insurance scheme for the employees of private undertakings operating public utility services under concession (for instance, telegraph, telephone, railway, water and electricity companies and banks). The scheme would be administered by an autonomous fund and its resources would be provided by employers' and workers' contributions and the yield of various taxes.

By Legislative Decree of 10 May 1935 journalists were provided with an invalidity, old-age and widows' and orphans' insurance scheme, administered by an independent institution. The resources of the scheme are constituted by contributions equal to 10 per cent. of monthly salaries not exceeding 1,200 bolivianos, to be paid half by the insured persons and half by the employers, together with the yield of certain special taxes. Pensions will be granted after not less than fifteen years' service and will be equal to 60 per cent. of salaries, with a further 4 per cent. for each year's service over

fifteen. Insured persons who have been members for more than ten but less than fifteen years may receive pensions equal to 50 per cent. of salaries, to be paid for a period equal to the length of membership. Surviving relatives are entitled to a lump sum calculated according to the length of the deceased person's service (six months' salary for five years' service and 30 months' salary for 25 years' service).

Pending adoption of the draft labour code, an insurance scheme for railway and tramway workers was introduced by Decree of 21 January 1938. The benefit scheme corresponds on the whole to that of journalists' pension insurance; here again contributions are fixed at 10 per cent. of wages not exceeding 1,200 bolivianos a month, and will be paid half by insured persons and half by their employers.

Brazil. — With the entry into operation of the pension insurance scheme for industrial workers at the beginning of 1938 the insured population of Brazil was doubled. This scheme alone now counts 900,000 members, while the commercial workers' scheme—the next largest—insures about 450,000 persons and the remaining schemes for public utility workers, seamen, transport workers, etc., cover about the same number in the aggregate. These schemes provide as their principal benefits invalidity, old-age and survivors' pensions, and about 4-5ths of their income (over half a million contos in 1937) are at the present stage being used for the constitution of actuarial reserves. Medical benefits are provided under some of the schemes but in 1937 they accounted for only 14,000 contos out of a total benefit expenditure of 77,000 contos.

The need for developing the curative and preventive activities of social insurance is now, however, fully understood. A Bill to establish compulsory sickness insurance had been introduced in the Chamber of Deputies some ten years ago, but, public opinion not being then sufficiently prepared, it was not adopted. In April 1938 the Minister of Labour appointed a Committee of Experts to consider a national scheme of sickness insurance covering all persons affiliated to the existing pension funds: the latter would collect the contributions and pay the cash benefits, while the benefits in kind would be administered by regional institutions working under central direction. Moreover, in October 1938 the Minister of Labour appointed a Committee to examine the possibility of organising a campaign against tuberculosis—a principal cause of invalidity—in which all the pension funds would take part.

Bulgaria. — The general social insurance scheme, which is administered by the Social Insurance Fund attached to the Ministry of Commerce, Industry and Labour, underwent no important modification during 1938.

Two Decrees concerning the sale of the stamps issued by the Social Insurance Fund were adopted on 16 August and 15 September 1938 respectively. The stamp system has proved thoroughly satisfactory.

The number of insured persons who received compensation under the accident compensation scheme in 1938 was 5,880. The total cost of benefit in cash and in kind provided by this scheme was 19,680,000 levas, whereas the cost of benefit allowed under the sickness and maternity insurance scheme was 39,360,000 levas.

By Legislative Decree of 23 December 1937 (to which reference was made in the *Year-Book 1937-38*), a new class of workers has been included in the scope of the general compulsory social insurance scheme: workers without a permanent employer, such as carters, fishermen, porters and cattle slaughterers. Such workers are required to form themselves into a sort of trade and insurance association. The contributions paid by the workers themselves and their employers are fixed respectively at 5 per cent. of wages received and 5 per cent. of wages paid.

A committee was instructed by the Minister of Commerce, Industry and Labour to prepare an amendment to the Act of 10 February 1937 concerning compulsory invalidity, old-age and widows' and orphans' insurance for craftsmen.

Salaried employees and non-manual workers belong to the general invalidity, old-age and survivors' insurance scheme but desire the creation of an occupational pensions scheme superposed on the general scheme or substituted for it. An enquiry into the salaries of these employees has enabled the financial machinery of the proposed scheme to be drawn up; it would consist of contributions from insured persons and employers of 14 per cent. of salaries. Agreement has not yet been reached on its administrative organisation.

Canada. — For Canada 1938 may be regarded as a year of consolidation and unification as regards social insurance and assistance legislation.

Workmen's compensation laws have been consolidated and amended—generally on the lines of the Ontario Act—in Alberta, New Brunswick and Nova Scotia and modified in some respects in other provinces. The principle of collective liability of the employers contributing to the accident fund has been further confirmed or reaffirmed. A fund for the equalisation of assessments for different classes of industries has been created in Alberta. Industries forming separate classes have been combined and the number of classes has been thus reduced in Nova Scotia.

The standard of benefits has again been raised in a number of provinces. Alberta, among other measures, has abolished the waiting period of three days where incapacity lasts more than 30 days; further, the age limit for dependent children was raised from 16 to 18 years and compensation for injuries in mine rescue work increased from 66⅔ per cent. of the wage—the ordinary rate—to 100 per cent.

In British Columbia widows' and invalid widowers' pensions have been increased from \$35 to \$40 a month and the maximum

amount for pensions payable to a widow or invalid widower with children is raised from \$65 to \$70. Finally, funeral benefit, which was \$100, is now \$125, and the rate of compensation 66⅔ instead of 62½ per cent. of the earnings.

Non-contributory pensions to aged persons and to the blind are now payable in all provinces, the provincial laws having been amended and consolidated so as to include blind persons among the beneficiaries in accordance with the Dominion Act of 1937. A motion to lower the pensionable age, which is at present 70 years, was again rejected. The rapid increase in the costs of these pensions has, moreover, led the Government to consider the substitution of a contributory scheme for the non-contributory one. For the year ended 31 March 1939, the Dominion Government, which pays 75 per cent. of the pensions, contributed 28.3 million dollars to old-age pensions and 760,354 to pensions for the blind. The cost for provinces was approximately 9.7 million dollars, apart from expenses of administration.

Compulsory health insurance has not made any progress in 1938, both the Alberta and the British Columbia Acts being still inoperative. Success, however, is reported for the medical benefit schemes for indigent persons in Ontario and for unemployed in Manitoba, and more particularly for the rural municipal doctors system in Saskatchewan and Manitoba, under which a general practitioner is employed by the municipality and attends to all residents.

Chile. — The Preventive Medicine Act of January 1938 required the Compulsory Insurance Fund and the occupational provident funds to organise annual health examinations of all their members, to provide for the treatment of those suffering from tuberculosis, heart disease and venereal diseases, and to pay full wages to those who need a period of abstention from work. To meet the cost of the medical service each fund must set aside 2½ per cent. of its revenue, while an increase of the employer's contribution by 1 per cent. of wages is to cover the cost of the cash benefit.

The Compulsory Insurance Fund, which embraces the entire wage-earning population and possesses a numerous medical staff, had already in 1937 instituted health examinations as an experimental measure. The Fund, which is responsible for over a million workers, has begun by examining at its clinics all fresh entrants into insurance and all members who voluntarily present themselves; it also as a regular measure sends teams of doctors and nurses into the factories themselves in order to conduct examinations and give treatment. Where the insured person is found to be suffering from tuberculosis or venereal disease his family is also examined and if necessary treated.

The two largest provident funds—for salaried employees and State officials respectively—have organised their own preventive medical services, which under contract also undertake the examin-

ation and treatment of the members of smaller funds. By way of sample of the working of the Act it may be interesting to note that up to the end of October the salaried employees' fund had examined 6,191 persons, or 10 per cent. of its membership, and as a result total abstention from work for periods of one to four months was prescribed in 256 cases and half time abstention in 7 cases only.

The financial situation of the Compulsory Insurance Fund continues to improve. The higher rates of the contributions payable by employers and the State which were in operation in the year 1937-1938 and an increase of 20 per cent. in the mass of insured wages have more than offset a large extension of the curative and preventive services of the Fund. The investment policy of the fund, which for some years had entailed bold intervention in agricultural and commercial enterprise, coupled with the building of workers' dwellings, is now confined very largely to the latter activity, which is pursued in collaboration with a national housing fund. The dwellings are built by the housing fund with money advanced by the Compulsory Insurance Fund, which becomes the owner of the dwellings so built.

Colombia. — At the end of 1936 Parliament decided to suspend enforcement of the compulsory savings scheme introduced by Act No. 66 of 31 March 1936, and to set up a committee of both Houses to examine the social insurance Bill which the Government had submitted to it. In the autumn of 1938 the Senate, after introducing certain amendments, completed its examination of this Bill. The Chamber of Deputies passed the Bill in its turn, but the President of the Republic refused his approval owing to the amendments introduced by the Senate into the Government draft. The subject is now under further study and there is reason to hope that compulsory social insurance will be introduced in the near future.

The Liberal Party, which has a majority in Parliament, declared in a manifesto to the nation that it adheres to the principle of social insurance as "a just and equitable solution of the most burning social problems".

As regards compensation for industrial accidents, the Ministry of Industry and Labour has published a tariff for assessment of permanent incapacity for work.

Costa Rica. — In 1937 the Government announced its intention of considering the introduction of a social insurance scheme. The preparatory work undertaken in 1938 included in particular an occupational census which it is hoped will enable the foundations of the future insurance scheme to be laid; insurance will be general and compulsory, and funds will be provided by employers' and workers' contributions.

Cuba. — In the *Year-Book 1936-37* attention was already drawn to the difficulties caused to the invalidity, old-age and survivors'

insurance schemes by the very generous conditions giving the right to benefit: in principle, service performed before the coming into force of compulsory insurance gives the same right to pension and is calculated towards pension in the same way as time passed while insured and paying contributions.

These difficulties have been especially felt by the Seamen's Pension Fund, started in 1927, which had very heavy obligations to its pensioners at the very time when it was undergoing the effects of a severe economic crisis.

The action taken to remedy these difficulties still left the situation insecure and an Act of 3 September 1938 therefore entirely recast the earlier legislation.

The main provisions of the Act deal with the reduction of pensions based on services which did not give rise to contribution, the gradual suppression of these pensions and the building up of resources better corresponding to the fund's obligations than in the past.

Under the Act the normal funds are formed as follows: (1) Total contribution of 6 per cent. of real wages, the contribution being equally divided between the employer and the insured person. This contribution may if necessary be raised to 10 per cent. of wages but it may not in any case be calculated on monthly wages of more than 500 pesos; (2) 1 per cent. on the net price of sea or air tickets issued to or from Cuba; (3) sacrifice of one month of every wage increase; (4) produce of the sale of wrecks, payment to the fund of wages unclaimed by seamen or their dependants, fines, etc.

Benefits have also been altered, without however greatly changing the principles on which the earlier legislation was based.

The right to pension for service is gained at 50 years of age and after 20 years' contribution to the fund. Pensions are however payable whatever the age reached after 25 years of effective contribution.

The contribution year must consist of at least 160 days of work giving rise to payments to the fund, but these 160 days may be spread over two or more than two calendar years.

The pension is in principle equivalent to 3 per cent. of the average annual wage upon which the contributions were calculated, for each year under insurance counting from 1927.

No pension may be less than 30 nor more than 80 pesos a month.

In case of evident incapacity for work the right to an invalidity pension is gained after at least five years' contribution.

Invalidity pension is calculated in the same way as service pension and the maximum and minimum amounts for it are the same.

Czecho-Slovakia. — In the legislation adopted in the first half of 1938 which still retains its importance, attention may be drawn to the Act of 8 April 1938 increasing the portion of social insurance institutions' funds to be invested in shares and loans issued by public authorities.

The territory ceded towards the end of 1938 radically altered and

weakened the previously sound structure of Czecho-Slovak social insurance. For the Central Workers' Insurance Institute the ceded territory represented a loss of about 40 per cent. of its membership and the number of sickness insurance funds depending on the Institute was reduced from 295 to 180.

The Decree of 24 February 1939 effected the administrative reorganisation of workers' insurance, the reconstruction of insurance for non-manual workers remaining in suspense. The Decree further concentrated the management of sickness insurance by reducing the number of directing bodies to 90 territorial funds and by embodying accident insurance, which had up till then been separately administered, in sickness, invalidity and old-age insurance. The coming into force of the Decree was subsequently postponed until 1 July 1939, except for the provisions which are immediately applicable, increasing from 100 to 150 weeks the period giving right to pension in workers' insurance.

Dominican Republic. — In order to finance the medical equipment of the country, Act No. 1529 of 16 July 1938 imposed a 10 per cent. tax on the price of tickets issued to persons leaving the country by sea or air. Half the yield of this tax will be paid to the Dominican Red Cross, while half will go to the establishment and upkeep of hospitals and to public health and assistance services.

Ecuador. — The accident compensation scheme was improved by the Labour Code promulgated in August 1938. This compensation scheme, which previously applied to wage earners employed in the industries named in the Act of 1928, has been extended to all workers, whatever the nature of the undertaking employing them, with the exception of workers employed in domestic service. Employers are required to provide medical, surgical and chemists' services free of charge, until the injured worker is able to resume work or is certified to be suffering from permanent and total incapacity. In the event of permanent and total incapacity the injured worker is entitled either to a total lump sum payment equal to three years' wages or to a pension equal to 40 per cent. of the monthly wage earned before the accident. In the event of a fatal accident the survivors are entitled to a funeral benefit of 200 sucres (previously 100 sucres) and to a lump sum payment equal to three years' wages if death occurred between the 180th and 365th day after the accident and to 18 months' wages if death occurred between the 12th and 24th month after the accident. In certain conditions these lump sum payments may be replaced by pensions.

The insurance fund of salaried employees in private employment and of workers had 78,000 members at the end of March 1938. The insurance contributions, which amount to 10 per cent. of wages and are borne in equal proportions by the insured persons and their employers, amounted in 1937 to more than 2 million sucres. The State grant amounted to 350,000 sucres and intestate estates coming to the fund reached 960,000 sucres. Sickness benefit

is granted for a maximum of three months for the same illness. Medical attendance is given free to insured persons whose annual wages do not exceed 3,000 sucres; persons whose wages vary between 3,000 sucres and 6,000 sucres may claim attendance at reduced fees; those whose wages are over 6,000 sucres pay higher fees. If the fund cannot provide medical, surgical or dental attendance, insured persons whose annual wages are less than 2,400 sucres may claim cash benefit, which may amount to half the wages. In the event of invalidity, insured persons who have paid contributions for at least ten years are entitled to a pension equal to 60 per cent. of their average wages during the five years before the risk matured, but not exceeding 9,000 sucres a year. Pensions at the same rate are paid to insured persons who reach the age of 55 years or have belonged to the fund for more than 20 years. Survivors are entitled to the product of the individual account formed by the deceased person's contributions.

Estonia. — The various bills previously submitted, and providing either for the reform of sickness insurance or for the establishment of a workers' invalidity and old-age insurance scheme¹, have not yet become law. A conference of workers' delegates held at Tallinn on 15 May 1938, adopted a resolution emphasising the need of establishing a workers' invalidity and old-age insurance scheme, and then of extending sickness insurance to all employed persons, including agricultural workers. Action to permit working-class mothers to keep their children at home is also demanded.

Finland. — The compulsory invalidity and old-age insurance scheme came into force on 1 January 1939 and the new Pensions Institute took the first steps to apply it and organised the payment of contributions. The whole adult population is now insured.

A Government committee has been entrusted with the preparation of a bill concerning voluntary sickness insurance. The existing legislation dates from 1897 and covers so-called "workers' " funds only. The new scheme would cover all voluntary sickness insurance funds, the total membership of which is about 100,000 members. It is not proposed to alter the nature of the insurance, which will remain voluntary, but the Bill lays down the minimum conditions which the voluntary funds must fulfil as regards minimum membership, rates of contribution, nature and amount of benefits and investment of funds. It does not provide for subsidies from the public authorities to the voluntary funds.

France. — The recent amendments to French law relating to the general social insurance scheme deal especially with the co-ordination of the special schemes applying to certain categories of workers; the action taken in this respect particularly affects railwaymen, seamen, and non-manual employees of the departments, communes, etc.

¹ Cf. *I.L.O. Year-Book 1937-38*, p. 294.

The main principles underlying the co-ordination decrees consist in securing the equality of the benefits guaranteed to non-manual wage earners either by the special or the general scheme and in organising cover for the risks of insured persons who move from one scheme to another. In this latter case they lay down rules for estimating and transferring the mathematical reserves belonging to rights in course of acquisition.

In the general insurance scheme the covering of sickness risk has been considerably improved by an Order increasing the scale for repayment of medical expenses.

It will be remembered that the insurance system (Act of 30 April 1930) includes repayment to the insured person of part of the expenses which he has incurred for treatment.

The fund repays to the insured person part of the doctor's fees on presentation of the doctor's receipt: the doctor signs a sickness card for the purpose.

The rates of repayment are laid down in the fund's responsibility scale and the amount provided is paid, after deduction of 20 per cent., as the insured person's share in the medical expenses.

The insured person therefore pays himself 20 per cent. of the estimated expenses automatically in accordance with the fund's scale, and, if necessary, the difference between the medical treatment shown in the scale and the fee actually claimed by the doctor.

The economic and social changes which have occurred in France since 1936 have had so much influence both on the receipts and expenditure of insurance funds and on the doctor's fees borne by the insured person that it was thought necessary to raise the scale under which the funds repay to sick members the doctor's fees which they have had to discharge.

Although each fund is free to fix its own scale, it coincides in fact to a very large extent with a general "reinsurance" scale applying throughout the country: the reinsurance scale fixes the maximum repayments which social insurance funds must not exceed, if they wish, in case of deficit, to profit from the grants made by district unions responsible for making good the debits of the bodies compulsorily affiliated to them.

The total of contributions attaching to the whole of the risks covered by the general social insurance system rose from 2,640 million francs in 1935 to 4,186 million francs in 1937 and to about 5 milliard francs in 1938, without the expenditure of the funds undergoing a corresponding increase and an Order of 7 October 1938 therefore considerably increased the scale limit for the repayment of doctors' fees.

It should be noted that when engaged in the preparation of this Order the Superior Social Insurance Council was anxious to make it formally clear that any subsequent increase in the scale of responsibility of the funds must be largely dependent on the conclusion of agreements between the funds and the practitioners' local associations.

In view of the possibility of a further rise in reinsurance rates, the Superior Council stated:

“That the realisation of such an attempt would be dependent on obtaining indispensable guarantees as regards the fixing of minimum association rates to be applied by doctors to insured persons; that the agreement concluded on 15 February 1938 between the Federation of French Doctors' Associations and the General Co-ordination Committee between the mutual funds and the social insurance funds constitutes a praiseworthy effort in this direction; and that it is desirable to wait until the policy thus inaugurated has resulted in the establishment of effective guarantees”.

The Superior Council added:

“That so far as the development of the funds' receipts and expenditure allows, and provided that effective guarantees have been obtained concerning the fixing of minimum association rates to be applied by doctors to insured persons, a new scale of reinsurance should be considered in the immediate future, so as to bring within the limits of the control ticket of 20 per cent. required by law the share of insured persons in the risks of sickness insurance.”

Germany. — The social insurance schemes reflected in 1938 the high degree of employment resulting from the execution of the four-year plan.

In *sickness insurance* the average membership for the year 1938 was 21,200,000, as against 20,200,000 in 1937. The receipts and the expenditure of the compulsory sickness funds increased by 9 per cent. as compared with 1937 and the 1938 balance shows surplus receipts of some 20 million marks. The gradual reduction in the number of sickness funds has been continued: The numbers of funds was 4,565 at the end of 1937, as against 6,387 in 1933.

Craftsmen, shopkeepers and members of the liberal professions who are not covered by compulsory sickness insurance may join the voluntary insurance organisations, whose membership is about 9½ million. Most of these organisations have set up a scheme of benefits which is on the whole equivalent to that of the compulsory sickness insurance scheme, except as regards daily sickness benefit, which voluntary members do not need so much as compulsory members, since their incomes are not reduced as the result of a short absence from work.

In insurance against *industrial accidents and occupational diseases*, compensation had to be paid for more accidents owing to the more intense character of the work in almost all branches of industry. The total expenditure in 1938 was 400 million marks, as against 367 million in 1937.

The Act of 17 February 1939 moderated certain restrictions introduced into accident insurance in 1931 and 1932 for reasons of economy; in future any accident which, though not by itself

involving incapacity of as much as 20 per cent. (minimum pensionable degree) does so when added to the incapacity due to previous accidents, gives rise to a pension payable as long as the incapacity remains as much as 20 per cent. Moreover, all pensions granted for incapacity in this degree will be payable under the same conditions as to duration, whereas the emergency legislative decrees provided, with the object of economy, that injured persons whose incapacity was 20 per cent. would be entitled to pensions for a maximum of two years only. Further, seriously disabled persons, who have been entitled since 1931 to children's supplements in respect only of children under 15 years of age, will now be entitled to these supplements for each child who continues to study or is an invalid, until he or she has reached the age of 18 years. The same facility is made applicable to orphans' pensions. The total pensions of surviving relatives, which had been reduced in 1931 to two-thirds of the deceased person's annual earnings, has been re-established at four-fifths of this figure. The Act also strengthens the provisions governing the prevention of industrial accidents.

The *invalidity, old-age and widows' and orphans' insurance* scheme for workers, which covers about 20 million persons, received in 1938 total contributions of 1,301 million marks (1,160 million marks in 1937). The unemployment insurance scheme was required to transfer to the invalidity, old-age and survivors' insurance scheme the sum of 174 million marks and the Reich 443 million marks. The cost of benefits was 1,280 million marks.

A difficult problem raised by enforcement of the social insurance legislation was satisfactorily solved in 1938. Any worker who cannot obtain unemployment insurance benefit owing to his incapacity for earning should be entitled to an invalidity pension. However, in practice it happens with some frequency that an unemployed person recognised by the unemployment insurance authorities as incapable of working is unable to obtain an invalidity pension because it is alleged that his incapacity does not reach the proportion bringing with it the right to invalidity insurance benefit. With a view to removing this anomaly, which deprives the persons concerned of all benefit, the National Insurance Office has decided that the invalidity insurance and the unemployment insurance offices shall take the advice of a medical expert with a view to ascertaining incapacity. The doctor will communicate the results of his examination to the two insurance institutions concerned and the decision of each of these concerning the application made by the worker in question will be based on the medical conclusions. If the doctor rules that the worker in question is an invalid, the invalidity insurance office must pay him an invalidity pension. In the other alternative, the unemployment insurance office must recognise him as capable of working and pay him unemployment benefit.

As regards *salaried employees' insurance*, benefit payments in 1938 amounted to 375 million marks, or 8 per cent. more than in 1937. In exchange the workers' and salaried employees' insurance schemes have been required to pay a subsidy of 51 million marks to

the *miners' pension insurance* scheme which is still in financial difficulties.

Since 1 January 1939 independent craftsmen have been brought under the compulsory invalidity, old-age and survivors' insurance scheme, whatever the amount of their income or property. No special office has been set up for the workers concerned; they must join the salaried employees' national insurance institute. Craftsmen are classified in the wage categories of the salaried employees' insurance scheme, in accordance with the income taken for the calculation of income-tax. Craftsmen aged 60 years or more, who are for this reason exempted from compulsory insurance, will be assisted by a special provident scheme to be put into operation by the compulsory occupational organisation for German craftsmen.

German social insurance legislation was extended as from 1 January 1939 and for risks subsequent to that date to the former territory of Austria; the measures of adaptation and transition required for the various insurance systems were laid down in an Order of 22 December 1938.

Great Britain. — The year 1938 has been marked, not by legislative measures, but by discussion and preparation with a view to reform, principally in the field of workmen's compensation.

In January, a Committee issued a report on various questions in relation to the law of workmen's compensation. Among the salient recommendations there may be mentioned that, as regards *nys-tagmus*, in place of appeal to a medical referee, there should be appeal to a board consisting of an ophthalmologist and a physician and that more effective measures should be taken to find re-employment for men who have suffered from this illness. In relation to medical procedure the Committee advises that, in place of the present system under which medical issues may be a matter for litigation before a court of law, such issues should in principle be decided by a medical referee, subject to a right of appeal to a medical appeal tribunal. Lump-sum settlement in place of periodic payments of compensation the Committee found to be generally popular and it recommended no essential change—only measures of procedure to ensure that the interests of injured workmen should be more carefully safeguarded in the process of obtaining compensation.

Following upon the above, a Bill for the reform of the law of workmen's compensation was put forward, with the full support of the Labour Party. It proposed the substitution of weekly payments for lump-sum payments, in case of death, and an increase in the scale of weekly payments in force. This Bill was rejected on the ground that a Royal Commission on Workmen's Compensation was about to be constituted and that statutory action at that time was therefore premature. The Royal Commission was, in fact, appointed in December 1938. Its terms of reference are very wide: they include, not only the entire workmen's compensation system itself, but also the relation of that system to health insurance, unemployment insurance and civil liability for damages due to the employer's negligence.

The voluntary scheme of insurance for old-age and widows' and orphans' pensions, which during 1938 men and women up to the age of 55 have been able to join at minimum contribution rates, received in the closing months of the year a flood of applications and it is estimated that 700,000 persons have insured under the specially favourable conditions for initial entrants.

An Act for improving the social assistance of the blind, which came into force on 1 April 1938, includes an amendment of the Non-Contributory Old-Age Pension Acts. Henceforward the pensionable age of blind persons is reduced from 50 to 40 and in the assessment of their means for the purpose of calculating the pension rate no regard is had to benefits received under the National Health Insurance and Workmen's Compensation Acts.

For many years now it has been recognised that the medical benefit of National Health Insurance, limited as it is to a general practitioner service for the insured person only, is inadequate, but the economic difficulties which the country has been traversing during the post-War period have constantly occasioned the adjournment of proposals for the extensions in the content and scope of medical benefit. The British Medical Association has taken the lead in these proposals and in 1938 it again brought forward, in a modified form, a plan for a general medical service for the nation which it first published in 1930.

The essential elements of these proposals are that emphasis should be laid on the achievement of positive health and the prevention of disease as much as on the relief of sickness, that every wage-earning household should be able to choose and enjoy the services of a family doctor, that consultant, specialist, laboratory and hospital services should be generally available through the agency of the family doctor and that the various parts of these services should be closely co-ordinated and developed by the application of a planned national health policy. Furthermore, the British Medical Association, acting jointly with the Trades Union Congress, has made proposals for the creation of a national maternity service. Here again emphasis is laid on the essential role of the general practitioner. Continuity of care before, during and after pregnancy should normally be in his hands, and open to everyone, and recourse to hospitals or maternity clinics, etc. should only be auxiliary to his care and on his advice.

An important development in the administration of national health insurance was the institution of refresher courses for insurance medical practitioners. These were started experimentally in 1937 and have proved a great success; 875 doctors attended courses in 1938 and it is intended to arrange that every insurance practitioner with a substantial practice should be able to attend such a course once every five years.

Greece. — The year 1938 was marked by the effective application of the Social Insurance Act of 1934 to employed persons in the cities of Athens, Piræus and Salonica. In these three cities the

Social Insurance Institute began to levy contributions and to pay the benefits allowed under the Act.

According to a communication from the Director of the Institute, the number of insured persons at the end of 1938 was 300,000, 90 per cent. of whom contributed in the bottom four wage classes and 7 per cent. in the top four classes. The total received in contributions up to the end of 1938 (i.e. in about six months) was 324 million drachmas (1,080 drachmas per insured person; of this sum, 171,700,000 drachmas belonged to the sickness and maternity branch and 152,300,000 to the invalidity, old-age and widows' and orphans' branch of the scheme.

Medical assistance is allowed in full both to insured persons and to members of their families.

In order to organise the medical service, the Institute has established a network of dispensaries with complete medical equipment; here the insured persons who can move about may receive medical attendance from doctors engaged on a time basis; other insured persons are treated by practitioners bound to the Institute by special contracts specifying the rates for the different services rendered. Moreover, in order to provide medical treatment for those insured persons who require it, the Institute has reserved for its own use a number of beds in the appropriate establishments. The provision of medicaments, curative instruments, etc. to insured persons is regulated in such a way that all pharmacies share in the supply. The expenditure occasioned by benefits in kind is borne in principle by the Institute, insured persons having to pay a very small share only.

According to a statement made to the press by the head of the Government, the results obtained during the initial period of the compulsory insurance scheme have satisfied the responsible authorities. On the basis of the experience obtained, these authorities will attempt to extend the scope of the insurance to other parts of Greece. To this effect the Government is intending to establish branches of the Social Insurance Institute in 1939 at Volo, Patras, Calamata, Verria, Edessa and Maoussa.

Guatemala. — Under a Decree issued in April 1938, agricultural employers are now obliged to establish first-aid posts in their undertakings. These must be provided with the medicaments prescribed by the Director of Public Health, having regard to the number of persons employed. Further, employers must conclude contracts with the hospitals in order to ensure free medical and pharmaceutical assistance for their workers. The cost of hospital treatment and of transport will be borne by the employers.

Hungary. — All the social insurance schemes developed in a most satisfactory way during 1938. In the National Social Insurance Institute at Budapest, the number of persons insured against sickness increased from 829,267 in September 1937 to 901,542 in September 1938 and the membership of the workers' invalidity,

old-age and widows' and orphans' insurance scheme from 583,095 to 663,538.

The most important reform decided on in 1938 relates to the establishment of compulsory old-age insurance for agricultural workers.

The new insurance scheme applies to about 625,000 agricultural workers and farm servants, and provides for benefits in the form of old-age pensions and funeral allowances. The pensionable age is fixed at 65 years, or 63 years for ex-combatants. Under the transitional provisions included in the Act, a considerable number of workers who are already aged 65 years will immediately receive old-age pensions. On fulfilment of certain conditions of an actuarial character, the Minister of Agriculture may decree the grant of pensions to the widows of deceased insured persons or pensioners. The National Agricultural Insurance Institute, which administers this old-age insurance scheme, makes a charge of 20 filler a week from each insured man or woman as a personal contribution. The Institute also receives the contributions which are levied from landed proprietors in the form of an additional land tax. Lastly the Institute receives a subsidy of 5,375,000 pengös a year from the public authorities.

The principle of compulsory insurance has thus been confirmed and its scope extended to agricultural workers.

The independent professions are also calling for insurance. A meeting of independent shopkeepers, attended by 100 delegates of 30 trades, representatives of the two national confederations of shopkeepers and several members of Parliament, examined a proposed scheme of compulsory old-age insurance for the whole profession. A committee was instructed to prepare a text and submit it to the Government.

India. — The Government of India is considering the possibility of introducing a scheme of sickness insurance for seamen. No details have been settled, pending consultation with the shipping companies, but it appears that the Government has in mind a scheme of a contributory character with agencies in the principal ports.

Meanwhile an official Bill has been introduced in the Central Assembly to enable shipping companies to deduct from seamen's wages contributions to approved provident funds affording retirement benefits. One of the principal shipping companies has in fact already set up such a provident fund and the Bill is intended to facilitate its operation.

The annual report on the application of the Workmen's Compensation Act in Bengal refers to the difficulty and delay in obtaining payment of compensation from uninsured employers. The great majority of the larger factories are already insured and it is recommended that insurance should now be made compulsory.

Ireland. — The year 1938 gave the first opportunity for reviewing the effect upon the national health insurance scheme of centralising administration into the hands of one central society.

The opinion of that Society was that the existing actuarial system of quinquennial valuations and estimates, with retention of a very large reserve, would not only make it impossible for years to increase benefits but might even lead to their reduction. It therefore suggested that the actuarial system should be abandoned and that the financial basis of the scheme should be on an income and expenditure basis year by year. To carry out these or whatever reforms might be found desirable in the realms of health insurance and pensions the Society proposed to the Minister for Local Government and Public Health that he should set up a Committee of Experts with wide terms of reference.

Further suggestions on the same and on other lines were made to the Minister both in and out of Parliament and in November 1938 he stated that when the Government had examined its actuary's quinquennial report, which it expected to receive in the early part of 1939, it hoped to put forward a proposal for the reorganisation of health insurance, to include every kind of medical benefit.

Italy. — In the field of compulsory accident insurance for workers in industry and commerce important amendments were made to the Royal Decree of 12 August 1935. The maximum wage limit used in calculating pensions has been raised from 6,000 to 8,000 liras. The pension for permanent total incapacity has been increased from one half to two-thirds of the wage. Pension increases for injured workers with dependants may now amount to a maximum of four-fifths of the basic wage instead of three-quarters. A lump sum payment in addition to survivors' pensions has been introduced: it amounts to 1,500 liras for the surviving partner of the marriage without children under 15 years of age and to 2,000 liras for children alone or for a widower or widow supporting minor children. The beneficiaries have been increased by the addition of collateral relations under 15 years of age or invalid, provided they have lived in the house and at the expense of the deceased person.

As regards sickness insurance for industrial workers a new enactment has substantially improved benefits. The sickness benefits fixed by provincial collective agreements must correspond to 50 per cent. of the average wage and are paid for a maximum of 150 days' incapacity. Insured women in childbirth are entitled to a payment of 300 liras. Benefits in kind have also been greatly improved.

The membership of the industrial workers' sickness insurance scheme rose from 1,670,000 at the end of 1936 to 2,373,000 at the end of 1937, although the number of affiliated undertakings fell from 113,281 to 93,725. Expenditure on benefits rose from 104 million to 133 million liras.

Sickness insurance for agricultural workers also made progress. The number of insured persons reached 4,902,000 at the end of 1937. Medical and hospital assistance cost 12,690,000 liras in 1937 and 9,713,000 liras were spent in providing daily benefits.

Tuberculosis insurance benefit, which was recently extended to masters in State elementary schools and public education institutions, was allowed in 49,500 cases in 1937 (41,850 in 1936). Thanks

to the extension of the scheme, which was decided in 1936, to tenant farmers and farmers paying rent in kind, contributions increased by 47 million liras and reached a total of 213½ million in 1937.

In the same way the extension of maternity insurance to certain groups of agricultural workers resulted in an increase in total contributions from 7,510,000 liras in 1936 to 13 million in 1937. Maternity allowances were paid in 1937 to 57,828 women employed in industry and commerce and to 40,459 women employed in agriculture, the total expenditure on this score having been 20,850,000 liras, as against 14,860,000 in 1936.

As regards old-age insurance, the number of stamps sold increased from 176 million to 193 million, 57.11 per cent. (51.62 per cent. in 1936) of the latter total relating to the wage groups corresponding to weekly earnings of over 60 liras.

Japan. — The scheme of popular health insurance established by an Act of 2 March 1938 came into operation on 1 July 1938. The scheme, essentially a voluntary one, is designed to provide medical and maternity benefits for peasants and the working population other than factory and mine workers, who are covered by the compulsory scheme. Societies to administer the new scheme may be set up on the initiative of the persons concerned in each town or village; in the towns societies may be organised on an occupational basis. Membership and benefits are of a family character. The insurance is financed by the contributions of members and by a State subsidy. Medical co-operative societies have sprung up in large numbers in rural areas during the last year or two and these will be recognised as insurance societies under the scheme. It was expected that by the end of 1938 120 societies, insuring 500,000 persons, would already have been established.

The Government has announced its intention of putting into force in 1940 two fresh schemes of compulsory insurance—for seamen and commercial employees respectively.

The seamen's scheme, which the Government itself will administer, is to cover the risks of sickness, accident, invalidity, old age and death. In case of sickness and accident medical benefit and sickness benefit equal to 60 per cent. of wages are granted for a maximum period of one year from the expiry of the shipowner's liability under the Seamen's Act. Invalidity and old-age pensions are on the scale of 25 per cent. of annual wages, the latter pension being awarded at the age of 50. A lump sum of three months' wages is payable to survivors. The cost is to be shared equally by shipowners, seamen and the State.

Commercial employees, who number about 900,000, would, together with their families, be insured against injury and maternity. Financed by a joint contribution of employers and employees and by a State subsidy, the scheme would be administered by Government insurance offices or by establishment funds.

Latvia. — An amendment to the compulsory sickness insurance legislation, adopted on 10 May 1938, extended the right to such

insurance to agricultural workers employed by the year and entitled to family allowances. The number of persons who will be covered by the amendment is estimated at 15,000, including members of the families of insured persons.

The insured agricultural workers are affiliated to a central body, the Agricultural Workers' Sickness Fund. The expenditure involved will be borne by the State, except that persons receiving medical and pharmaceutical benefit will be required to bear part of its cost.

An insured person who is incapable of work for more than seven days in consequence of sickness is entitled, from the fourth day, to cash benefit at the rate of 60 per cent. of his wages.

Lithuania. — An Act of 22 November 1938 introduced an accident compensation scheme for agriculture as from 1 January 1939. This covers employed persons, as well as farmers and smallholders and members of their families.

Benefits are paid by the accident insurance fund, which is also responsible for administration of the general compulsory accident insurance scheme, but the cost of such benefit will be reimbursed to the fund by the Government. The Government will collect a special tax, equal to 6 per cent. of the land tax, to cover this expenditure.

The agricultural insurance benefits are, on the whole, identical with those provided under the general insurance scheme. Nevertheless, whereas the latter makes provision for the payment of compensation for temporary incapacity from the fourth day after the accident onwards, the agricultural scheme allows such compensation only after longer periods, varying from a fortnight to four months according to the circumstances. Moreover, the agricultural scheme differs from the general scheme as regards the minimum of incapacity carrying with it the right to an invalidity pension; only agricultural employees are assimilated to persons insured under the general scheme (where the minimum incapacity required for a pension is 10 per cent.), farmers being entitled to a pension only when their capacity for work is reduced by a proportion varying from 30 to 60 per cent. according to the size of the farm.

Luxemburg. — The preparatory studies for a reform of the social insurance legislation, which have been proceeding for several years, were actively continued in 1938. Pending completion of this work, the Government took several measures by administrative action to improve the working of the insurance schemes. By Order of 27 January 1938 it established a Conference on Insurance Property, the object of which is to secure collaboration between insurance institutions in the investment of their funds. Another Order of 15 April 1938 provided for the reorganisation of the Central Sickness Funds Committee.

With a view to supplementing the provisions of the Grand Ducal Order of 27 December 1937¹, which added free bonuses, to apply

¹ Cf. *I.L.O. Year-Book 1937-38*, p. 311.

during 1938, to the pensions payable under the workers' invalidity, old-age and widows' and orphans' insurance scheme, an Act dated 27 July 1938 introduced similar bonuses for pensioners under the salaried employees' insurance scheme. The Act also provides for the grant of bonuses to pensions paid by the accident insurance institutions. The pension bonuses paid by the workers' invalidity, old-age and widows' and orphans' insurance scheme were extended to 1939.

Recently, the introduction of pensions insurance for independent workers was taken under consideration in response to the interest shown in the circles concerned in such a reform.

Netherlands. — The Government's Bill providing for the participation of joint funds of employers' and workers' organisations in the administration of accident insurance in industry and commerce, referred to in the *Year-Book 1937-38*, is still under consideration. A joint committee of the Trades Union Congress and the Socialist Democratic Labour Party have elaborated a plan for the unification of social insurance administration with a view to eliminating competition between funds. According to this plan, regional bodies are to administer insurance against sickness and minor accidents, those risks being borne by joint funds of employers' and workers' organisations established for each industry. Supervision is to be entrusted to an Insurance Council, replacing the State Insurance Bank, which would also administer and carry insurance against invalidity, old age and death and against the consequences of major accidents.

The Joint Committee of Labour proposes, moreover, to extend the risks covered by social insurance and its scope. Insurance for medical treatment, now left to private initiative, is, according to these proposals, to be made compulsory for all persons whose income does not exceed 3,000 fl. a year; sickness benefit insurance is to be extended to all employees, including domestic servants who are not now covered, and social insurance generally is to be made compulsory for independent workers of small means. Pending a reorganisation on these lines, labour claims the immediate introduction of State pensions for persons of 65 years of age with low income and not entitled to any pension under existing schemes.

By Act of 30 December 1938 the obligation to participate in State loans, so far confined to the Invalidity and Old-Age Insurance and the Civil Servants' Pensions funds, has been extended to other funds administered by the State Insurance Bank, but this obligation only applies if the State converts a consolidated loan to which these funds have subscribed. On the other hand, the Government's power to require the invalidity and old-age insurance fund to invest in State loans more than an amount corresponding to the State subsidy to that fund, is restricted to cases of conversion of consolidated loans. Bonds issued by Dutch companies have been included among those in which social insurance moneys may be invested.

In the international field, two measures were taken giving effect

to last year's enactments: the Invalidity Act was brought into line with the Maintenance of Migrants' Pension Rights Convention, 1935 (No. 48), as from 1 September 1938 and the treaty between the Netherlands and Switzerland concerning accident insurance of workers in the service of undertakings doing business in both countries, more particularly shipping on the Rhine, was put into force as from 1 April 1938.

Draft Bills were introduced for amending accident insurance, mainly with a view to excluding accidents due to acts of war and to covering persons engaged with or without remuneration in works for the security of the country. The Bills further contain provisions tending to eliminate, in the computation of wages, the effects of unemployment and short time on the average wage and authorising the Minister in charge of the Act to approve a medical service organised for the undertakings affiliated by a central body managed jointly by employers' and workers' organisations.

The Sickness Act has been amended so as to ensure continuity of insurance when the worker, by changing employment, becomes insured with another fund or when he works only part of the week.

New Zealand. — The event of the year in social insurance which has dominated all else, and which constitutes an important milestone in the social history of New Zealand, has been the passing of the Social Security Act.

In the *Year-Book 1937-38* an outline was given of proposals which the Government had put forward. These proposals were considered by a Select Committee, which recommended their entire adoption, and in the summer, the Government placed a Bill before Parliament. The Social Security Act was passed in September 1938 and embodies in substance the Government's original proposals with some modifications of detail.

The Act provides for free health services for every person ordinarily resident in New Zealand, to include a general practitioner's service, hospital or sanatorium treatment, mental hospital care and treatment, and maternity treatment with maintenance in a maternity home. A number of cash benefits are also to be paid, including "sickness benefits" in respect of temporary and "invalids' benefits" in respect of permanent incapacity, increased rates of unemployment benefits, "family benefits" payable at the rate of four shillings a week a child in respect of each child of the applicant in excess of two, and "emergency benefits" payable at the discretion of the Social Security Commission where title to the above-mentioned benefits does not exist.

Save in the case of emergency benefits title to the cash benefits is subject to conditions of means and of residence in New Zealand. In the case of sickness benefits the full rates for persons over 20 are £1 a week plus 15s. for a wife and 5s. for each dependent child under 16, up to a total maximum of £4 a week. Invalids' benefits for persons over 21 are 30s. a week plus 10s. for a wife and 10s. for

each dependent child, but a tabulated scale of private means allowed may reduce considerably the total payable.

In addition, the Act provides for "age benefits" payable at the age of 60, "widows' benefits" and "orphans' benefits". Conditions for title are similar and the full rates are 30s. a week for old age, 20s. a week for a childless widow, £1 15s. a week for a widow with one child plus 10s. for each other child up to a maximum of £4 10s. a week. Moreover, wives deserted by their husbands or whose husbands are in mental hospitals may qualify for benefits as if they were widows. Orphans may receive such sum up to 15s. a week as the Social Security Commission thinks fit.

The present non-contributory pensions and family allowances are replaced by benefits under the Social Security Act. Moreover, from 1 April 1940, so-called universal superannuation will be payable to all persons 65 years of age or over, irrespective of means and subject only to residence qualifications. The rate rises from £10 a year by £2 10s. every year until it reaches £78. Medical benefits are administered by the Minister of Health and other benefits by the Social Security Department, the principal officers of which will form the Social Security Commission acting under the direction and control of the Minister in charge of the Department.

The scheme was to come into force on 1 April 1939 as regards pensions, sickness and emergency benefits and the payment of contributions. It is financed by a registration fee of £1 a year—every person over 16 ordinarily resident in New Zealand being compelled to register under the Act—and by a contribution of 1s. in the pound on all salaries, wages or incomes, and in the case of companies of 1s. in the pound on their "chargeable income", which with minor modifications is the income assessable for income-tax. Non-taxable companies are to be specially taxed on profits for distribution to shareholders.

The Government estimates the cost of the first year at £15,000,000, of which £8,500,000 should be produced by the above-mentioned contributions. A further £5,135,000 is already provided for and on an estimated national income of £174,000,000, which it expects to expand, the Government considers the necessary money should be forthcoming without an increase in taxation.

The general opinion of the voting population would appear to be definitely in favour of the scheme, seeing that the Government placed this achievement in the front of its election programme for the elections held in the autumn, and it was returned to power. Of corporate bodies, the New Zealand Federation of Labour unreservedly supports the scheme, but business and the New Zealand Farmers' Union regard the cost as beyond the country's capacity. The opposition party approves the principle of the Act but likewise regards the cost as likely to exceed the country's capacity and it criticises the tax on companies as likely to impede industrial expansion and to drive capital away. It also regards as inequitable a percentage system of contributions with a means test,

on the ground that it will bar the thrifty from sharing in the benefits.

Norway. — An Act dated 24 June 1938 amended certain provisions of the compulsory sickness insurance legislation, the principal change being intended to facilitate the conclusion of collective contracts between the sickness funds and the doctors. Each sickness fund and each doctor had previously been free to accept or reject the collective contracts drawn up by their respective organisations. Where the fund had concluded no medical contract, its obligation to provide medical aid in kind was replaced by that of refunding the medical expenses of insured persons according to a fixed scale.

The new Act makes the contracts concluded by an association of funds binding on all the sickness funds affiliated to it. Further, the National Insurance Office is empowered to declare collective contracts concluded by the associations concerned to be binding even on funds not affiliated to them.

Another Act, of 8 April 1938, provides that any company or private undertaking with a share capital or net assets amounting to 100,000 crowns must make appropriations to a Labour Fund. Certain types of undertakings, particularly in agriculture, forestry and fishing, are however exempt from this obligation. Contributions are compulsory only when the net profits of the undertaking exceed a certain percentage of its invested capital; the rate varies with the financial results of each business year. The moneys of the Labour Fund are to be used for payment of old-age and invalidity pensions or for relief of unemployment due to the suspension, transformation or restriction of the work of the undertaking.

Palestine. — Political events and the economic depression in Palestine could not fail to affect the voluntary health insurance scheme organised by the General Federation of Jewish Labour. Though membership has increased by 12,419 to a total of 71,630 in 1937, the average income per member fell from £P.4.240 in 1935 to £P.3.449 per year in 1937 owing to lower wages and unemployment and to a reduction in employers' contributions. Expenditure, on the other hand, has grown owing to a higher incidence of chronic disease, mainly tuberculosis, nervous and heart disease, and to the increased costs occasioned by the hospitalisation of those injured in riots. The deficit for 1937 and 1938 is estimated at £P.18,000. Nevertheless, no essential services have been discontinued in 1937-1938 and hospital accommodation, for which there is special need, was further extended.

Workmen's compensation, which is governed by an Ordinance of 1927, has been extended to transport by sea and to sea fishing in ships registered in Palestine. Any seaman or apprentice and any other person employed on board for the purposes of the vessel or its passengers or the cargo or mail carried by the ship are entitled to compensation; as regards fishing, members of the crew remunerated wholly or mainly by shares in profits or gross earnings are

exempted. Compensation consists in a lump sum payable to the dependants of the injured worker in case of death and in a pension amounting to 50 per cent. of the average wage in case of incapacity.

Panama. — The Government has given attention to improving the accident compensation scheme. By Decree of 3 March 1938 action was taken to raise the standard of the guarantees which must be provided by employers who insure themselves. A Bill to amend the Act of 1916, which is now in force, will be submitted to Parliament in the near future; according to statements made by the Minister of Labour, the reform will be based on the legislation of other Latin-American countries and on decisions of the International Labour Conference.

Paraguay. — Enforcement of the Act of 1937 concerning retirement pensions for civil servants has given rise to a question of principle with regard to which the Government gave an authentic interpretation by Decree No. 8771 of 31 August 1938. This states that officials who are retired on pension after thirty years' employment in the case of general administrative officials, or twenty-five years' employment in the case of magistrates, and then resume service are entitled to an increased pension if the duration of this further service is four years or more.

A Bill to establish a pension insurance scheme for journalists is to be submitted to Parliament.

Peru. — The general scheme of sickness and maternity and of invalidity, old-age and widows' and orphans' insurance, which was established by Act of 12 August 1936 and came into force on 1 March 1937, has developed in a very satisfactory way. The insured membership increased from 130,000 at the end of July 1937 to 217,800 at the end of July 1938.

Encouraged by the results obtained from enforcement of the Act, the National Social Insurance Fund (an autonomous central institution) is now attempting to expand the scheme's medical equipment. The foundation stone of a central hospital at Lima was laid in March 1938 and the construction of another has been started at Ica. Further hospitals are to be built at Arequipa, in the Chicama Valley and at certain rural centres.

Poland. — The improvement in the economic situation, leading to an increase in the volume of employment and in workers' earnings, had favourable effects on the working of the social insurance schemes, which were able to meet the needs of insured persons to a larger extent. The membership of sickness insurance increased from 2,107,000 in August 1937 to 2,296,000 in August 1938, and that of accident insurance from 2,341,000 to 2,542,000 (excluding agricultural workers) in the same period.

The income surplus registered under the sickness and maternity insurance scheme in 1937 made it possible to authorise the insurance institutions to raise the rates of cash benefit for an indefinite period by paying a supplement. The sickness allowance may now

be increased from 50 to 60 per cent. of insured wages and the maternity allowance from 50 to 75 per cent. of the same figure.

Owing to the increase in the number of hospitals and sanatoria belonging to the social insurance institutions themselves, an Act of 23 April 1938 withdrew the rules hitherto in force under which insurance institutions were entitled to a 15 per cent. reduction on the general hospital charges.

By order of the Minister of Social Assistance of 31 August 1938 a Mine Workers' Mutual Insurance Fund was established in order to pay special benefits in addition to the pensions allowed under the general social insurance scheme. The new Fund pays lump sum compensation to miners who reach the age of 60 years or are affected by premature invalidity and to the relatives of deceased insured miners. The benefit is calculated on the basis of the monthly contributions paid, the minimum guaranteed after 240 monthly contributions being 1,200 zlotys. The resources are obtained from contributions paid by insured persons. In calculating benefit, account is taken—within certain time limits—of periods of employment previous to the establishment of the Mutual Insurance Fund, the liabilities corresponding to these periods being assumed by the collieries, which must discharge such liabilities in thirty-five annual payments, computed in proportion to the quantity of coal produced by each.

The financial situation of the regional social insurance fund at Poznan, which is responsible for the invalidity, old-age and widows' and orphans' insurance of agricultural workers, has grown steadily worse; the fund was therefore liquidated during the year, responsibility for payment of pensions from the fund having been assumed by the workers' invalidity, old-age and widows' and orphans' insurance section of the Central Social Insurance Institute. The liquidated fund's deficit will be paid off partly by an increase of 33 per cent. in the contributions of insured persons and employers in agriculture and by an annual Treasury subsidy of at least 1 million zlotys; the remaining deficit will be taken over by the Central Social Insurance Institute and gradually paid off by the addition of 0.1 per cent. of wages to contributions under the general workers' invalidity, old-age and widows' and orphans' insurance scheme.

Further, the temporary cut in contribution rates applied in workers' and salaried employees' invalidity, old-age and widows' and orphans' insurance since February 1936 was kept in force throughout the year 1938. Similar action was taken as regards insurance against industrial accidents and occupational diseases.

The Central Social Insurance Institute has prepared a new scale of premiums for insurance against industrial accidents and occupational diseases, to apply for the period between 1 January 1938 and 31 December 1940. The establishments subject to this scheme are divided into 16 classes, each class falling into several groups; premiums are fixed in accordance with the occupational risk inherent in the establishments placed in each group.

A Bill to establish social insurance courts has been submitted to the Diet; the object of this measure is to consolidate the organisation and procedure of courts dealing with disputes arising out of social insurance. All such disputes fall in the first instance within the jurisdiction of the district social insurance courts, which consist of a magistrate as chairman, an employers' assessor and an insured persons' assessor. The Social Insurance Tribunal will act as court of appeal.

It will be remembered that the general Act of 1933 to consolidate social insurance stated that special legislation would be introduced to establish an invalidity, old-age and widows' and orphans' insurance scheme for agricultural occupations. A Bill which had previously been introduced to this effect having lapsed, the Senate requested the Government, in a resolution adopted on 14 July 1938, to submit to Parliament within three years a Bill concerning compulsory invalidity, old-age and widows' and orphans' insurance for agricultural workers throughout Polish territory. Protection against the risks of incapacity to earn and of death by industrial accident will also be dealt with in this Bill.

Rumania. — The year 1938 was marked by considerable legislative activity, culminating in the issue of the Act of 14 December 1938, which makes a number of important amendments in the Social Insurance (Codification) Act of 8 April 1933, hitherto in force. The scope of the general scheme is extended by the raising of the wage limit for compulsory insurability from 6,000 to 8,000 lei a month. The general scheme for insurance against the risks of sickness and maternity, invalidity, old age and death, and industrial accidents, applies to manual and non-manual workers and to independent craftsmen in the low income groups.

Administration of social insurance is entrusted to regional funds and to the Central Social Insurance Fund. The new Act has introduced a certain degree of centralisation, the area of each regional fund having been so fixed as to include about 15,000 insured persons, as against 10,000 under the Act of 1933.

A number of amendments have been made in the method of calculating benefits and the conditions governing their grant. Thus the pension for invalidity not resulting from an accident is granted to insured persons who are incapable of earning and who have paid at least 200 weekly contributions, including at least 16 such contributions in each year. No condition regarding regularity of payment is, however, made if the insured person has paid at least 1,000 weekly contributions before the incidence of invalidity. The invalidity pension is made up of a fixed basic amount of 4,800 lei a year and an increment varying from 1 to 14 lei for each weekly contribution paid, according to the wage group (there are eight such groups).

The new scheme provides also for a new benefit entitled "retirement pension", which is allowed instead of an invalidity pension (and calculated in the same way) to insured persons of 60 years of age (or 57 years of age for women) who have ceased to engage in

insurable work. The age of admission to retirement pension for miners is 55 years only.

Survivors' pensions will henceforward be payable not only to the relations of deceased pensioners, but also to those of deceased active insured persons. Such survivors' pensions will be calculated on the basis of the pension to which the deceased person would have been entitled in case of invalidity.

Provision is also made under the new Act for an increase in funeral allowances and some extension of medical aid.

In order to meet the new expenditure it was necessary to increase the average contribution rate from 6 to 8 per cent. of wages and to raise the number of wage groups from 5 to 8.

The insured membership is constantly increasing. The average figure for the year 1937-1938 was 934,000, as against 847,000 for 1936-1937.

Salvador. — An important amendment of workmen's accident compensation legislation is under consideration. The Committee responsible for the supervision of the enforcement of the Act of 12 May 1911 concerning workmen's compensation for accidents has found flaws in the Act by which employers could escape their legal obligations and proposes to substitute for the compensation scheme an insurance system under the direct control of the State, with funds provided by an additional $\frac{1}{4}$ per cent. on income-tax.

The product of this tax may also be used to pay pensions to aged wage earners who have fallen ill or have accomplished a considerable number of years of service.

The Fifth Congress of Doctors of Central America, which was held at San Salvador in November 1938, considered the action which should be taken to provide an insurance scheme for doctors. It adopted a resolution to the effect that a sickness and old-age insurance scheme for doctors should be introduced in the near future in the six Central American Republics and that a Committee of six members should be appointed to prepare a model Bill for submission to the Governments and Parliaments of those countries.

Sweden. — The membership of the voluntary sickness insurance scheme increased further during the year under review. The total number of members of sickness funds, which had been 1,120,000 at the beginning of 1938, had risen to 1,200,000 by the middle of the year; besides this number, there were 300 children entitled to benefits in kind from the funds on the basis of a supplementary insurance taken out by their parents. Despite the constant increase in the insured membership, this only represents 24 per cent. of the population of the country. The Government has therefore instructed a Committee, which is preparing a reform of the social welfare legislation of Sweden, to study the question of the future form of sickness insurance. At a meeting of delegates of the Federation of Swedish Sickness Insurance Funds held in Stockholm in August 1938 the President of the Federation expressed the view that if voluntary sickness insurance did not continue to expand at a

more rapid rate in the future the introduction of a compulsory sickness insurance scheme should be taken into consideration. At the same meeting, the chairman of the above-mentioned Committee expressed a similar view.

Switzerland. — The year 1938 being the twentieth year of its existence, the National Accident Insurance Fund appended a retrospective general review to its annual report. Since its establishment the Fund has registered $2\frac{1}{2}$ million accidents and paid 736 million francs in benefit. The covering capital for pensions amounts to 340 million francs and there are also 20 million francs in reserve. At the end of 1937 the Fund was responsible for the payment of pensions to over 28,000 injured persons and to over 6,000 families of persons killed in accidents. Provision of pensions involves a monthly payment of about 2 million francs. The number of undertakings subject to insurance has risen from 33,707 in 1918 to about 50,000 in 1938, and the total of insured wages, which was only 994 million francs in 1918, has risen to about double that figure in the last twenty years.

The subsidised voluntary sickness and maternity insurance scheme has more than 2 million members, or 48 per cent. of the whole population, a fifth of this number being constituted by children of school age. It should also be mentioned that tuberculosis insurance, undertaken either by the sickness funds or by special bodies, is developing in a most favourable way. The statistics for the year 1936 show a considerable growth in the number of insured persons, which rose from 698,000 in 1935 to 944,000 in 1936.

Public opinion has concerned itself with the question of introducing old-age and widows' and orphans' insurance ever since 1925—the date of adoption of the constitutional principles on which a compulsory insurance scheme was to be based. Although the Federal Bill passed by Parliament was rejected by the nation in 1931, the idea of old-age insurance appears to have made, in 1938, a decisive step towards practical application. Indeed, the Association of Sickness Funds of German-speaking Switzerland, while recognising the difficulties at present of establishing old-age and widows' and orphans' insurance on a federal scale, has decided to introduce a voluntary old-age and survivors' insurance scheme, which may be taken over later on by the public scheme. Voluntary insurance will be limited to members of the sickness funds only. It will be administered by a central fund, to be placed under the supervision of the Federal Social Insurance Office. The sickness funds will act as local agencies.

Further, the Provisional Federal Budget Act has laid down the principle of financial support for the new insurance scheme and increased the immediate assistance granted to old persons, widows and orphans. During the period between 1 January 1938 and 31 December 1941 the Confederation is to distribute the sum of 18 million francs each year between the Cantons and public institutions. A part of the annual federal payment will go to the voluntary old-age and widows' and orphans' insurance scheme

to be established by the Association of Sickness Funds. Assistance to old persons, widows and orphans in difficult circumstances will be provided by the Cantonal authorities, but the persons concerned may not be considered as supported by poor relief, the Act being particularly strict on this point.

Turkey. — An amendment to the Labour Code adopted during 1938 fixed 15 June 1939 as the date at which the Workers' Insurance Institution should begin its activities. According to the Code, it is responsible for insurance against industrial accidents and occupational diseases, sickness and maternity insurance, and invalidity, old-age and survivors' insurance.

At the invitation of the Minister of Economic Affairs, a mission was sent by the Office to the Department of Labour in Ankara to collaborate in preparing the plan of legislative and technical work of the Institution. The programme drawn up as a result of this consultation lays down the general framework and organisation of the Institution and suggests the order in which the different risks might be covered.

In accordance with the decisions on questions of principle taken as far back as 1936 when the Labour Code was adopted, the Institution will first of all organise insurance against industrial accidents and occupational diseases and maternity insurance. Insurance will cover manual and non-manual workers in industrial undertakings and undertakings in commerce and handicrafts covered by the Labour Code. The accident and occupational diseases scheme will at the outset apply to some 260,000 workers in 6,000 undertakings. An enquiry organised by the Department of Labour will reveal the incidence and gravity of occupational risks and provide a basis for a preliminary classification of undertakings by risk groups. This branch of insurance will be managed separately from the other branches which are to be introduced later.

Union of South Africa. — The first detailed statistics on application of the Workmen's Compensation Act of 1934 were published during the year under review. These relate to the period between 1 January 1935, when the Act came into operation, and 31 December 1935. They show that during the six months in question compensation was paid for 19,116 industrial accidents. Of these, 14,919 (or 78 per cent.) gave rise to temporary incapacity, 3,635 (or 19 per cent.) to permanent incapacity and 562 (or 3 per cent.) to death. The cost of compensation amounted to £231,678, including £105,555 (45 per cent.) for lump sum payments, £74,725 (32 per cent.) for periodical payments, £43,727 (19 per cent.) for medical expenses, and £7,671 (3 per cent.) for transportation costs, *ex gratia* payments, etc.

The application of the non-contributory Old-Age Pensions Act (No. 22 of 1928) and the Blind Persons Pensions Act (No. 11 of 1936) has been marked by a fairly rapid increase in the number of pensioners and the total expenditure required for payment of pensions. Thus on 1 November 1935 there were 51,630 pensioners,

who had received £1,052,068 in pensions during the preceding twelve months. At the same date in 1937 there were 69,321 old-age and blind pensioners, the total cost of their pensions amounting to £1,838,512. These figures show that in three years the number of pensioners has risen by 34 per cent. and the amount expended on these persons by about 75 per cent. The average annual pension, which had been £20 7. 7*d.* in 1935, had risen to £26 10*s.* 6*d.* by 1937.

As pointed out in the *Year-Book 1937-38*, the Government is now preparing to introduce compulsory sickness insurance in those parts of the Union where the medical equipment is sufficiently developed to permit such a scheme. Meanwhile, sickness insurance administered by workers' associations (Friendly Societies) is spreading more and more. These societies, which had an aggregate membership of only 92,375 persons in 1931-1932, showed a membership of 233,527 persons in 1936-1937—an increase of about 153 per cent. in five years.

United States. — Important recommendations for the amendment of the old-age insurance features of the Social Security Act were made public at the end of 1938 and Congress may be expected to act upon them in the course of 1939. Moreover, the Federal Government has formulated a vast programme of measures to improve the people's health, which may take several years to execute. Before outlining these proposals, however, a few figures must be cited in order to indicate the progress already made in the application of the present provisions of the Act as they relate to old-age insurance and public assistance.

At the end of 1938 the number of workers registered under the old-age insurance scheme had risen to 42 million, but this figure includes many persons such as agricultural workers, who engage only occasionally in insurable employment. The reserve fund—almost identical with the total contributions collected—had reached 761 million dollars. The numbers of States and Territories qualified to receive Federal subsidies in aid of their schemes of assistance for the aged, dependent children and the blind were 51, 42 and 42 respectively: altogether 2½ million men, women and children were receiving cash allowances under these schemes.

Already in 1937 a series of proposals for the amendment of the provisions of the Social Security Act relating to old-age insurance had claimed official attention and a widely representative Advisory Council was appointed to examine them. After a year of deliberations, the Council has published its report, which recommends a revision of the provisions concerning scope, benefits and finance transformation of this scheme. At the same time, the Social Security Board itself has issued a report proposing amendments both to the old-age insurance and to the public assistance features of the Act, which was transmitted by the President to Congress for consideration on 16 January 1939. The proposals of the Council and those of the Board concerning old-age insurance coincide for the most part and may therefore be conveniently reviewed together.

The scope of old-age insurance should be enlarged so as to embrace farm workers and domestic servants, at present excluded, and the possibility of extending the scheme to farmers and other independent workers should be studied. Old-age insurance should be completed by survivors' insurance providing pensions for aged widows, widows with dependent children and for dependent children themselves. The old-age pension should become payable in 1940 (instead of 1942 as at present provided) and its initial rate should be increased, partly by incorporating an allowance for the wife, partly by having regard, in the computation of the pension, to the average, instead of to the accumulated, wages earned by the individual. The ultimate cost of the benefits as thus amended should, however, not be greater than it would be under the existing provisions. Benefits in case of permanent total disablement are recognised as desirable but it is not considered feasible to introduce them at once. The advancement of the date of beginning to pay pensions and the higher initial costs would all tend to slow down the accumulation of the large reserve fund which is contemplated by the existing actuarial provisions and which has aroused widespread criticism. It is now proposed that the only reserve should be a reasonable contingency fund sufficient to prevent abrupt changes in contribution rates. The lack of interest income should be compensated by the introduction of Federal subsidies to be paid as and when the financial situation of the scheme demands.

The report of the Social Security Board goes on to suggest modifications of the public assistance provisions of the Act and to recommend, in principle, the introduction of sickness benefit insurance.

At present Federal subsidies to State schemes of assistance for the aged, dependent children and the blind are a uniform proportion of the cost of the assistance granted. There are, however, great differences in the wealth of States and the poorer States can only afford to pay insufficient allowances. Accordingly, it is proposed that, in the allocation of Federal subsidies, account should be taken of the relative economic capacities of the States. The Board also recommends a higher level of Federal subsidies to State schemes of assistance for dependent children, since at present the needs of many children are not being met.

As regards sickness benefit insurance, the Board considers that it could be organised on the same lines as unemployment compensation. Thus, a Federal pay-roll tax would be instituted and employers who pay a contribution in respect of a State scheme of sickness benefit insurance would be allowed to offset the contribution against the Federal tax. A contribution of 1 per cent. of wages, it is estimated, would suffice to finance such a scheme.

The Board's support of State provision for sickness benefit accords with one of the recommendations of a National Health Programme submitted by a committee of high Federal officers to a national conference held in July 1938. The recommendations favoured the grant of Federal subsidies to encourage the expansion of public

health, maternal and child welfare, and hospital services, and the provision of medical care and sickness benefit for people of small means. The recommendation of the provision of medical care for families of small or modest means envisaged two possible methods: a tax-supported State medical service or compulsory insurance, the former being regarded as particularly suited to rural areas. The programme was favourably received by the widely-representative delegates at the Conference (save those of the American Medical Association) and early in 1939 a National Health Bill embodying the essence of the recommendations was introduced in the Congress.

The opposition of the American Medical Association is directed against compulsory insurance for the provision of medical care. The medical profession, however, is now becoming alive to the urgency of itself organising voluntary insurance under its own control, if Government intervention is to be forestalled. Already in several States, the State medical associations have drafted, and even put into operation, plans open to all practising physicians, whereby persons of limited means may, in return for an annual subscription, become entitled to free medical and hospital treatment within prescribed limits of cost. The subscriptions are fairly high, however, and it is questionable whether wage earners generally would be able to take advantage of such plans.

Uruguay. — The changes made in social insurance legislation are concerned mainly with the dismissal and unemployment benefits granted to insured persons under the age of forty years who lose their employment and are unable to find work suited to their physical condition and occupational training.

It will be remembered that whereas dismissal benefits are paid for an unlimited period—that is, so long as unemployment persists—to insured persons over the age of forty years, the reform introduced in 1935 limited to two years the maximum period for which they could be granted to persons under the age of forty years.

This maximum period was extended provisionally on several occasions; during 1938, an Act of 15 December again extended it to the end of 1939.

At the same time the Pensions Institution continued to accumulate reserves. During 1937 these reserves increased by 7,260,00 pesos and amounted on 31 March 1938 to 88 million pesos, or an average of about 400 pesos per head of the insured population. The average superannuation allowance or pension paid by the Institution at the end of 1937 was approximately 500 pesos a year per person.

With regard to voluntary insurance, mention should be made of the adoption by the Senate of a Bill introducing for the first time a system of public supervision over mutual aid societies which provide medical benefits.

In those societies admission as an active member with the right to benefits would, according to these proposals, be restricted to

persons whose income does not exceed 200 pesos a month; members whose monthly income was between 100 and 200 pesos would be required to pay a supplementary contribution of two pesos a month. The administration of the societies would be under the supervision of the authorities who, in return for this right, would assist the societies by granting exemption from taxation, providing certain therapeutic appliances at cost price (serums, vaccines, etc.) and by means of subsidies, bonuses, etc. For this last purpose the Bill proposes an annual appropriation of 200,000 pesos.

U.S.S.R. — The year 1938 was marked by an effort to permit the mass of insured persons to participate more fully in the administration of social insurance and by amendment of the conditions governing the grant of benefit.

By 1 January 1938 there were already about 670,000 employed persons, belonging to 147 trade unions out of 168, taking part in the administration of the scheme either as members of the insurance councils (the primary insurance organs established in undertakings) or as insurance delegates elected by the unions and responsible for the current work of insurance. By Order of 22 August 1938 the Central Trade Union Council decided to establish insurance councils in all undertakings with at least 200 workers or salaried employees and to extend the powers of these bodies by instructing them more particularly to safeguard the rights of insured persons to invalidity, old-age and widows' and orphans' pensions, which the social assistance services are competent to grant. On the same date it more exactly defined the rights and obligations of insurance delegates.

The amendments in the insurance legislation introduced by Order of 28 December 1938 (Order concerning the improvement of labour discipline) are aimed more particularly at remedying the instability of labour and at laying down a clear line of demarcation between the old workers belonging to the permanent staff and those who constantly change their workplace and thus disorganise production.

The Order extends the qualifying period for the right to benefit for temporary incapacity. For instance, in order to be entitled to his whole wages in case of sickness, an organised adult worker must have worked without interruption in the same undertaking for at least six years, whereas under the old scheme it was sufficient for him to have worked for at least three years, including two years in the same establishment.

To avoid any abuse the Order provides also that maternity benefit may only be granted to women who have been employed in the same establishment for at least seven months. The period of maternity benefit is reduced to 35 days before and 28 days after confinement, instead of the 56 days before and 56 days after which had previously been the rule.

Lastly, the Order introduces amendments in the invalidity and old-age pension scheme. The qualifying period for the right to a pension is extended, the amount of the pension bonus payable to

invalids is raised, a minimum pension is established for persons whose rights were defined some years ago and the method of financing the invalidity and old-age insurance scheme is changed. In the future, expenditure on benefit in cash and in kind provided to pensioners who have ceased to engage in paid employment will be charged once more to the social insurance budget (as was the case before the reform of 1937), though the assistance institutions will remain responsible for fixing and for paying the pensions.

The aggregate number of workers covered by social insurance in 1938 has been estimated at 26.7 million, excluding members of families, and the total resources of the scheme at 6,200 million roubles (about 5,500 million in 1937).

Yugoslavia. — A number of important reforms having been introduced in social insurance during 1937 (enforcement of the workers' invalidity, old-age and widows' and orphans' insurance scheme, extension of salaried employees' pension insurance to the whole of the country, reform of miners' insurance), no further considerable changes were made in 1938 except the extension of salaried employees' insurance to journalists.

The number of persons insured with the Central Workers' Insurance Office has continued to increase. The monthly membership reached its maximum in June 1938 with a total of 760,071 persons, which represents an increase of 5.41 per cent. over the maximum for 1937 (721,051 in August). The average membership for the year 1938 will exceed 715,000 and will thus be greater than any previous annual average (631,181 in 1930, 520,980 in 1933, 616,209 in 1936, 680,016 in 1937).

The application of the reform of the miners' insurance scheme, to which reference was made in the *Year-Book 1937-38*¹, was completed by the issue of the new statutes on 1 January 1938.

The extension of salaried employees' pension insurance to journalists, for which provision was made in the Budget Act for the financial year 1938-39, was put into force by Legislative Decree of 10 March 1939. This measure applies to all journalists whose insurance has hitherto been governed by sections 14-29 of the Decree of 25 September 1926 concerning relations between journalists and newspaper proprietors. The new Legislative Decree came into force on 14 March 1939 and contributions must be paid from 1 April 1939 onwards to the competent regional pension institutes. The Yugoslav Journalists' Pension Fund will be liquidated and its assets will be transferred to the pension institutes, which will employ them to purchase rights for journalists who were former members of the Fund. A total State grant of 12 million dinars to be paid to the pension institutes will also be used for the repurchase of rights.

¹ Cf. *I.L.O. Year-Book 1937-38*, p. 336.

INTERNATIONAL COLLABORATION

Meeting of Experts on the Investment of Funds of Social Insurance Institutions

An explanation was given in the *Year-Book 1937-38*¹ of the reasons which led the International Labour Office to convene a meeting of experts at the end of 1937 to determine the questions which should be specially studied to find a solution for the main problems connected with the investment of the funds of social insurance institutions.

A questionnaire was drawn up on that occasion and was used for a consultation by correspondence. The Office then convened, with the consent of the Governing Body, a further meeting of experts to study the results of this consultation and draw conclusions. That meeting was held in Geneva from 5 to 9 December 1938, and was attended by the following persons:

Representatives of the Governing Body of the International Labour Office: Mr. F. Garcia Oldini (Chile), for the Government group; Mr. G. L. Gérard (Belgium), for the Employers' group; and Mr. L. Kupers (Netherlands), for the Workers' group.

Experts invited by the Office: Mr. C. Agalopoulos (Greece), Mr. L. Bisqueret (Belgium), Mr. A. Bohren (Switzerland), Mr. Pereira da Camara (Brazil), Mrs. Eleanor L. Dulles (United States of America), Mr. T. Dyboski (Poland), Mr. J. Gonzalez-Galé (Argentina), Mr. E. Hackforth (Great Britain), Mr. E. Henning (Sweden), Mr. P. Henry (France), Mr. E. Lengyel (Hungary), Mr. K. Lindner (Netherlands), Mr. F. de Macedo Santos (Portugal), Mr. R. Matjasic (Yugoslavia), Mr. S. Mochanoff (Bulgaria).

The Bank for International Settlements and the Finance Section and the Economic Intelligence Service of the League of Nations were also represented at all the meetings.

The Chair was taken by Mr. S. Mochanoff, President of the Bulgarian Sobranje, former Minister of National Economy and Finance.

Work of the Committee. — In its conclusions, the Committee laid particular stress on the necessity for legislative measures governing investments, which should define the conditions of safety, yield and liquidity to be satisfied by insurance investments and also the rules to be followed so as to ensure that the fullest possible account was taken of the social or economic utility of the investments selected.

The Committee mentioned among the indispensable provisions of such regulations a restrictive enumeration of the types of securities which were thought to fulfil the essential conditions for insurance investments. This enumeration should be supplemented by sufficiently definite rules for the guidance of the competent bodies in making a choice from among the various types of securities.

¹ Cf. *I.L.O. Year-Book 1937-38*, p. 338.

The conclusions adopted also brought out the desirability for the public authorities to guarantee the maximum degree of safety, yield and, if need be, liquidity to those investments of a social or economic character which they demanded that insurance authorities should make.

It was also recommended that the bodies responsible for the selection of investments should draw up a plan—subject to revision—indicating the main lines of the operations contemplated over a certain period and in particular the ratio to be maintained between fixed-yield and variable-yield securities.

In connection with each type of security accepted for such investments the experts gave as exact indications as possible of the relative advantages and the precautions which might have to be observed in certain circumstances for each group.

The experts recognised that notwithstanding all the precautions that might be taken and the care exercised in the administration of the portfolio, cases of *force majeure* might occur which were beyond the control of the social insurance institutions and might force down the prescribed benefits below the level compatible with the effective application of the insurance scheme. In such circumstances the purchasing power of benefits must be maintained if the insurance scheme is to fulfil its mission satisfactorily and this result can be achieved only by increasing contributions and, if necessary, appealing to the State for assistance. Such a step is all the more justified when the insurance institutions are compelled to invest a considerable fraction of their resources in Government funds or securities guaranteed by the State.

The conclusions reached by the Committee of Experts were submitted to the Governing Body of the International Labour Office, which authorised their transmission to the Governments of States Members of the Organisation.

Pan-American Health Conference

The tenth Pan-American Health Conference, which was held in Bogota from 4 to 14 September 1938 and attended by representatives of all the American States and observers from the Health Organisation of the League of Nations and from the International Labour Office, dealt, among other matters, with the medical aspects of social insurance.

The Conference devoted considerable attention to social insurance, the importance of which was brought out in the opening address by the Colombian Minister of Labour, Hygiene and Social Welfare. Memoranda and reports on the medical aspects of social insurance, based on the experience of the various American States, were submitted by the Pan-American Health Office, the delegation of the United States of America and the Chilean Compulsory Social Insurance Fund. The International Labour Office submitted a report on the medical and public health activities of social insurance institutions in different countries.

At its last sitting the Conference adopted a number of resolutions, including the following:

“ The Pan-American Health Conference, having heard with interest the statements from delegates of different countries on the results obtained from their systems of social insurance,

“ Recognises the satisfactory effects of these measures, and

“ Commends to the attention of the Governments of countries who have not yet introduced a social insurance scheme the examination of this question, with a view to establishing this means of collective defence of the nation's health.”

International Conference on Social Insurance and Mutual Aid

The International Committee of this Conference met in Geneva from 9 to 11 December 1938, under the chairmanship of Mr. L. Heller, President of the French National Federation of Mutual Aid Societies. The Conference was attended by representatives of 20 national unions and federations belonging to 17 European and extra-European countries. Several social insurance departments and institutions sent delegates or observers for the first time, including, among others, the Ministry of Health of Great Britain and the Social Security Board of the United States of America. Social insurance experts from Argentina, Brazil, Bulgaria, the Netherlands, Portugal and Sweden were also present. The Health Organisation of the League of Nations and the International Labour Office were represented.

On the basis of a report by its Chairman, the Conference considered the development of social insurance in various countries and received reports from delegates or observers from Argentina, Brazil, Bulgaria, Denmark, France, Great Britain, Greece, Portugal, Switzerland, the United States of America and Yugoslavia.

The present position and probable developments of sickness insurance in Switzerland were dealt with in a report by Mr. E. Niederer, Assistant Director of the Federal Social Insurance Office in Berne, who explained the structure of the Swiss legislation and reviewed the proposals for reform, with special reference to the improvement of maternity relief, the organisation of the medical service and the legal recognition of federations of sickness funds.

Changes in the structure of the population and their influence on social insurance were studied in a report submitted by Senator Jauniaux (Belgium), who pointed out that the increased expectation of life meant an increase in the proportion of older persons in the population and therefore a heavier burden on the wage earners in employment in order to provide pensions through insurance schemes. The financial consequences of a general reduction in the pensionable age to sixty years, which had been recommended as a means of reducing unemployment, might in part be offset by economies in unemployment relief. As a result of this change in the channel of social expenditure, it might be possible, perhaps by stages, to lower the pensionable age in accordance with the demands made by the workers in many countries.

The maintenance of pension rights in invalidity, old-age and survivors' insurance schemes, and the right of transfer in sickness insurance were discussed in two reports by Mr. Zajac of Warsaw and Mr. Vacek of Prague respectively. Mr. Zajac outlined the solutions adopted for the maintenance of pension rights in Polish legislation, where the problem was one of the transfer of an insured person from one scheme to another within the country, and in the bilateral treaties concluded by Poland. In the light of the experience gained in the application of the treaties concluded by Czecho-Slovakia, Mr. Vacek emphasised certain improvements that might be made in the methods laid down in those treaties and in the international Maintenance of Migrants' Pension Rights Convention, 1935 (No. 48).

International Medical Association

The General Council of the International Medical Association held its thirteenth annual meeting in Copenhagen from 25 to 28 August 1938, under the chairmanship of Dr. de Csilléry (Hungary).¹

The meeting was attended by representatives of fourteen national groups and the items on the agenda included the following: plural employment and remuneration in the medical profession; position of factory doctors and assimilated persons; medical examinations and medical notebooks; medical specialists.

The conclusions adopted with regard to the possible appointment and the position of factory doctors mentioned that as every employer must ensure that his workers are protected by elementary health regulations, there is all the more reason why heads of undertakings or industries in which the workers are particularly exposed to conditions likely to undermine their physical strength and health should take proper steps to counteract those risks.

The enforcement of these measures should be supervised by the responsible authority and such supervision should be both technical (by experts with an intimate knowledge of industrial and technical work of all kinds) and medical (by doctors with specialised knowledge and, where necessary, the requisite equipment).

The necessary steps should be taken to avoid any dispute upon the competence of the technical and medical inspectors, who should co-operate in a spirit of mutual understanding in the work of protection and prevention. In all cases discovered by them, the factory doctors must inform the doctor in charge of the case of the results of observations and examinations likely to facilitate his work.

With regard to the introduction of periodical medical examinations and of medical notebooks, the General Council emphasised the necessity for publicity being carried out in colla-

¹ For a report on the meeting, see *Revue internationale de médecine professionnelle et sociale*, November 1938.

boration with the medical profession so as to make preventive examinations a recognised habit among the population.

The resolution of the Council also stated that although such an examination was useful and desirable for all persons, speaking generally, it could not be made compulsory in every country.

Among the enquiries to be made during 1939, the General Council included preventive vaccinations and the individual protection of the medical practitioner in the exercise of his profession. The next session of the Council will be held in Paris from 20 to 24 September 1939.

INTERNATIONAL REGULATION ¹

Convention No. 17: Workmen's Compensation (Accidents), 1925

Ratified by *New Zealand* (29 March 1938).

In *Argentina*, submission by Executive to Congress (22 September 1938) of message recommending approval of Convention.

In *Iraq*, decision of competent authorities to postpone all action concerning ratification.

In *Ecuador*, preparation by National Institute of Social Welfare of draft Decree for approval of Convention.

Convention No. 19: Equality of Treatment (Accident Compensation), 1925

In *Argentina*, submission by Executive to Congress (22 September 1938) of message recommending approval of Convention.

In *Ecuador*, preparation by National Institute of Social Welfare of draft Decree for approval of Convention.

Convention No. 24: Sickness Insurance (Industry, etc.), 1927

Convention No. 25: Sickness Insurance (Agriculture), 1927

Submission to *French* Chamber of Deputies (23 February 1939) of Bills for ratification.

In *Iraq*, decision of competent authorities to postpone all action concerning ratification.

Message of *Argentine* Executive (22 September 1938) proposing to Congress that Conventions should not be ratified at present, since complete social insurance scheme is under consideration.

In *Ecuador*, preparation by National Institute of Social Welfare of draft Decree for approval of Convention.

Convention No. 35: Old-Age Insurance (Industry, etc.), 1933

Convention No. 36: Old-Age Insurance (Agriculture), 1933

Convention No. 37: Invalidity Insurance (Industry, etc.), 1933

Convention No. 38: Invalidity Insurance (Agriculture), 1933

Convention No. 39: Survivors' Insurance (Industry, etc.), 1933

¹ The information given here relates only to the period 16 March 1938-15 March 1939. See the table at the end of the volume for the general situation as regards the Conventions concerning social insurance.

Convention No. 40: Survivors' Insurance (Agriculture), 1933

In 'Iraq, decision of competent authorities to postpone all action concerning ratification.

Message of *Argentine* Executive (22 September 1938) proposing to Congress that Conventions should not be ratified at present, since complete social insurance scheme is under consideration.

In *Ecuador*, preparation by National Institute of Social Welfare of draft Decree for approval of Conventions Nos. 37 and 38.

Convention No. 48: Maintenance of Migrants' Pension Rights, 1935

Ratified by *Netherlands* (6 October 1938) and *Poland* (21 March 1938).

In 'Iraq, decision of competent authorities to postpone all action concerning ratification.

In *Ecuador*, preparation by National Institute of Social Welfare of draft Decree for approval of Convention.

CONCLUSIONS

It is one of the striking contrasts of the present age that in the midst of so much political insecurity there should be such enthusiasm for social security. Every country, whatever its economic structure or political organisation, would seem to have drawn certain lessons from the recent economic depression and to aim at securing a better distribution of purchasing power and a more scientific utilisation of human labour. Social insurance is found to be the most effective instrument in a policy of collective protection against the risks inherent in the natural weaknesses of the human organism and the vicissitudes of economic life.

During recent years very marked progress has been made in the spread of social insurance and social security; this idea, having completed its conquests of Europe, is now widely accepted on the American Continent and has penetrated also to the Far East.

There have recently been so many new measures taken in this field that it must suffice here to mention only a few outstanding ones as examples of the trend of social insurance and the development of the ideas underlying it.

Old-age and survivors' insurance. — It is well known that Europe has a long experience of compulsory old-age insurance behind it, but during the year a certain number of additional countries adopted the principle of compulsory old-age insurance either for the whole adult population or for all wage earners in industry and agriculture.

In *Hungary*, for example, where the industrial population was already covered by a complete invalidity, old-age and widows' and orphans' insurance scheme, a compulsory old-age insurance scheme was recently introduced for agricultural workers. *Finland* is on the point of inaugurating its new national old-age and invalidity insurance scheme. In *Yugoslavia* all workers in industry and commerce will now be insured against the risks of old age, invalidity, and death; workers are covered by the general insurance scheme and salaried employees will be covered by a special scheme.

The advances made in other continents are equally numerous. *Brazil*, while still preferring insurance organised on an occupational basis, introduced an extensive system of compulsory invalidity and survivors' insurance for all industrial workers not covered by one of the occupational schemes. *New Zealand* has taken a wide view of social security and introduced for the benefit of all inhabitants of small means a system which will not merely provide effective medical assistance but will also pay pensions in the event of old age, the premature loss of earning capacity or the death of the family breadwinner.

In addition to those extensive reforms, improvements have been made in various countries, such as increasing the supplements granted to social pensions (*Luxemburg*), improving the conditions for granting pensions (*Belgium*), lowering the pensionable age (*Denmark*) or facilitating the maintenance of pension rights (*France*).

Social reforms are not an end in themselves, and they must constantly be adapted to new requirements and to the possibility of meeting those requirements. The framework of society calls for constant adjustments and countries are wise to continue their efforts in this direction undismayed by the obsession of political insecurity.

This desire to adapt and improve the existing system has been particularly marked in the *United States*, in which a compulsory old-age insurance scheme for all wage earners with the exception of agricultural workers and domestic servants was introduced under the Social Security Act of 1935; Federal subsidies are also granted on an extensive scale to compulsory unemployment insurance, old-age assistance and social hygiene services. A review of the old-age insurance scheme was recently made and the proposals for increasing its immediate effectiveness include the following: that insurance should be made compulsory for certain groups of workers not so far covered, that the date of granting pensions should be advanced from 1 January 1942 to 1 January 1940 and that pensions should be calculated on the basis of the average wage and not on the total wages earned since first being insured, that an additional allowance be granted to a pensioner whose wife has also reached the age of 65 years and that widows' and orphans' pensions should be granted.

These recommendations form the basis of a complete programme of reform which is typical of the present trends of compulsory insurance: generalisation of its application; consideration of individual needs in the payment of benefits, with a guaranteed minimum and allowances for family responsibilities; financial assistance from the community as a whole.

Sickness and invalidity insurance. — The necessity for organised collective protection to maintain and develop the earning capacity of workers is universally recognised and schemes of sickness insurance and medical assistance form an integral part of the social equipment of an increasing number of countries. Individual

medical assistance of a curative and preventive nature remains the peculiar sphere of the medical service of sickness insurance funds, but insurance schemes also take part in the campaigns against social diseases and their assistance in this direction is all the more necessary when the other bodies responsible for such work are not particularly active.

Recent progress has followed a variety of lines, but it has been substantial, expanding the scope of insurance and making its action more intensive. In *Great Britain* the age for admission to insurance was lowered from 16 to 14 years so that young persons could pass without a break from the supervision of the school medical service to that of the insurance medical service. In *France* the maximum wage for liability to insurance was raised to a uniform figure of 30,000 francs a year, irrespective of the place of employment or family situation of the insured person. At the same time there was a general reduction in the length of the waiting period for claiming sick benefit (from 6 or 4 days according to the family situation to only 3 days) and the maximum rate of daily benefit was raised. *Greece* introduced a general social insurance scheme and established a medical service which can provide complete medical assistance. In *Italy* compulsory insurance against tuberculosis and maternity insurance were extended to cover agricultural workers. In *Latvia* agricultural workers engaged by the year are now included in the sickness insurance scheme. In *Rumania* the new general Social Insurance Act introduces substantial improvements in benefits in kind and in cash.

In countries in other continents several new advances were made in sickness insurance. The compulsory Federal insurance scheme introduced in *Australia* provides medical and pharmaceutical benefits administered by a National Commission consisting of representatives of doctors, druggists and insured persons. In *Brazil* the Government is considering the introduction of compulsory sickness insurance for all insured persons or pensioners under the pensions insurance schemes for workers in industry, commerce, the mercantile marine and public services. In *Chile* the recent Preventive Medicine Act gave the sickness funds certain new tasks, including general periodical examinations for the purpose of the early detection and diagnosis of disease, the provision of periods of rest on full pay and the more intensive development of the policy of cheap housing, for which special additional resources will be provided. In *Peru* the organisation and the medical equipment of the new National Insurance Fund is on the point of completion both in urban centres and in rural districts. In the Far East, *Japan* introduced a national sickness insurance scheme which is intended primarily for those in rural areas and for small independent workers. The scheme is subsidised by the authorities and may be declared compulsory in any locality in which two-thirds of the inhabitants voluntarily become affiliated to the scheme. The social security plan adopted in *New Zealand* provides insured persons with general and special medical attention, treatment in

a hospital or sanatorium and pharmaceutical benefits. In the *United States* a conference held in Washington in July 1938, drew up, after long and careful preparation, a national health programme to meet the existing deficiencies in the nation's health services. The main points of the programme were incorporated in a Bill submitted to Congress early in 1939.

Accident compensation. — The business revival, which became more marked during 1939, increased the number of workers exposed to occupational risks and, notwithstanding the preventive work undertaken, it led to a larger number of accidents for which compensation has to be paid. It is proving necessary to extend the systems of compensation to additional groups of workers, to introduce more intensive preventive measures, to secure the occupational reclassification of injured persons and to adapt the systems of compensation to rising social standards.

In *Argentina* the system of workmen's compensation is now being extended to all agricultural workers and in *Canada* partial reforms were carried out in most of the Provinces. In *Chile* it would seem likely that an independent compulsory accident insurance fund will be set up at an early date and thus provide statutory confirmation for the existing monopoly which the industrial accidents section of the National Savings Fund has gradually acquired as a result of its methods of administration and its perseverance.

Of the important European schemes, that laid down by the *French Act of 1898* was revised and improved on a number of points, and the *British* scheme is being studied by a Royal Commission, the terms of reference of which are very wide and cover occupational rehabilitation and retraining for injured persons and the co-ordination of workmen's compensation with other social services.

Agricultural workers. — Agriculture is becoming more industrialised and this fact calls for new forms of social protection. There is a vast field of action open to the social insurance schemes of the predominantly agricultural countries; they must adapt their methods to rural conditions, for such adaptation is indispensable and has, indeed, already been carried out by many countries which have developed social insurance in agriculture.

The movement can be clearly seen in some European countries: in *Hungary* compulsory old-age insurance already exists for agricultural workers; in *Latvia* some groups of agricultural workers are included in sickness insurance, while in *Lithuania* free medical assistance is given to the rural population; in *Poland* the Senate has asked the Government to submit a Bill concerning insurance for agricultural workers.

As an indication of the progress made with regard to the extension of social insurance to agricultural workers in the overseas countries mention may be made of the new national insurance schemes of *Australia* and *New Zealand*, both of which cover agricultural workers, and the numerous and fruitful efforts made in

the *United States* and *Canada* to secure the proper working of group medical assistance schemes in rural areas. It is generally recognised that rural workers, whether wage earners or independent workers, have the same right as workers in other occupations to protection by means of insurance and have a very real need of such protection. It may be hoped that the realisation of this fact will lead to action and to extensive reforms for the benefit of the rural population.

Social insurance of independent workers. — Just as smallholders, tenants, share farmers, settlers and various other groups in rural areas claim greater social security, so also the independent workers of small means in the towns, such as craftsmen, small traders and independent intellectual workers, show signs of a similar tendency. Until recently they were opposed to any organised collective protective measures, but they have now realised the moral and material value of mutual aid in the social field and wish to claim the benefits of such a system.

Insurance for independent workers is at present under consideration in many countries and two distinct types of solutions can be clearly discerned. The first is that on which the new *British* scheme of voluntary old-age and survivors' insurance is based; the scheme receives large public subsidies and during its first year of existence it was joined by 700,000 small-income independent workers who wished to benefit by the special advantages offered to them. The second solution is that adopted in *Germany* at the end of December 1938, whereby insurance was made compulsory for all independent craftsmen irrespective of the amount of their income from their occupations or from other sources; the number of persons who will be covered is estimated at 1.6 millions. There is no intention of setting up a special insurance institution for craftsmen, who will be affiliated to the Salaried Employees' Insurance Institution. The methods adopted in these two cases certainly differ, but the fundamental idea is the same, namely to guarantee to independent workers security in their old age and protection for their survivors.

The universality which it has so rapidly acquired shows that social insurance meets the needs of individuals and social groups and at the same time acts as an important regulating influence in the national field by protecting and improving the health and working capacity of the workers and taking care of those who are temporarily or permanently prevented from carrying on their occupational life. The purpose of insurance can be easily defined, but its plan of activity must be constantly adapted to social and economic changes. It is the rapidity with which the adaptation is carried out that ultimately determines the success of insurance.

CHAPTER VI

REMUNERATION OF LABOUR

Wage Policy

A brief analysis is given in the following pages of the principal minimum wage-fixing laws adopted in 1938 in the various countries. As will be seen, during the period under review legislative development continued fairly regularly in most European countries, while in Latin America and the United States important progress was made in this field. In the United States especially the adoption of federal legislation on the subject has resulted in protecting about 11 million workers.

Apart from the United States, measures to generalise the legal regulation of minimum wages, i.e., making it applicable to the chief branches of economic activity, have been adopted in Colombia, Ecuador and India, while Decrees for the application of legislation or measures to supplement existing legislation on the subject have been adopted in Brazil, France and Hungary. In Argentina, Australia (Victoria), Belgium, Canada (Manitoba), Great Britain and Ireland the legislation applying to certain occupations has been extended to new ones.

The various laws provide for the participation of the workers in minimum wage-fixing machinery. Some of the new laws belong more or less to the so-called "rigid" type of legislation, in that they lay down the specific minimum wage rates which are to be applied. This is the case in Argentina, Colombia and the United States.

Argentina. — In a Bill now before Parliament to regulate the sugar industry, which is one of the most important national industries, minimum wage rates are laid down for various categories of workers over 18 years of age. Wages are fixed at 3 pesos per ton for workers employed in harvesting cane sugar, at 3.20 pesos a day for workers employed in the cultivation of cane and beetroot sugar and 4.20 pesos a day for workers employed in the transport of raw material or in the sugar mills. The minimum wage for employees holding administrative or technical posts is fixed at 150 pesos a month.

Australia. — In the past year a movement in favour of higher wages has arisen in Australia and great interest has also been

shown in the establishment of equal wages for men and women workers. Legislation in force in the various States has also been amended.

In the Federal Capital Territory an Act passed by the Senate on 12 May 1938 abolished the remaining reductions in wages and allowances imposed by the financial legislation in the crisis as regards Ministers and Members of Parliament. In Southern Australia a sum of £46,000 was voted to restore the annual increments of Government employees and another sum of £225,000 was also voted to increase wages and salaries. In New South Wales, under the Industrial Arbitration Act, 1937, which substituted for the living wage previously fixed by the Industrial Commission the Federal basic wage fixed by the Federal Arbitration Court, the weekly living wage in Sydney was increased from £3.18.0 in October 1937 to £3.19.0 in March 1938 and to £4.0.0 in September 1938.

The question of equal wages for men and women workers was the subject of an enquiry by the Central Women's Committee of the Australian Labour Party. The congress of the Federated Clerks' Union of Australia decided on 11 September 1938 to address to all the States of the Commonwealth a request to be submitted to the Federal Government for the adoption of legislation requiring equality of wages and of other conditions of employment for men and women workers. A decision by the Industrial Council of Retail Shop Assistants, given in the "Commonwealth Australian Gazette" of 7 July 1938, is also based on this principle.

The movement for equal payment for men and women was also reflected in the various States. In New South Wales and in Victoria special committees of enquiry have been set up and the New South Wales committee has submitted to the Prime Minister and to the leaders of the political parties in the Commonwealth a demand for the application of the principle of equal payment. Similarly, in Western Australia the women's section of the Labour Party has submitted to the State Government a resolution supporting the principle of equal pay for men and women workers.

In the last-named State an Act to amend the Factories and Shops Act, 1920, was passed on 18 January 1938. Its chief effect is to extend legal protection, which up till now covered women and young persons under 18, to all workers, irrespective of age or sex. Henceforward workers over 21 whose wage rates are not regulated by an award of an arbitration court or by a collective agreement will not be allowed to receive wages lower than the lowest rate laid down for an adult worker in any award or agreement.

In Queensland the passing by Parliament in November 1938 of an amendment to the conciliation and arbitration legislation made compulsory the previous facultative order by an arbitration court or labour magistrate for the payment of wages in arrears.

Brazil. — The President of the Republic of Brazil approved on 30 April 1938 a Legislative Decree regulating the application of

Act No. 185 of 14 January 1936 setting up minimum wage committees. The Decree is divided into six parts, which successively define what is meant by minimum wages, home work, the territories, districts and sub-districts covered by the Act, the wages committees, the composition of these committees, their powers and the methods of fixing minimum wages.

Under the Decree the minimum wage ensured to all wage earners is to correspond to the sum required for the nourishment, housing, clothing, health and transport of an adult worker. The portion of wages corresponding to nourishment may not be less than the amount needed for the purchase of lists of typical provisions appended to the Decree and representing an energy value of 3,400 to 3,800 calories a day. If the worker is paid by the job or on piece work his wages may not in any case be lower than those he would have received if he had been paid on time on the basis of the guaranteed minimum. If the wage earner is partly paid in kind, the part paid in cash may not be less than 30 per cent. of the total wages; the minimum wage rates laid down are increased by 50 per cent. for unhealthy occupations, a list of which will be drawn up; they are decreased by 50 per cent. for apprentices and persons between the ages of 14 and 18 whose vocational training is not complete. In no case may the application of the minimum wage rates result in reducing existing wage rates and wage supplements. The rates fixed are to remain in force for three years and at the end of that period will be confirmed or altered. They may, however, be exceptionally altered meantime if a wages committee concerned decides by a majority of three quarters of its members that economic and financial circumstances justify such a change.

The wages committees, which consist of an equal number of employers' and workers' representatives, co-operate with the statistical and propaganda department of the Ministry of Labour, Industry and Commerce in the application of the Act and particularly in the fixing of minimum wage rates. These rates are finally promulgated by Decrees signed by the President of the Republic and are binding on employers from the sixtieth day after their publication in the Official Journal.

Under § 57 of the Legislative Decree, supervision of the enforcement of the Act is entrusted to trade union organisations and duly recognised class organisations. Certain provisions ensure the repayment to workers of any portion of their guaranteed wages which may not have been paid to them and prohibit the dismissal of workers who have brought a charge or had a charge brought on their behalf on this subject. Finally, the Decree provides various penalties for infringements of the Act.

Canada. — During the year some amendments were made to the existing minimum wage legislation in the various Canadian provinces.

One of the most important measures was the Act to amend the Manitoba Fair Wages Act, 1936, passed on 15 March 1938. Under the new Act the Minister of Labour has power to recommend to

the Lieutenant Governor in Council application of certain provisions of the Act to industries which it does not cover, for the whole province or for a given district. If the recommendation is accepted, the Minister may have the necessary preliminary enquiries made, ask the Fair Wage Board to draw up a scale of minimum wages applicable to the various classes of workers and convene a conference of employers and workers to negotiate the proposed scale.

This scale, the rates in which may not in any case be less than those laid down in the Minimum Wage Act, will then, on the advice of the Minister, be declared by the Lieutenant Governor in Council to be in force and binding on all employers and workers in the industry covered. In the zones to which such scales apply the Minister of Labour may set up an advisory council of five members, two appointed by the employers and two by the workers, with a chairman nominated by the Minister.

Colombia. — A Minimum Wage Bill was approved by the Chamber of Representatives and, on the first reading, on 4 October 1938, by the Senate, which referred it to a committee for further consideration.

The Bill provides for the fixing of minimum wage rates by decisions of the Minister of Labour, Health and Social Welfare, which are to be binding on the employers, officials and private persons concerned. These rates, which are to ensure to the workers a decent standard of living, will be fixed for the various classes of undertaking or industry for which the Minister considers it desirable. The rates may in no case be less than 6 centavos per hour, whatever the nature of the work or the form of contract between the employer and the workers. The cost of living and particularly of nutrition adequate for the various districts and classes of work, the wages paid for similar work and their influence on production costs and the economic capacity of undertakings are factors taken into account in fixing the rates. On this subject employers are required to supply the Ministry of Labour, Health and Social Welfare with the necessary information and especially with the balance sheets of their undertakings, on the understanding that such confidential information may not be used for fiscal purposes or any other end than the fixing of minimum wages. If the system of payment is by piece work or the job, etc., it must be so calculated as to ensure to the worker payment equal to that which he would have earned if paid by time. Apprentices' wages may not be more than 50 per cent. less than the rates fixed for adult workers. All industrial or collective arrangements for the payment of rates lower than those fixed by the Minister's decision are prohibited.

The Bill also provides that wages must be paid entirely in cash. The Minister may, if he thinks fit, order that one given part of the wage shall form a fixed basis, while the other part may vary with the cost of living. Penalties are provided for failure to comply with the Act—in particular, the infliction by a special

division of the Ministry, the general labour directorate, of fines equal to twice the wages which should have been paid to the worker concerned. The enforcement of the Acts is entrusted in general to the Minister of Labour, Health and Social Welfare and to the general labour directorate and its dependent bodies.

In a communication of 4 January 1939 the Minister of Labour, Health and Social Welfare stated that the Government considered it desirable to postpone the promulgation of this Bill until it possessed means of investigation which would allow it to apply its provisions immediately and he pointed out that for this purpose a general inspection and investigation section had just been set up in the Department of Labour, by Decree of 30 December 1938.

Ecuador. — The Labour Code promulgated by Decree No. 240 of 5 August 1938 provides among other matters for the fixing of minimum wages for all classes of wage earners. Committees will be set up for the purpose in all the provincial capitals and the cantons and communes wherever the Minister of Social Welfare and Labour considers it necessary. These committees will consist of a representative of the general labour directorate; a doctor nominated by the pensions fund of workers in private employment; a representative of the municipality concerned; and two representatives nominated respectively by the categories to which they belong will represent the employers and workers.

The minimum wage fixed must be sufficient to meet the normal living requirements of the worker regarded as head of a family, account being taken of the economic and social conditions in the district in question. Account will also be taken of the expenditure of energy required by the work in the principal branches of employment, industry, agriculture and commerce, of the output and of the suggestions made by the parties concerned. The rates fixed will remain in force for two years, unless exceptional circumstances justify earlier revision.

When committees have not been able to reach their decisions unanimously the members of the minority may within three days appeal to the general labour directorate, which will reach a decision after hearing the report of the pensions fund of workers in private employment. It is the duty of the Minister of Social Welfare and Labour to fix minimum salaries and wages if for any reason the committees have not fulfilled the duties allotted to them.

France. — Two types of legislation are in force: the legislation covering home workers and the quite recent legislation providing for the fixing of minimum wages by collective agreement and conciliation and arbitration for workers in commerce and industry in general.

During the period under review no amendment was made to the legislation covering home workers. The readjustments of wage scales which began last year under the Forty-Hour Week Act have been continued.

The legislation on minimum wage-fixing for workers in industry

and commerce in general, on the other hand, has undergone considerable amendment. The Act of 4 March 1938 and the Decree of 20 April 1938 concerning conciliation and arbitration procedure have speeded up procedure, defined powers and given executive force to the decisions of arbitration courts, while two Decrees, of 2 May and 12 November 1938, supplemented these measures by laying down the penalties to be inflicted for infringement of the law.

The Act of 4 March 1938 also laid down the procedure for revising, in accordance with the cost of living, the wage rates fixed by collective agreements. Such revision may be made whenever the index number shows a rise of 5 per cent., but not more often than every six months, unless the rise in the cost of living reaches 10 per cent., when revision may be made as soon as the index number is known. The Act makes the reservation, however, that the rise in minimum wage rates must be compatible with the capacities of the local, regional or national branch of industry for which the request for adjustment is made. The cost of living index figure taken into consideration is the official quarterly figure for a worker's family of four persons in the department, or failing the department, the average of these figures for the neighbouring departments, unless the parties state that they agree on the choice of another index figure. A special committee controls the official index figure and two Decrees, of 3 April and 24 November 1938, deal, one with the method of calculating the cost of living and its variations, the other with methods of verifying the official index figure.

The composition of the Supreme Court of Arbitration, which is the highest court of appeal in the conciliation and arbitration scheme, was laid down by the Act of 4 March 1938 and the Decrees of 3 April and 12 November 1938. In addition, an Order of 20 May 1938 concerning the appointment of departmental conciliation committees lays down the composition and method of nomination of these committees.

The scope of the legislation on conciliation and arbitration procedure was extended, subject to minor alterations to meet local needs, to Algeria by Decree of 11 September 1938. Another Decree, of 13 September 1938, also extended to Algeria the Decree of 3 April 1938 concerning the method of calculating the cost of living.

Great Britain. — The Road Haulage Wages Act, 1938, provides minimum wage-fixing machinery for workers employed in connection with vehicles. Its provisions are described elsewhere in this volume¹. 250,000 licence holders and 500,000 vehicles driven by about 600,000 workers and their assistants are covered by the Act.

In addition, the Minister of Labour, under sub-section 2 of section 1 of the Trades Board Act, 1918, which empowers him to

¹ See Chapter IX, under "Collective Agreements".

extend the application of the Trades Board Acts, 1909 and 1918, to any given trade in which it does not at present apply, if he considers that no adequate machinery exists in the trade concerned for the effective regulation of wages, has extended the application of the Acts, by Order of 17 May 1938, to the baking industry and by Order of 21 September 1938 to the rubber manufacturing industry.

Hungary. — Under the Act of July 1937 concerning hours of work, minimum wages and holidays with pay the Minister of Industry promulgated on 27 January 1938 an Order concerning, among other matters, the appointment and working of minimum wage-fixing committees.

Under this Order minimum wage rates may be fixed for every branch of industry, commerce or mining in which wages are exceptionally low. The scope of the wages award will be determined by the competent Minister, after consultation with the employers' and workers' organisations and may cover either a whole branch of industry or part of it or home work only, throughout the country or in part of it, or only in a single town or commune.

Members and substitute members of minimum wage-fixing committees are to be appointed, after consultation with the organisations concerned, by the competent Minister, who will also decide their duties. One third of them will represent the employers, one third the workers and one third, from whom the chairman and vice-chairman will be chosen, will be persons independent both of the employers and workers.

In fixing minimum wages the committees are to take account of the wages paid in work of the same kind and, where necessary, of the wages paid in other branches of industry, of the general wage level in the district concerned, of the price of articles of prime necessity and in general of local living conditions.

The minimum wage rates fixed are binding and employers and workers are forbidden to adopt lower rates by individual or collective agreement. Workers who have been paid at lower rates are entitled to receive from their employer payment of the amount legally due but withheld and also payment of damages.

Employers and workers may each appeal within eight days after the decisions of the wages committees to the competent Minister. The Minister has power to confirm the decisions, to refuse to confirm them or to refer them back to the committees for further consideration. Confirmed decisions are published in the Official Journal and come into force eight days after publication.

India. — A resolution urging the institution of sufficient wages and fair treatment for Indians employed in industries receiving any assistance or subsidy from the State—that is, most of the organised industries in the country—was adopted by the Legislative Assembly on 4 February 1938. It was stated that the wage should be such as to ensure to every worker the necessities of existence: food, clothing, housing and education, taking into account at the

same time the practical side of the question and the needs of industry.

Ireland. — The Shops (Conditions of Employment) Act, 1938, sets up a Wages Board to regulate wages of staff employed in shops. The provisions of the Act are described elsewhere in this volume¹.

Norway. — During the past year the Government has appointed several committees to examine conditions of employment and remuneration for various classes of workers, such as commercial and office employees, agricultural workers and domestic servants. These committees are to report on the desirability of adopting legislation which, among other matters, would regulate minimum wages for these classes of worker.

United States. — An exceptionally important measure was adopted in the Fair Labor Standards Act, of 1938², which among other matters, re-establishes on a new basis the Federal regulation of minimum wages, first introduced by the National Industrial Recovery Act of 1935, which was invalidated by the Supreme Court.

While the National Industrial Recovery Act provided that every Code of Fair Competition should contain a guarantee by employers to abide by the minimum wage rates laid down and approved by the President of the United States, the new Act lays down directly the standards which are henceforth to apply to all workers, with some specified exceptions, engaged in production, distribution, transport, etc., of goods which have been or are to be wholly or partly subjects of commerce between States. The regulation of interstate commerce falls in fact within the normal competence of the Congress of the United States, which has taken it as the constitutional basis of the new Federal labour legislation.

The Act fixes a minimum wage of 25 cents an hour for the first year and of 30 cents for the next six years. At the end of the seventh year the minimum wage will be increased to 40 cents an hour unless a lower wage, which must in no case be less than 30 cents, has been fixed by the administrator of the Act. Lower wages than the ordinary minimum may be fixed for beginners, apprentices and persons whose earning capacity has diminished owing to age or mental or physical deficiency. In addition, if part of the wages are paid in kind, such payment may not be calculated above its real cost and in no case may the value of wages in cash and kind taken together be less than the guaranteed minimum.

In order to generalise the rate of 40 cents an hour as early as possible the Committees to be appointed for each industry covered by the Act carry out research and make recommendations, at the administrator's request, for minimum wage rates for the industries

¹ See Chapter IX, under "Collective Agreements".

² Cf. also pp. 57-59 and 153-154.

within their competence. These rates may be as high as is compatible with existing economic and competitive conditions, but not such as to lead to a substantial reduction of employment in the branches of industry concerned.

The industry committees, the members and chairman of which are nominated by the administrator of the Act, include a number of disinterested persons representing the public and equal numbers of employers' and workers' representatives. The chairman is chosen from the representatives of the public. When a committee has finished its work and made its recommendations its functions are suspended until it is convened again by the administrator, who may also dissolve it, as he may do in other circumstances if he considers that it has failed to act or has unduly prolonged its work.

The first infringement of the Act does not lead to any penalty but subsequent infringements are punishable by fines not exceeding \$ 10,000 or by imprisonment not exceeding six months, or by both. The employer is also required to pay to the worker the amount of wages legally due but not paid to him and an additional sum as damages.

According to some estimates, about 11 million workers will be protected by the new Act. Mr. Elmer F. Andrews, administrator of the Act, has announced that tripartite industry committees will first be set up in industries in which wages are lower than the minimum rate laid down by the Act and, to begin with, in the textile, tobacco and cotton clothing industries. At the end of November 1938 only one of these committees had been set up—that for the cotton, silk and artificial silk industries.

The existence of Federal regulation of labour conditions in industries engaged in interstate commerce raises certain problems of competition; for instance, within a single industry, the competition between undertakings engaged in interstate commerce and those operating only within the State. The Federal Department of Labor has expressed the hope that a conference may be convened to draw up a model law on wages and hours of work, to apply to undertakings operating solely within the boundaries of a State, which every State could adopt.

During 1938 two further States, Kentucky and Louisiana, adopted minimum wage laws, while in Kansas the old Minimum Wage Act was brought back into force. The Massachusetts Act was amended on certain points. There are now 25 States, as well as the District of Columbia and Porto Rico, which possess minimum wage legislation.

U.S.S.R. — The past year has been marked by a revision of wage schemes in some branches of activity and by increased participation of workers' organisations in determining conditions of remuneration.

Some enquiries made, particularly in the automobile and cotton industries, showed the complexity of the system of rates and remuneration in force; they elicited the fact that the provisions

governing workers' wages were not observed and also disclosed certain items of expenditure which were excessive in relation to the funds devoted to the payment of wages. Simpler methods of payment which can be better understood by the workers and are intended at the same time to increase output have been introduced in these undertakings. Towards the end of the year a revision of standards of output and of wage rates was begun by the commissariats for the machine building and national defence industries.

These various adjustments were carried out by the State economic bodies in co-operation with the trade union organisations, which stated moreover on several occasions that "the participation of trade union bodies in the solution of wage problems must become one of the chief tasks of the workers' organisations". For this purpose the Central Trade Union Council has created two wages sections, one for manual workers, engineers and technical workers and the other for non-manual workers. Similar sections have been created in the trade union committees. Lastly, by Order of 23 June 1938, the Central Council provided for the creation in works committees of wage committees to assist the works committees to draw up schemes of remuneration which will increase production, improve the workers' living conditions and lessen the turn-over of labour.

INTERNATIONAL REGULATION

*Convention No. 26: Minimum Wage-Fixing Machinery, 1928*¹

Ratified by *New Zealand* (29 March 1938).

Submission by *Argentine* Executive of message to Congress (22 September 1938) recommending approval of Convention; principle of Act No. 10505, which only covers home work, to be extended to all branches of industry in which wages are exceptionally low. Submission to *Luxemburg* Chamber of Deputies (1 August 1938) of Bill to approve and apply Convention. Submission by *Swiss* Federal Council to Federal Assembly (8 July 1938), at same time as Bill on home work, of draft Order, authorising ratification after coming into force of Federal Act on home work.

In *Ecuador*, preparation by National Institute of Social Welfare of Decree for approval of Convention.

Family Allowances

During 1938 far-reaching amendments were made to family allowance legislation in force in countries such as Belgium, France and New Zealand. A new system has been introduced in Spain and the extension of family allowances to further classes of workers

¹ The information given here relates only to the period 16 March 1938-15 March 1939. See the table at the end of the volume for the general situation as regards the Convention.

has been considered or carried out in Argentina, Chile and Uruguay. The interest shown by Latin-American countries in family allowances, which was noted in the *Year-Book 1937-38*, was particularly demonstrated by a resolution adopted on 21 December 1938 by the Pan-American Conference at Lima recommending the Governments of American States to introduce family allowance systems in their respective countries.

Argentina. — The Director General of Posts and Telegraphs has submitted to the Minister of the Interior a plan for the introduction of family allowances in that department. The allowances would be paid to all workers earning less than 300 pesos a month and would amount to 10 pesos a month for every legitimate or recognised child under 15 years supported by the beneficiary; the total amount of allowance must not however exceed 50 pesos a month.

Belgium. — The Act of 10 June 1937 which introduced a family allowance system for employers and independent workers forms the last stage in the generalisation of family allowances, which now cover every class of society in Belgium. A Royal Order of 22 December 1938 organised and laid down in detail the methods of application.

Six-monthly allowances are fixed at 90 francs for the first child, 150 francs for the second, 300 francs for the third, 510 francs for the fourth and 720 francs for the fifth and each subsequent child. These rates may be increased if the cost of living index goes beyond 700 points. Under § 95 of the Order different scales may also be drawn up, after consultation with the Family Allowances Committee and the various organisations concerned, provided that the expenditure they represent is not substantially different in total.

Allowances are paid to the beneficiaries for their own children, children of their husband or wife, children common to themselves and their husband or wife, children whom they entirely or mainly support, natural, recognised or legitimated children or grandchildren, younger brothers and sisters, etc., up to the age of 14 years or up to 18 years if the beneficiaries are not engaged in any gainful occupation, or are apprenticed or regularly attending a course of education, or without age limit if the beneficiaries are proved to be incapable of following any occupation owing to their physical or mental condition.

The new system is of a mutual nature. It is financed by an elaborate scheme, from the contributions of the persons concerned and from an annual State grant of 5 million francs. Fixed six-monthly contributions of 135 francs, which may be reduced in specified circumstances, are laid down for employers covered by the scheme and for certain categories of intellectual workers such as doctors, dentists, chemists, barristers, solicitors, architects, chemical analysts, accountants, etc. Six-monthly contributions, which are also fixed, varying between 25 francs for members of certain religious communities and 135 francs, are laid down for certain other categories of persons. Foreign bodies employing

staff in Belgium are required to pay annual contributions varying between 700 and 5,000 francs. Six-monthly contributions in proportion to the means of the persons concerned, in a scale of six classes running from a minimum of 18 to a maximum of 135 francs, are also provided for independent workers and certain other classes. Special contribution scales are laid down for independent workers' or employers' wives who themselves occupy positions as independent workers or employers, for former employers and former independent workers, etc. In general an attempt has been made to proportion the contributions required to the means of the persons concerned.

Special bodies, committees of enquiry, mutual compensation funds, mutual sections of ordinary compensation funds, an auxiliary mutual fund and national mutual fund for family allowances ensure, on lines parallel to those of the system introduced by the Act of 4 August 1930, the application of the new system and in particular the second degree compensation of the mutual compensation funds' surpluses and deficits. The date of coming into force of the scheme was fixed retrospectively to 1 January 1938 for employers and 1 January 1939 for all other categories covered.

In the report submitting the Order to the King, Mr. Delattre, Minister of Labour, stated that the total number of persons whom the new scheme might cover was about 1,301,000, that allowances would be paid for 660,993 children and that the total annual amount of payments would be 193,168,000 francs. These figures may be compared with those for 1937 concerning the application of the scheme for wage earners introduced by the Act of 4 August 1930; the number of families receiving allowances was 566,722, allowances were paid for 1,049,067 children and the allowances paid amounted to a total of 342,323,422 francs.

Chile. — At the request of the Ministry of Public Health the Social Insurance Department has prepared, for early discussion in the National Congress, a Bill to introduce family allowances for workers covered by the compulsory social insurance scheme. Under the Bill allowances of 20 pesos a month until the end of 1941 and then of an amount to be fixed yearly by the Compulsory Insurance Fund would be paid for each child supported by the insured person and under 14 years, or beyond that age if the child suffers from any physical or mental incapacity. The cost of the proposed scheme is to be borne entirely by the employers.

France. — A series of important measures adopted during the year have radically altered the existing family allowances scheme, for agriculture as well as for industrial and commercial employment and the liberal professions.

For the latter occupations and professions a Decree of 12 November 1938 altered the system introduced by the Act of 11 March 1932, which had not previously been amended. Its object is to assist workers who have families to support and to raise the birth-rate. It therefore increases the proportion for family allowances in the wages paid and ensures in future a relation between the

allowance rates and the total wages paid. The minimum allowance for each child will be fixed every year by order of the Minister of Labour for each department and for all occupations as a whole in the department. It may not be less than 5 per cent. of the average monthly wages in the department of an adult male wage earner for the first child, 10 per cent. for the second and 15 per cent. for the third and subsequent children. The average wage for the department will also be fixed by the prefect in October every year, after consultation with the local family allowances committee, and will be mainly based on collective labour agreements. The provisions of the Act of 4 March 1938 giving arbitrators power to revise family allowance rates according to changes in the cost of living are repealed.

The allowance for an only child is stopped when the child reaches 5 years. If there is a further birth before the elder child has reached the age limit for payment of allowance the allowances will be immediately payable on the scale for two children. The Decree also extends the period for payment of allowances from 16 to 17 years if the child is continuing his or her education or is under apprenticeship.

An entirely new provision increases the allowances for families in which the mother or elder female relation has no gainful occupation or in which a wage-earning mother is the sole support of the children. A public administrative regulation of 31 March 1939 temporarily fixed the amount of this allowance at 5 per cent. until 15 November 1940 and after that date at 10 per cent. of the average departmental wage.

To prevent allowances from overlapping the Decree provides that if both husband and wife are entitled to allowances, they shall be paid to the partner of the marriage who is entitled to the more favourable rate. The payment of family allowances may be delayed or temporarily suspended for a maximum of one month if it is proved that the children are being brought up in unsatisfactory conditions of nutrition and health.

Lastly, the Decree sets up a national compensation fund which, as in the Belgian scheme, will ensure supercompensation between the compensation funds and provides for the dissolution within a month of all compensation funds which have not been duly recognised. The Decree, which does not apply to agriculture, may, if necessary, be extended by public administrative regulation to certain categories of staff in the departments and communes and in public, departmental and communal establishments. It was to come into force on 1 April 1939.

In addition, the scales of family allowances granted annually to civil servants were increased as from the second child onwards by a Decree of 14 January 1939 and are now as follows: for the first child, 660 francs, for the second, 1,200 francs, for the third, 2,500 francs and for the fourth, 3,000 francs.

The family allowance scheme for agriculture has also been considerably altered by a series of Legislative Decrees, Adminis-

trative Decrees and Orders, among which may be mentioned the Decree of 31 May 1938 adjusting and completing the provisions applying to family allowances in agriculture, the Decree of 14 June 1938 extending family allowances to all persons working the land (owners, farmers, tenant farmers), the Decree of 31 August 1938 on the recovery of contributions and the Order of the same date concerning departmental committees for family allowances in agriculture, the Decree of 2 September 1938 on the police powers of agricultural inspectors, etc.

Great Britain. — Although family allowances are as yet paid by only a small number of private undertakings, several important undertakings have been added to the number during the year. Great interest has moreover been taken in various circles in favour of the introduction of an official scheme of family allowances in Great Britain. Mr. B. Seebohm Rowntree produced a plan which attracted great attention in the press and the National Industrial Alliance organised in July 1938 a conference of employers and workers to discuss the question.

Luxemburg. — An Act of 30 April 1937 fixed the scale of allowances to be paid to State employees and officials supporting children under 18 years or orphans in receipt of State pensions, namely 138 francs a year for the first child, 156 francs for the second and 174 for each child after that. In addition, for workmen and craftsmen working for the State a collective agreement of 31 March 1938 provided for monthly allowances amounting to 75 francs for each of the first three children and 85 francs for the fourth and subsequent children.

Monaco. — An inter-occupational compensation fund for family allowances formed by about 200 employers was set up in December 1938 in the Principality.

New Zealand. — The important Social Security Act of 14 September 1938 contains provisions which alter in some respects the scheme set up by the Family Allowances Act of 1926.

Under the new Act allowances are payable to every family (father and mother) residing in New Zealand for at least a year whose total weekly income does not exceed £5. Weekly allowances of 4s. for each child beyond two under 16 years of age are paid for every child either of the husband or the wife and for every adopted child, and, if the competent committee sees fit, for every other child supported in the family. The committee may also extend the payment of allowances beyond the age limit laid down if the child in question is incapable, owing to physical or mental defects, of earning his living. Allowances are paid to the mother in cases where the committee considers it undesirable to pay them to the father or some other person and the Act requires the claimant to be of good character and sober habits and the allowances to be used exclusively for the support and education of the children for whom it is paid.

During the year ending 31 March 1938, under the Family Allowances Act of 1926, 1,173 claims to allowances were made, 774 of which were accepted and 313 rejected, while 86 were left undecided. 6,853 families, or a total of 32,302 children and 18,596 children beyond two, received family allowances, the average number of children per family being 4.71. The total amount of allowances paid during the year was £102,402, the total amount paid during the eleven years the Act has been in force being £1,115,728.

Spain. — An Act of 18 July 1938 promulgated by the Burgos Government introduced a compulsory family allowance scheme. A national family allowances fund will be created by the National Institute of Social Welfare. The cost of the scheme will be borne by the State, with a grant of 5 million pesetas, by employers and one third at most by the workers themselves. The allowances, which will be the same throughout the country and for all classes of workers, will not be paid for the first child and will amount to 15 pesetas a month for two children, with a proportional increase up to 145 pesetas for 12 children and 25 pesetas for children beyond that number. The age-limit for children for the payment of allowances is fixed at 14 years.

Uruguay. — The President of the Republic issued a Decree authorising the national board for fuel, alcohol and portland cement (*Administración Nacional de Combustibles, Alcohol y Portland*) to include 27,500 pesos in its budget for the payment of family allowances to its manual and non-manual employees from 1 July 1938.

CHAPTER VII

EMPLOYMENT AND UNEMPLOYMENT

As will be seen from the figures quoted below, unemployment again increased in many countries during 1938 as a result partly of a downward swing in the trade cycle and partly, no doubt, of political uncertainty. It is true that armament manufacture has, at the same time, increased everywhere but this has so far been insufficient in most cases to counterbalance the falling off in private investment.

The problem of increasing, and where full employment has been achieved, of maintaining the demand for labour is, therefore, still the outstanding question of the present time. In Germany and the U.S.S.R. this problem appears to have been solved and labour is fully employed in those countries. Progress has been made both nationally and internationally in the planning of public expenditure in relation to industrial fluctuations, and in this connection particular importance attaches to the decision of the British Government to borrow a large sum of money for the increased expenditure on armaments estimated for the year 1939-1940, which is likely to lead to increased employment in that country. Employment has to be considered, however, not as a demand for labour in general but as a demand for particular types of labour, to which the supply must be adapted. The first step in this direction is adequate vocational guidance and the organisation of vocational training and apprenticeship for young people leaving school and college; the second step is the provision of efficient placing facilities so as to prevent the waste inherent in an unorganised labour market; and the third step is the training or retraining of those who are already in the labour market but are not equipped mentally or physically for the jobs available. In the best organised system, however, some unemployment is inevitable, and for those who are without employment measures of insurance and relief are indispensable; it is, therefore, interesting to note that further progress has been made in the adoption or improvement of insurance schemes in a number of countries. Reference may also be made to the special problems concerning particular categories of workers, such as elderly workers and non-manual workers¹.

¹ Cf. also a note on the influence of unemployment on health in Great Britain in *Industrial and Labour Information*, Vol. LXIX, No. 2, 9 January 1939, p. 60.

The Labour Market

Last year it was noted that in the winter of 1937-1938, although unemployment was at a lower level in practically every country than it had been twelve months earlier, there were distinct signs, especially in the United States, of a downturn in the trade cycle. In the course of 1938 the downward movement continued, but was not very widespread, and from the figures available in Geneva at the beginning of April 1939 it appeared that industrial *unemployment* had increased in 9 countries (Australia, Belgium, Canada, Chile, France, Hungary, Ireland, Sweden and the United Kingdom) as compared with the previous year and had decreased in 11, while in 2 others the situation was not clear. The figures relating to the number of persons in industrial *employment* are even more favourable, for in only 6 of the 20 countries for which such statistics are available was there a decrease in employment as compared with the previous year. It may be added that it is, of course, quite possible for employment and unemployment to rise simultaneously, owing to the increase in the working population. The number of persons in industrial employment was, however, still below the average figure for 1929 in Canada, France, Luxemburg, the Netherlands, Poland, Switzerland and the United States, this representing a particularly serious situation in view of the much larger number of workers seeking employment to-day than was the case ten years ago.

In addition to the above brief summary of the general situation, a few supplementary particulars on the position in certain countries may be useful to complete the picture.

Some countries do not publish regular statistics of employment and unemployment, but make a special survey from time to time. Thus, in *Argentina*, the National Unemployment Board published in June 1938 a report on its work in the previous year, showing that unemployment had steadily diminished from a maximum of 334,000 in 1932 to less than 45,000 in 1936. In their report the Board attributed such unemployment as existed at the time that it was prepared to seasonal fluctuations, drought and other natural catastrophes, the overcrowding of the liberal professions and the admission of women at lower wages to posts formerly held by men. With regard to remedies, the Board drew special attention to the necessity for improved placing facilities and land settlement.

In *Australia* (Victoria) a special enquiry showed that unemployment in that State was in reality somewhat higher than the published figure at the same date. The investigator stressed the importance of having regular statistics of the unemployed by age, occupation and duration of unemployment if an intelligent approach to the problem was to be made.

In *France* the Government estimated in November 1938 that the number of wholly unemployed persons was about 600,000 or 5.5 per cent. of the working population; if short time be included

they considered that about 8 per cent. of the labour supply was unemployed. These figures are higher than those shown by the regular statistics at the same date, but the percentage is lower than in some other industrial countries.

In *Germany* a special study made on 25 June 1938 showed that approximately 5 per cent. of the workers were recorded as normally engaged in employment other than that appropriate to their training or qualifications. These workers had changed their occupation owing mainly to seasonal slackness or overcrowding in the workers' trade concerned, and in some cases to the age, physical capacity and personal inclinations of the worker. Some indications of the changes which have taken place in recent years in the constitution and distribution of the labour supply are afforded by a comparison of the results of the enquiry with those of the occupational census of 16 June 1933. The figures show an increase of about 1,850,000 in the number of persons within the field of gainful employment, which is accounted for chiefly by an accelerated natural growth of the population between 1934 and 1937 and the absorption of pensioners, independent workers and other categories of persons, especially women, into paid employment. Altogether, over six million persons have been absorbed in employment since 1933. The gain in employment has been greatest in industry and handicrafts, which now comprise 57 per cent. of the total number of employed persons as compared with 49 per cent. in 1933. Gains have also been recorded in commerce and transportation, in the public services and in domestic service, but in agriculture there has been a decline in employment.

In the *United States* the final report on the 1937 national unemployment census points out that a large influx of persons into the labour market between 1930 and 1937, apart from those who entered for the first time, was an outstanding factor in the situation. This is attributed to the fact that, when unemployment is severe, many people seek employment who would not do so if the head of the household were in steady employment and the income of the household were therefore adequate.

Measures to Increase and Maintain the Demand for Labour

The economic depression which started in 1929 and the further depression which started in 1937, with all their disastrous consequences in the form of short time and unemployment, have shown the imperative need of systematic measures either to prevent such depressions from occurring, if possible, or at least to diminish their violence. Among the necessary measures which can be undertaken is the systematic planning of public expenditure and, in particular, of expenditure on public works. This is the problem which, from the point of view of international co-ordination, is being studied by the International Public Works Committee, set

up in 1938 within the International Labour Organisation. In addition, several countries have either set up machinery or made actual plans for regulating the volume of public works in accordance with the economic situation. Others have made long-range plans for national development irrespective of the economic situation, which will incidentally have the effect of increasing the demand for labour, while others again have, either with or without advance planning, put in hand a works programme during the past year owing to the prevalence of unemployment in the countries in question. Reference to all these measures will be found in the following paragraphs.

'In the *international* field, the International Labour Conference in 1937 laid down certain principles for the national planning of public works, pointing out that this planning could be successful only if appropriate methods of financing the works were undertaken and if an appropriate monetary policy were adopted simultaneously by the central bank. It was convinced, however, that any such planning would be more or less futile unless co-ordinated internationally. It therefore invited the Governing Body to set up an International Public Works Committee and, by adopting the Public Works (International Co-operation) Recommendation (No. 50), took steps to enable that Committee to have the fullest possible information before it. A preliminary meeting of the Committee was held on 27-29 June 1938 under the chairmanship of Mr. Carter Goodrich (Government, United States). The main business at that meeting was to draw up a uniform plan on the basis of which the Governments would be invited to send in information concerning their public works policies and the works actually executed or planned for the near future. This plan was subsequently approved by the Governing Body and sent to Governments. The attention of the latter was at the same time drawn to the importance of giving effect to the Public Works (International Co-operation) Recommendation as soon as possible, as, in accordance with the statute of the Committee approved by the Governing Body in January 1938, only those Governments which have done this will, in future, be able to sit on the Committee. Up to the time of writing, the Governments of Belgium, Bulgaria, Colombia, Estonia, Great Britain, Luxemburg, the Netherlands, Poland, Sweden, Switzerland, South Africa and the United States have formally notified the Office that they will give effect to the Recommendation. It is anticipated that similar communications will shortly be received from Finland, Hungary, Norway and Yugoslavia.

The Delegation on Economic Depressions, which was appointed as a result of a resolution adopted by the League Assembly in 1937, held two meetings at which it examined various measures and policies which aim at increasing economic stability or bringing about economic recovery.

In *Germany*, as in the *U.S.S.R.*, it is claimed that unemployment and even the trade cycle itself have been virtually eliminated and

that the demand for labour exceeds the supply. In *Germany*, this appears to have been brought about by large-scale public investment for development works and armaments financed up to the spring of 1938 by an expansion of short-term credit. A series of measures was adopted to ensure control over the expansion and use of this credit and a strict control of prices and wages was also imposed, these measures being considered necessary to prevent inflation. Private investment was also strictly regulated and was maintained at the maximum level permitted by the Government. As soon as full employment had been reached, it was considered that further credit expansion would be harmful and after 1 April 1938 Government orders were financed entirely by taxes and loans. This system did not, however, prove satisfactory, and in March 1939 it was replaced by a new method of financing by means of tax credit certificates which, in effect, are a form of mortgage on the future tax revenue of the country ¹.

In several countries increasing attention is being paid to the planning of public expenditure and in particular of public works, with a view to diminishing the violence of industrial fluctuations, and interesting measures of this kind have been adopted during the past year.

In *Argentina* a National Public Works Council, composed of the heads of various Government departments, has been appointed for the purpose of co-ordinating the planning, approving, financing and execution of public works. It is hoped that this Council will be able, among other things, to plan public works in advance for periods of depression and to constitute a reserve fund.

In *Australia* (Queensland) an Act of 22 September 1938 provides for the appointment of a Co-ordinator General of Public Works whose task it will be to prepare a plan for the orderly carrying out of a programme of public works and to supervise the execution of the plan. In *Victoria* an Economic Committee has been appointed for the purpose of reporting from time to time on matters likely to have an influence on the financial and economic stability of *Victoria*. In a report on "Public Works and the Volume of Employment" issued in December 1938 the Committee strongly urges that reserves should be built up in good times and development works deferred until a period of adversity. It is of opinion that the Government should advise the various departments to prepare plans in advance so that works may be undertaken at short notice when required. With regard to finance, the Committee thinks that special action by the central bank in conjunction with the Loan Council would be necessary but does not anticipate any serious difficulties in this respect.

In *Canada* the National Employment Commission, which made its final report to the Minister of Labour early in 1938, recom-

¹ For further particulars of the German system, cf. articles by Dr. SCHACHT and Mr. BRINKMAN in *Supplement to the Weekly Report of the German Institute for Business Research*, 1 December 1938, and BALOGH: "The National Economy of Germany" in *The Economic Journal*, September 1938.

mended that the basic principle of any sound public works policy should be expansion and contraction of public expenditures to the end that total expenditures (public and private) may be made more stable.

In *Finland*, according to a statement made by the Chief Inspector of Unemployment, the measures required in the event of a depression should aim, in the first place, at maintaining or restoring profitability in the export trades. Public works, however, must also play a part and a list of such works was drawn up in 1937 and revised in the spring of 1938 involving an expenditure of 3,450 million Finnish marks and estimated to provide 43,500,000 man-days of work. An Emergency Fund was created in 1934 and by 1938 this fund amounted to about 600,000,000 marks, to which must be added securities transferred to it by the State valued at about the same amount. Careful consideration has been given to the method of holding these reserves so as to prevent them from provoking or aggravating a boom and thus precipitating a depression. Consequently, they are held entirely in the form of foreign exchange, gold and bonds and on current account in the Bank of Finland.

In *Great Britain* a Circular Letter was sent on 6 May 1938 by the Minister of Health to local authorities asking them to undertake a survey of their probable capital expenditure during the five years beginning on 1 April 1938 and to submit to the appropriate Government departments a programme of the works which they propose to carry out during that period. It is pointed out that this long-period review of capital expenditure is of special importance not merely to secure smooth progress of the local authorities' operations, but as a matter of national economic policy, and at the same time to enable local authorities to take the fullest advantage of periods when industrial resources are not unduly strained and when conditions are therefore most favourable for the execution of necessary works.

In *Sweden*, as stated briefly in the last issue of the *Year-Book*, the Government announced its intention at the opening of the 1938 Session of the Riksdag of drawing up a special emergency budget to supplement the ordinary budget estimates for the financial year 1938-1939 with a view to a possible depression. The advance credits required for the purpose of the emergency budget amounted in the current expenditure section of the budget to 156 million crowns and to this must be added 26 million crowns from the capital section of the budget for sinking fund operations, bringing the current expenditure budget total up to 182 million crowns. The total credits provided in the capital section of the budget amounted to 75.4 million crowns, of which 42.4 million crowns were to be used for investment in State-owned business enterprises.

In the *United States* a Senate Committee made a series of recommendations concerning the organisation of public works. It accepted the principle that a works programme should provide

employment and a means of livelihood for unemployed workers at times when, and as long as, private industry cannot give them employment. It suggested that the Public Works Administration and the Works Progress Administration should be combined and a single Department of Public Works be created to execute the public works policy. A Bill on these lines has been introduced by the Chairman of the Committee into the Senate. Senator Wagner has also presented a Bill, the object of which is to revive the Federal Employment Stabilization Board, which was set up in 1931 and ceased to exist in 1934, for the purpose of undertaking the long-range planning of public works.

A very different policy has been pursued in *New Zealand*, where the Minister of Finance, in presenting the 1938 budget, referred to the principle that public works should be expanded in periods of depression and reduced in periods of boom and said that the Government did not subscribe to the view that such works should be regarded as a palliative to be undertaken only when private enterprise fails to provide the necessary facilities or to offer the required employment. He said that the policy of the Government was to promote or expand public works on their individual merits as projects of public development. This policy has been criticised in certain quarters in *New Zealand*.

In *Poland* the public works policy is determined largely by a desire to find a remedy for the overpopulation of the country districts and the diminished openings for emigration. The Employment Fund has, during the five years from 1933-34 to 1937-38, with an aggregate income during that period of 684 million zloty, carried through an extensive public works policy relating to communications, defence works, urban development, public buildings and workers' dwellings. Towards the end of 1938 the Minister of Finance outlined a new fifteen-year plan for the period 1939-1954. The plan would be divided into five triennial periods, the first concerned mainly with the strengthening of the national defences, the second with internal communications, the third with the development of education and agriculture, the fourth with the development of urban centres and industrialisation, and the fifth with measures to co-ordinate and consolidate the economic structure and potentialities of Poland.

Reference may also be made to some of the actual programmes put in hand during the past year either in execution of a long-range plan or simply because unemployment on a large scale existed in the country in question.

In *Canada*, where, as already stated, the National Employment Commission recommended the planning of public works in relation to the trade cycle, Parliament, in 1938, adopted a series of measures which was described in the speech from the throne as a long-range, nation-wide programme of conservation and development designed to stimulate employment and to enlarge the national income. Over \$40 million were appropriated for various work-creating

projects, an Act was passed placing \$30 million in the form of low interest loans at the disposal of municipalities for works intended to relieve unemployment and the Minister of Finance was authorised to make loans up to a total of \$30 million to local housing authorities which would undertake to build dwellings to be leased at less than the economic rental to families of low income. At the opening of the 1939 Session of Parliament the Government announced that it proposed to expand its programme of public works.

In *Denmark*, at the opening of the 1938-1939 Session of the Rigsdag, the Prime Minister announced a public works programme for the creation of employment to be financed partly by loan and estimated to cost altogether from 125 to 150 million crowns.

In *Greece* various public works have been undertaken during the last two years and have provided employment for about 20,000 skilled workers.

In *Switzerland* the Federal Assembly voted at the beginning of 1939 an appropriation of 415 million francs of which 213 million were intended for national defence works and 202 million for various public works. It is proposed that the former should be financed by means of a tax on personal wealth or on incomes, and the latter by short-term bonds, a sinking fund being created for the repayment of these bonds by a tax on large shops, single-price shops and chain stores.

In the *United States* a summary of operations by the Public Works Administration was issued in April 1938 showing that since June 1933 more than 26,000 projects had been undertaken providing more than 5,000 million man-hours of direct and indirect employment. For these projects the Administration had made loans and grants to a total amount of \$3,339,848,476, and in addition \$1,135,189,077 had been raised by local authorities and other public bodies. The Works Progress Administration reports that, at the end of June 1938, it was providing employment for 2,767,000 persons. Altogether from July 1935 to June 1938 a total amount of \$5,453,425,000 was spent by Federal, State and local authorities in carrying out the W.P.A. programme, \$4,653,020,000 having been provided by the Federal Government and \$800,405,000 by State and local authorities. For the year 1938-1939 the Work Relief and Public Works Appropriation Act, 1938, provided a total of \$2,915,605,000 in new appropriations and \$835 million of re-appropriations for public works, work relief and direct relief, and on 7 February 1939 the President approved a supplementary credit of \$725 million for the same purposes up to 30 June 1939.

On the other hand, in *France* public works expenditure has been to some extent curtailed by the Legislative Decrees of 12 November 1938. The Government explained that this was necessary owing to the great outlay on armaments, which tended to absorb the economic resources of the country and its savings, and added that to pursue a plan of civil works would be incompatible with the restoration of public finance and the stabilisation of the national

currency. The amount which it was estimated would be saved in 1939 in this respect was from 2,500 to 3,000 million francs.

In Morocco a plan for irrigation and agricultural works, entailing an outlay of 5,000 million francs and to be completed in less than a hundred years, which is intended to cope with the increase in population, was outlined by the Resident-General at a meeting of the Government Council in December 1938.

Finally, there are some countries in which plans have been made for a development programme quite unrelated to the trade cycle or to the unemployment situation. Among them are Brazil, Bulgaria, 'Iraq, Uruguay, Venezuela and Yugoslavia.

Vocational Guidance and Training

Parallel with unemployment, which, as has been shown above, a large number of countries attempt to remedy by an organised policy of developing employment opportunities, in some industries almost everywhere a serious shortage of skilled workers continues to be felt. The necessity of adapting the available labour supply to the continually changing requirements of modern production and the desire to adjust the structure of the labour market in future to industrial needs have for some time intensified the official and private action taken as regards vocational guidance and vocational training. These endeavours have been increasingly influenced by the necessity of giving full play to the human factor in labour and by raising the status and dignity of the manual worker of counteracting the excessive flow towards the liberal professions.

It would be impossible here to give the whole list of proposals put forward in this field, which have in part taken the form of resolutions adopted by employers' and workers' organisations or by conferences of technical experts. For example, under the auspices of the International Bureau of Technical Education an important international congress on technical education, in which nearly 1,500 persons took part, was held in Berlin at the end of July 1938. Furthermore, judging by the results obtained at the International Labour Conference in 1938, the action taken in this field by the International Labour Organisation for some time past would seem to be on a sound foundation and will result, it may be hoped, in the adoption by the International Labour Conference in June 1939 of one or more Recommendations dealing with the whole question of vocational education, including apprenticeship. As regards vocational guidance, which raises somewhat different problems, the Conference considered that it required separate consideration and by a resolution adopted in 1938 requested the Governing Body of the International Labour Office to place the question on the agenda of an early session.

VOCATIONAL GUIDANCE

The importance of vocational guidance as a necessary preliminary to effective vocational education is being increasingly admitted. Apart from its value to young persons and their parents, who should avoid the choice of an occupation for which the young person is ill-qualified, it is also recognised to be of considerable economic importance, since it makes it possible to adjust the education of young workers to the probable needs of the labour market. But although there is general agreement on the importance of vocational guidance, opinions differ to some extent on such questions as methods of organisation, of guidance, training of the guidance experts and the compulsory or voluntary nature which vocational guidance should have.

Compulsory guidance has been introduced in *Germany*, where under an Order of 1 March 1938, every young person leaving a primary, middle or higher school must in future register within 15 days from leaving school at the competent labour office, to which a vocational guidance office is attached. This measure, which results in a planned policy for the labour market, includes the opening for every young person of a sort of "employment book" which forms a complete record of vocational guidance and placing in employment.

Similarly, in *France* a Legislative Decree of 24 May 1938 concerning the organisation of vocational guidance and of compulsory vocational education provides for the creation of secretariats and centres for vocational guidance. It also sets up in these secretariats committees composed in particular of vocational guidance experts, educational experts, industrial and commercial employers and manual and non-manual workers, whose duty is to assist the departmental bodies in charge of vocational guidance. After a provisional period of three years no young person under 17 years of age will henceforth be allowed to be employed in any public or private industrial or commercial establishment unless he is in possession of a certificate issued free of charge by the departmental or interdepartmental secretariat for vocational guidance on the authority of the vocational guidance centres.

An example of the use of vocational guidance as part of the organisation of production is provided by *Japan*, where the Department of Social Welfare, in an endeavour to adapt the employment of labour to present economic needs, has arranged, in agreement with the Department of Public Education, for the supervision of the placing in employment of children who hold a certificate that they have completed their primary education. Under a circular of October 1938 prefects will henceforward be directly responsible for co-ordinating and supervising the vocational guidance of children of school age. Prefects will be informed of the results of the examinations for vocational aptitude which have been made part of the primary education curriculum and of the number

of children desiring to obtain employment. At the same time employment exchanges are required to make enquiries into the state of employment in undertakings and undertakings are required to inform the exchanges of any employment which they can offer to such children. On the basis of this information the employment exchanges have to prepare lists of children that can be employed in each undertaking in accordance with their aptitudes.

Lastly, in *Sweden*, at the beginning of 1939, the Department of Social Affairs, in agreement with the Department of Public Education, decided to set up a central free information service to facilitate any action in the way of vocational guidance undertaken by primary, secondary or technical schools or by employment exchanges. One of the duties of this service will be to follow the movements and changes in the various branches of employment, in order to be able to give information to the different bodies engaged in advising young persons on their choice of occupation.

VOCATIONAL AND TECHNICAL EDUCATION

The fact, mentioned above, that the question of vocational and technical education and apprenticeship has been since 1938 on the agenda of the International Labour Conference, which in June 1939 is to decide upon the terms of its international regulation, no doubt explains in part the great interest which has recently been taken in the subject. But there is also a general desire to adapt vocational education more and more closely to the practical requirements of the various national economic policies.

Thus, in a number of countries, and particularly in Latin America, a large-scale effort is being made to organise or to reorganise vocational education.

In *Brazil* a programme drawn up by the Federal Government provides for the creation in the various federated States of industrial secondary schools. The school to be created in the Federal District will be known as the Labour University. Pending the creation of these schools advanced courses have been organised in most parts of the country to meet the most urgent requirements of skilled labour and the vocational schools—some twenty or so—which already exist in the country have more than 6,000 pupils. The basic principle of the teaching is that it must have an essentially practical object and it may vary from school to school in accordance with local requirements.

In *Chile* a Decree by the Ministry of Public Education has issued a plan for the creation of craft schools, in the organisation of which the heads of undertakings and the workers' trade unions will take part.

In *Colombia* an Act of 24 August 1938 aims at the simultaneous encouragement of industrial development and of vocational education to ensure the training of the necessary skilled labour.

Similarly, in *China* the Ministry of Public Education has prepared a plan for the organisation and development of technical industrial and agricultural education. Under this plan, which will take three years to come into being, primary and secondary technical schools will be opened in certain districts, in accordance with their particular needs and their resources in raw materials. These schools will be supplemented by workshops or farm schools.

Lastly, in *India*, with the assistance of British experts the Government has made a far-reaching enquiry into the reorganisation of technical and vocational education, in order to bring it into greater harmony with national conditions and traditions. The Province of Bombay and the State of Hyderabad have already given effect to schemes for increasing the facilities for technical and vocational education.

Some new questions have been raised in vocational education by the raising in certain countries of the age for admission to employment. Thus in the *United States*, where in almost every State the age has been raised, a Presidential Advisory Committee on Education has recently recommended that the Federal Government should take a more direct part in the vocational education policy of the States and the local authorities. The Committee's report in particular recommends the wholesale amendment of the basic legislation under which the Federal authorities make grants in aid of vocational education in the States.

In *Sweden* the authorities have paid special attention to improving the relations between undertakings and vocational education bodies and a committee of enquiry appointed by the Minister of Public Education has recommended among other matters an increase in the number of workshop schools and the creation of a special administrative department for technical education. The special duty of this department would be to ensure the maintenance of effective contact between the competent authorities, industry and the bodies responsible for controlling the labour supply.

In the *U.S.S.R.* the formation of new staff and improvement of the workers' technical qualifications continue to be one of the chief problems in the plan for industrial development. In 1938 the number of workers in heavy industry required to attend special advanced technical courses was estimated at one million and according to an enquiry made at the same period the proportion of young workers who, while in employment, were continuing their technical education was 21.7 per cent. The number of young specialists who left the higher schools during the second five-year period is said to have been 370,000, as compared with 170,000 for the first five-year period, and the number of persons obtaining diplomas in secondary schools to have amounted to 623,000, as compared with 294,000 in the years 1929-1932.

In *Poland* particular attention was given in 1938 to developing co-operation between the public authorities, industry and employers' and workers' organisations. But efforts were also made to improve the qualifications of the teaching staff and special

rules of 28 April 1938 fixed in detail the theoretical and practical qualifications which teachers and instructors must possess.

Lastly, in some countries the desire to make still further improvements in the facilities for vocational education led to the introduction of systems of compulsory vocational education. Thus in *Germany*, under an Education Act of 8 July 1938, supplementary education was made compulsory for all young persons without exception and the duration of this education was fixed at three years. At the same time a Decree of 13 February 1939 issued by the Ministry of National Economy instructed undertakings to take the necessary steps to encourage the technical or supplementary education of their employees, so far as their means allowed.

Similarly in *France* a Legislative Decree of 24 May 1938 made vocational education compulsory by providing that all young persons who have reached 14 to 17 years and are employed or admitted to employment in industrial or commercial undertakings must receive practical and theoretical technical training, without prejudice to additional general education, with the exception of those young persons who have been recognised as unsuited for any technical training by the Vocational Guidance Secretariat after consultation with the competent guidance centres.

Lastly, in *Japan*, a Decree of 31 March 1939 authorises the Minister of National Education to require certain technical education institutions to train skilled workers; the number of such workers and the trades in which they are to be trained will be specified by the Minister.

APPRENTICESHIP

Like vocational and technical education, all the action recently taken as regards apprenticeship shows that increasing efforts are being made to prevent apprenticeship from being organised to suit private interests and to ensure methodical organisation, so that it may meet both the requirements of industry and of economic policy in general, taking into account at the same time the interests of the young workers themselves. Among the problems which have arisen, attention may be drawn to those relating to the various clauses of the contract of apprenticeship, to the rights and qualifications required of employers for the training of apprentices, to the obligation on apprentices to follow courses of supplementary education, etc.

In *Estonia* Regulations of 1 January 1938 provided that any owner or responsible head of an industrial undertaking who desires to employ apprentices must first ask permission from the Industrial Qualifications Committee, which grants it only if the undertaking offers all the necessary conditions for successful apprenticeship.

In *France* the various Decrees which have made binding the provisions of collective agreements relating to the training of

apprentices have resulted in standardising the conditions of apprenticeship.

In *Germany* too the measures recently taken aim at the standardisation of conditions. Thus an Order of 22 October 1938 issued by the Minister of National Economy fixed a uniform duration of apprenticeship at three years, which involves a reduction of the period in certain occupations. Similarly, the corporation of German craftsmen has laid down provisions applying to the crafts as a whole and setting out for each occupation the programme of training term by term.

In *Hungary* Order No. 10,800 of 1938, issued by the Minister of Industry, regulated the organisation of the courses and examinations to be passed to obtain the certificate of competence.

In *India* the Bombay Department of Industries has drawn up a programme of apprenticeship which, for the present, is being carried out in Bombay and Ahmadabad. The chief object of this programme is to remedy the shortage of skilled labour in certain branches of industry. The duration of practical and theoretical apprenticeship under the programme is five years and the number of apprentices that can be admitted yearly is governed by the possibilities of subsequent employment. In order to check the efficiency of the training the programme provides for intermediary examinations and requires employers in charge of apprentices to report periodically on their progress and success.

In *Japan* the ever-increasing need of guarding against a shortage of skilled workers in certain industries led the Government to issue on 31 March 1939 various Decrees, under which employers in the industries in question are to introduce three-year technical training courses for a certain proportion of their workers between 14 and 17 years of age. The plans for these courses must be approved by the competent authorities. The entire expense is to be borne by the employers and the training time is to be included in normal working hours.

Adjustment of Labour Supply and Demand

Increasing attention is being paid to the adjustment of labour supply and demand. In most countries the value of employment exchanges is now recognised, as is shown, for example, by the fact that the Unemployment Convention, 1919 (No. 2), which provides for a system of free public employment exchanges, has been ratified by 30 States. The reasons are clear. Such exchanges are a means of bringing together employers in search of labour and workers in search of employment, and their importance has never been greater than during the last few years when production has, in many cases, been forced into particular channels through the big Government demand for armaments of all kinds. This has necessitated a not inconsiderable change in the kinds of labour

required and the first stage in meeting the new needs is to find all those workers who are capable of doing the work required and are available for employment and to place them in jobs. The next stage is to classify the remaining unemployed who cannot immediately be fitted into the industrial system and to adapt them to the situation by means of training schemes. In countries where industry is wholly or largely controlled by the State, the work of adjusting labour supply and demand becomes even more important especially if, for one reason or another, the demand exceeds the supply, and this may lead to a very strict control of the whole labour market.

In the *international* field reference may be made to the denunciation by India of the Unemployment Convention, 1919 (No. 2), in consequence of changes in the Constitution resulting in a transfer of jurisdiction in regard to employment from the Central to the Provincial Governments and Legislatures.

In the *U.S.S.R.*, where labour is fully employed, the system of recruiting labour for industry among members of the collective farms was reorganised by an Order of 21 July 1938. This was considered necessary because undertakings were sometimes authorised to recruit workers in farms where labour was scarce and also because in certain cases too many economic organisations sought to engage workers in the same area. In order to avoid these difficulties special bodies were attached to the central authorities and were also set up in the principal centres of recruitment for the purpose of drafting plans for the recruitment of workers in collective farms and special committees were also appointed to undertake the actual organisation of recruitment. A further Order of 1 September 1938 provided for a permanent committee attached to the Economic Council of the *U.S.S.R.* to direct the recruitment of workers in general. At the same time, it was found necessary to attract fresh labour from collective farms for purposes of industrial employment and the Council of People's Commissaries decided, at the beginning of 1938, to grant special facilities to members of such farms working in the coal industry, in peateries and in forestry. Standard contracts of employment were published by the Economic Council on 23 September 1938 containing the conditions on which members of collective farms might be employed in these industries.

With a view to diminishing labour turnover it was decided, by an Order of 20 December 1938, to issue a work-book to every workman and salaried employee, this book being filled in by the management and giving full information concerning the dates of new engagements, changes of post and dismissals. Except in the case of workers engaged for the first time, undertakings are not allowed to engage a worker unless he presents his work-book. Among other measures adopted for the same purpose reference may be made to the lengthening of the notice that must be given by a worker who wishes to terminate his contract of service to one month, the extension from $5\frac{1}{2}$ months to 11 months of the period

of work in a single undertaking giving a right to a paid holiday and the new qualifying period which is now necessary as a condition for the receipt of social insurance benefit in the event of temporary or permanent incapacity.

In *Germany*, where the demand for labour exceeds the supply and where there is a continuing demand for armaments, it was decided, at the beginning of 1938, to bring into the labour market those sections of the population which were not at that time engaged in any economic activity, including women, and to transfer workers from occupations of relatively minor importance to agriculture and to what are known as politically and economically important industries. Measures which had been adopted over a period of years were added to and improved in 1938,¹ and were supplemented by organising the immigration of labour from Italy and Poland. An Order of 13 February 1939, which repeals earlier Orders, contains revised regulations for compulsory service on work of special political importance for which provision was first made in an Order of 22 June 1938. Under the new Order, all Germans are liable to be transferred to urgent work of special national importance or to undergo prescribed courses of vocational training. Labour may be transferred in this way either for temporary employment for a prescribed period or for employment of a permanent nature for an unspecified period. In addition, with a view to restricting labour turnover, the Ministry of Labour is empowered, for reasons of national importance, to make the termination of contracts of employment conditional on the approval of the authorities and such approval may also be required for the engagement of manual and non-manual workers. Further Orders were issued on 2 and 10 March 1939 for the application of the above Order, specifying in particular certain industries and categories of workers to whom the regulations concerning contracts of employment apply. By a Decree of 21 December 1938, the functions hitherto exercised by the President of the National Institution for Employment Exchanges and Unemployment Insurance are transferred to the Minister of Labour. A Decree of 25 March 1939 issued by the latter transfers the employment exchanges as from 1 April 1939 from the National Institution, which had administrative autonomy, to the direct control of the Minister. This also applies to the National Office for the Distribution of Labour, which is now known as the National Employment Office. The contributions of employers and workers are paid into a National Employment Fund, which is administered by the Minister.

In *Czecho-Slovakia*, by a Decree issued on 11 October 1938, the Government made provision for labour communities or camps for unemployed persons, the object of this measure being to ensure the rapid execution of the work required by the revision of the national frontiers and to prevent mass unemployment among demobilised

¹ Cf. VOLLWEILER: "The Mobilisation of Labour Reserves in Germany" in the *International Labour Review*, October and November 1938.

workers. Camps were to be set up by the Ministry of National Defence, in agreement with other Ministries concerned, organised on a military basis and managed technically by the administrative authority concerned. The workers in the camps were to be required, in the first place, to carry out work of public interest which would not otherwise have been undertaken, including the building and improvement of roads, the building and repair of railways and agricultural work for which a shortage of labour was felt.

In *France*, two Decrees were issued on 20 March 1939 for the purpose of stabilising the labour supply in undertakings working for national defence. Under one of these Decrees, no employer may engage a worker employed in such an undertaking without the permission of the labour inspector, unless the worker has been discharged from the undertaking in question, and employers who are working for national defence must, before engaging any worker, inform the employment exchange of his requirements at least 8 days in advance. Under the second Decree, an unemployed worker registered in an unemployment fund is obliged to accept any employment offered to him by an employment exchange in an undertaking working for national defence, wherever the undertaking may be situated, provided the wages paid are those current in the district and occupation concerned. The penalty for refusing such employment is a loss of rights to unemployment allowances for one year. On the other hand, unemployed workers thus "replaced" in employment are entitled to free transport for themselves and their families and to additional grants and transport facilities if they lose their employment. The Minister of Labour has pointed out that these measures of "replacement" in employment will make it possible to ascertain the real proportion of genuinely unemployed persons in the industries concerned.

In *Greece*, the general employment exchange system has been improved by the creation of 6 new exchanges in big urban centres, making 12 of these exchanges altogether; 26,015 persons were placed by these exchanges in employment in 1938. In addition, occupational books have been introduced in certain occupations which are considered to be overcrowded, in order to prevent persons who are not normally employed in these occupations from taking employment in them.

In *Japan*, as a result of the situation in the Far East, a far-reaching organisation of the labour market has been found necessary. In March 1938 an Act was passed to bring all employment exchanges under State control and forbidding anyone else to undertake placing work. Under this Act plans were made for the maintenance of 400 Government exchanges and a number of branch exchanges. Under the General Mobilisation Act of 1938, Orders were issued on 24 August 1938 and 7 January 1939 instituting a register of vocational qualifications to serve as a basis for labour supply and demand in relation to the munitions industries. A vocational qualifications booklet is delivered to all those who

register and provision is made for the qualifications to be tested by the Prefect or the Director of the local employment exchange. In October 1938, owing to the keen competition among employers for juveniles as soon as they leave school, instructions were issued to all Prefects concerning the supervision of vocational guidance and the placing of the juveniles in employment. In June 1938, owing to restrictions imposed on the use of a number of commodities, rather heavy unemployment was anticipated and a central committee and various local committees were set up to deal with this problem. A new division was created in the Department of Social Welfare to deal with unemployment questions, registration of vocational qualifications, occupational readjustment and placing, and the organisation of vocational training and relief work, the distribution of home work, etc.

In other countries new regulations have been prescribed for employment exchanges.

In *France* a Decree of 20 March 1939 brought departmental employment exchanges under the direct authority of the Ministry of Labour, in order to centralise the responsibility for placing in general and the placing of alien labour in particular.

In *Italy*, a Legislative Decree of 21 December 1938 declares that placing in employment is a monopoly of the occupational organisations. A Central Employment Committee is attached to the Ministry of Corporations to supervise the employment exchange system and to co-ordinate the activity of the exchanges. Both employers and workers are obliged to use the exchanges, except in very urgent cases. Employers are not allowed to apply for workers by name; they must confine themselves to stating the number of workers required and their qualifications. The employment exchanges are financed by a special fund to which the Confederations of Employers and Workers and the National Fascist Welfare Institute contribute.

In *Peru*, under a Decree of 2 September 1938, no employment agency or exchange, whether organised independently or in connection with an undertaking, trade union, etc., and whether free or fee-charging, may be established without due authorisation from and registration by the Department of Social Welfare, which is required to keep records of such agencies together with details as to the persons or bodies establishing them, the kind of work undertaken by them, the amount of capital involved, the rates of all fees and commissions and any changes in the organisation which the Department may subsequently permit.

With regard to fee-charging employment agencies, the *New York State* Supreme Court upheld, on 10 March 1938, the State's constitutional right to limit the fees charged by private employment agencies.

As has been pointed out above, placing is not sufficient to ensure a good organisation of the labour market in times of rapid change

like the present. Even in countries where there is still unemployed labour available, that labour is not always of the kind which is in greatest demand. There is, in almost all industrial countries, a shortage of skilled workers, especially for armament work, and steps have consequently been taken in many cases first to reclassify the unemployed workers so as to discover how far they are immediately available for the work required, secondly to train those who have, for one reason or another, had no adequate training in the past, and thirdly to retrain certain workers who have little or no opportunity of finding fresh employment in their own occupation and can be adapted to new kinds of work. Some reference to such measures in Germany and Japan has already been made above. Similar measures in other countries are recorded in the following paragraphs.

In *Australia* it was reported in March 1938 that the Employment Council set up by the Government of New South Wales in the previous year had arranged that all young men between 18 and 25 years of age registered as unemployed at the labour exchanges should be tested for occupational classification by the Vocational Guidance Bureau of the Department of Labour and Industry. The results of the tests were to be used by the Employment Council in meeting applications from employers for trainee-apprentices, that is to say, persons employed for training purposes in an apprenticeship trade without indenture or other written contract. A training scheme for enabling young men between 18 and 25 to enter skilled trades either as indentured or as trainee apprentices was subsidised by the Government during its first year to the extent of £200,000.

In *Canada* the youth training scheme, inaugurated in April 1937 by agreement with the Provinces, was continued and expanded. This scheme receives a subsidy from the Dominion Government of \$1 million and consists of forestry conservation work, training in mining operations and in agriculture, assistance in the promotion of apprenticeship and learnership in industry and the provision of schools for training young women in household work. Increasing emphasis is now being placed on guidance and placement work.

In *France* one of the Legislative Decrees signed on 12 November 1938 provides for the development of the measures taken for the occupational reclassification of unemployed persons and of vocational training of workers. A sum of 10 million francs was appropriated from the general budgetary resources for 1938 for subsidies to the occupational reclassification centres for the unemployed and to institutions for occupational improvement, and to this sum must be added 3 million francs previously earmarked for the same purpose. It was stated that the chief aim of occupational reclassification was to supply undertakings working for national defence with the necessary skilled or specialised staff and that occupational improvement included all measures taken to provide suitable occupational training for the workers most calculated to benefit by it with a view to increasing the supply of skilled workers.

In *Poland*, voluntary labour service, lasting as a rule for two years, is organised for the young unemployed in the form of teams of "valiants", under a Decree of the President of the Republic of 22 September 1936. Under an Act of 9 April 1938 concerning compulsory military service, a period of compulsory labour service is required from all conscripts who, holding certificates from the secondary schools enumerated in the Act or fixed by the Minister of Public Instruction, are granted reductions in the duration of their military service. A Decree of the Ministers of Defence and the Interior of 24 May 1938 determined the details of this compulsory labour service, and fixed its duration at 4 weeks.

Insurance and Relief

The relief of the unemployed may be undertaken either by (a) unemployment insurance or (b) unemployment assistance. In the latter case, the payments may be made conditional on employment on relief works. Wherever unemployment insurance is in operation it necessarily becomes for the insured persons a first line of defence in the event of unemployment. But in countries where such insurance does not exist or where it covers only a relatively small proportion of the workers, relief works are often the first line of defence.

Progress in the adoption and extension of unemployment insurance schemes continues unabated. Two new Acts providing for compulsory insurance are recorded below. Unemployment insurance, however, is not sufficient by itself and most countries have continued to supplement it by assistance schemes of various kinds. Some of the more important developments in such schemes during the past year are also referred to below.

Unemployment Insurance

The following table shows the number of persons covered or estimated to be covered by compulsory unemployment insurance in 10 countries (figures for two countries with compulsory schemes not being available) and by voluntary unemployment insurance in 11 countries (Switzerland being included in both categories)¹.

There is one new bilateral agreement on the subject of unemployment insurance, concluded by *Poland* and *Sweden*, which agreed, by an exchanges of notes on 13 September 1937, that as from 1 May 1938 nationals of either country residing in the other shall receive all the insurance benefits which are granted by State-

¹ The principal provisions of the laws and regulations relating to unemployment insurance and assistance may be found in a series of summary tables, in mimeographed form, prepared by the Office, which were first issued at the end of 1938 and will be revised each year.

Country	Date to which figures relate	Number of persons covered ¹
<i>Countries with compulsory schemes:</i>		
Australia (Queensland)	April 1937	200,000
Bulgaria	1937	317,900
Germany	December 1938	15,560,200
Great Britain and Northern Ireland	July 1938	15,742,900 ²
Ireland	1936-1937	428,500
Italy	1934	4,500,000
New Zealand ³	—	—
Norway	July 1939	630,000 ⁴
Poland	November 1938	2,869,600
South Africa ⁵	—	—
Switzerland	December 1938	250,000 ⁶
United States	August 1938	27,500,000
		67,999,100
<i>Countries with subsidised voluntary schemes:</i>		
Belgium	December 1938	987,000
Czecho-Slovakia	December 1937	1,789,700
Denmark	April 1938	451,000
Finland	1937	42,000
France	1935	220,900 ⁷
Greece	1938	44,350
Japan	August 1935	7,000
Netherlands	December 1938	495,000
Spain	January 1936	62,000
Sweden	December 1938	180,000
Switzerland	December 1938	295,000 ⁸
		4,573,950

¹ Every effort has been made to give figures showing the total number of people covered by each scheme, whether they were employed or unemployed at the time of the count.

² This figure includes 750,400 persons who are insured under the agricultural scheme.

³ A Social Insurance Act embodying unemployment insurance was to come into operation on 1 April 1939. No figures are yet available as to the number of persons covered.

⁴ Estimated number of persons who will be covered by the scheme when it comes into operation on 1 July 1939.

⁵ The scheme at present applies only to the motor engineering industry in certain urban areas of the Transvaal and no figures are available as to the number of persons covered.

⁶ Estimate: 14 cantons or half-cantons.

⁷ This is the most recent official figure available but according to figures quoted at the sitting of the Senate of 28 December 1938 this number increased to 1,538,000 in 1937 and to about 1,600,000 in 1938.

⁸ Estimates: 11 cantons or half-cantons. This figure includes insured persons in certain cantons (8) where local authorities may introduce compulsory schemes.

subsidised unemployment institutions on the same conditions as the nationals of the country concerned. The agreement will remain in force until twelve months after its denunciation by either of the parties concerned.

New Acts providing for compulsory unemployment insurance have been adopted in New Zealand and Norway.

In *New Zealand* a comprehensive Social Security Act was passed on 14 September 1938 and was to come into force on 1 April 1939. It provides, among other things, for the payment of unemployment benefit to any person over the age of 16 who is unemployed and capable of work and willing to undertake it, provided he has resided in New Zealand for not less than twelve months. The rates of benefit provided for are 10s. a week for persons under 20 years of age, £1 a week for persons over the age of 20, 15s. a week for a wife and 5s. for each child under the age of 16 up to a maximum of £4 a week. The whole social security scheme is to be financed by means of a registration fee of 5s. a year in certain cases and 5s. a quarter in other cases, together with a social security contribution at the rate of 1s. in the pound on all salaries, wages or income.

In *Norway* the Act which is to come into force on 3 July 1939 is estimated to cover about 550,000 persons. All persons liable to sickness insurance are also liable to unemployment insurance with certain exceptions, the most important being workers engaged in agriculture, forestry, timber-floating, fishing, domestic work in private houses, persons in public or semi-public service and workers whose annual earnings are less than 600 crowns. The benefits consist of a daily allowance varying from 1.40 crowns to 4 crowns together with additional benefits for dependants. It is estimated that the benefits will cost on the average 24 million crowns a year. The principal sources of income are the contributions payable in equal parts by workers and employers and in addition provision is made for a system of variable State subsidies amounting to about 4 million crowns a year. Provision is also made for voluntary supplementary insurance for the period after an insured person has exhausted his right to statutory benefit.

In *Denmark*, an Act was passed making some minor adjustments in the scheme, the main purpose being to ensure that a large number of unemployed persons should not, as has hitherto been the case, exhaust their right to benefit during the winter months when they need the benefit most.

In a number of other countries there have also been interesting developments.

In *Czecho-Slovakia* a Decree of 21 December 1938 was issued imposing restrictions on the payment of the State supplement to unemployment benefit. It was to come into force on 1 March 1939 in the whole country except in Slovakia.

In *France* the membership of the unemployment insurance funds which, in 1935, was only 220,900 rose, in 1937, to 1,537,866, and in 1938 to about 1,600,000. The total annual amount of the State subsidies to these funds is fixed at 9 million francs and as the amount of benefit granted by the funds increased this naturally led to a reduction in the percentage subsidised by the State. By an Act of 10 February 1939, a supplementary credit of about 5,811,000 francs was voted, thus enabling the Funds to receive

in respect of 1938 the rates of subsidy provided for in the Decree of 5 April 1932. The Government has, however, announced its intention of revising the provisions governing the unemployment insurance scheme and the organisation of the funds.

In *Germany*¹, according to the regulations now in force, benefit is granted in principle without any limit of time. The State employment offices are, however, authorised to fix the benefit period at not less than 20 weeks (120 days) for certain classes of insured persons or for certain districts, when the situation of the labour market requires it. Moreover, all the provisions relating to the grant of emergency allowances have been repealed, as, in view of the fact that benefit is now payable without limit of time, those provisions are considered to have no further object. On the other hand, the payment of benefit is subject to a needs test in the case of married women, discharged soldiers and members of the labour service who are in receipt of grants under the Act concerning unemployment relief after military and labour service, and all other unemployed persons who have received benefit for at least 36 days.

In *Great Britain*, as from 4 April 1938, several additional classes of workers were brought within the scope of the agricultural scheme. On 27 March 1938 Orders were approved by the House of Commons making various improvements both in the general and agricultural schemes.

In the *Union of South Africa* the Unemployment Benefit Act, 1937, allows the establishment of unemployment benefit funds for specified industries. One such fund has been established; it concerns the motor-engineering industry in certain districts of the Transvaal. Apart from the Unemployment Benefit Act, employers and workers in certain industries which have established industrial councils in accordance with the Industrial Conciliation Act, 1924, have, in the negotiation of industrial agreements, included provisions which regulate the establishment and conduct of unemployment funds. These industries are the printing industry and the furniture industry.

In the *United States*, by January 1939, benefits were being paid in all the States except two. The total amount paid out in the form of benefit in the year 1938 was over \$425 million. A report drawn up by the Social Security Board and recommending various changes in the Social Security Act was submitted to Congress by President Roosevelt on 16 January 1939. The recommendations concerning unemployment compensation deal with extension of the scope of the Act, improvement of Federal State co-operation in respect both of unemployment compensation and of the employment service and a number of technical matters. A special Senate Committee to investigate unemployment and relief which was appointed last year has also submitted a report recommending,

¹ The administration of unemployment insurance has now been brought under the direct control of the Minister of Labour (cf. p. 244).

among other things, certain amendments to the unemployment compensation section of the Social Security Act.

An Act was approved by the President on 25 June 1938 providing for a separate national unemployment insurance scheme to cover approximately 900,000 railroad workers. The system is to be administered by the Railroad Retirement Board and covers all employees of express companies, sleeping-car companies and railroads subject to the Inter-State Commerce Act. There are flat rates of benefit in each of six wage groups. The maximum benefit payable to a worker within a benefit year may not exceed eighty times the daily benefit payable to him. The system is financed by employers' contributions.

Unemployment Assistance and Relief Works

A few items of interest relating to the organisation of unemployment assistance, including relief works, are recorded in the following paragraphs.

In *Australia*, the Queensland assistance scheme, which supplements the insurance scheme, derives its resources from a special tax on income. In the year 1937-1938, the total expenditure amounted to £2,664,000, a decrease of 12.9 per cent. as compared with the previous year. The most important form of relief consists of employment on intermittent relief work on which unemployed men are provided with a certain amount of work each week, the period varying according to family responsibilities, and this cost £1,385,203 in 1937-1938. Relief rations cost £306,990, and full-time relief work cost £144,653. In *Victoria*, where a special unemployment relief tax is also in operation, the rate of tax was reduced in the 1938-1939 budget.

In *Denmark* an Act of 13 April 1938 reorganised the system of relief work for young unemployed persons of 18-22 years of age. Previous legislation dating from 1933 onwards had provided for Government subsidies for measures taken by municipalities, associations and other bodies to provide employment for the young unemployed. The new Act provides that the Government may itself undertake work with a view to giving employment to young persons. It provides an annual sum of 2 million crowns for the purposes mentioned, raises the period of employment of young persons to between 6 and 12 months, and stipulates that the young persons must normally be occupied 48 hours a week, including 28 hours of actual work. Young persons who are assigned work in a centre in accordance with this Act are obliged to accept it and a refusal on their part or their premature departure from a camp entails the suspension of the right to unemployment benefit or relief.

In the *United States* relief is provided primarily in the form of relief works organised by the W.P.A., to which reference has already been made in the section on measures to increase and maintain the demand for labour. The Federal Government is

also authorised to pay limited subsidies for direct relief. In addition, various kinds of general relief are provided by States and local authorities and agencies without Federal subsidy and a great deal of this is for the benefit of unemployed persons. The amount spent on general relief in December 1938 exceeded \$40 million. According to an unofficial survey made in November 1938, the effect of the more specialised security programmes, such as aid to dependent children, unemployment compensation, etc., on local relief rolls is extremely difficult to estimate. It is suggested, however, that these newer security services have uncovered new areas of need and have not reduced the total need within the general relief field.

Special Measures concerning Particular Categories of Workers

In the *Year-Book 1937-38* a section describing special measures for young people was included. This year there is no similar section, because in fact many of the measures already referred to in the previous pages, especially those concerning reclassification and training, relate mainly to workers in the younger age groups. On the other hand, the international study on the unemployment of elderly workers and the special nature of the problem of unemployment among non-manual workers seem to justify separate sections being devoted to these two questions.

Elderly Workers

As the depression which started in 1929 lifted, the problem of the employment of elderly workers came into great prominence. It was found in most countries that the depression had left behind it a considerable number of elderly workers who had lost their jobs and had the greatest difficulty in obtaining fresh employment. These workers seemed likely to become permanently unemployed unless something were done to help them.

In these circumstances, the Governing Body of the International Labour Office decided, in February 1938, on the proposal of Mr. Watt (Workers' Representative, United States) to instruct the Office to submit a preliminary report to it on discrimination against elderly workers. This report contains information on the situation in Belgium, France, Germany, Great Britain, Switzerland and the United States. It deals with the statistical evidence, which shows that in all the countries mentioned unemployment is more severe among elderly workers than among those in the younger age groups; with the causes of this situation, noting, in particular, that the older workers are not as a rule more liable to lose their employment than younger workers but that when they do so they have much more difficulty in obtaining fresh employment; and with remedies that

have been applied. It was considered by the Governing Body in February 1939, and, after an exchange of views, the International Labour Office was authorised to communicate the preliminary report to the Governments. It was also decided that the Governments should be requested to furnish their observations and any supplementary information that may be available and that the question should be again submitted to the Governing Body at a later date when a fuller report will be prepared, with a view to deciding whether the problem should be laid before the International Labour Conference.

Non-Manual Workers

To some extent, the measures described in the preceding pages apply to manual and non-manual workers alike, but this is not always the case. Until the coming of the depression of 1929 comparatively little attention was paid to the question of unemployment among non-manual workers. The depression, however, hit them hard, not only because unemployment increased rapidly but because these workers were far less protected by insurance and relief measures than the manual workers. During the last eight years considerable attention has been given to the problem of unemployment of non-manual workers.

In the *international* field, the question has been considered by the International Institute of Intellectual Co-operation, and in 1936 an International Bureau of University Statistics was set up at the Institute to study the employment situation. Early in 1938 a Permanent Advisory Committee was appointed in connection with the International Bureau, and in November 1938 it held its first meeting, at which a representative of the I.L.O. was present. This Committee adopted a series of recommendations, the purpose of which is to improve the statistical and other information available for the systematic study of the employment market for professional workers. The recommendations concern, more particularly, the establishment of annual statistics of pupils and students in schools and universities and the compilation of statistics of graduates of higher educational institutions, including the occupations in which the graduates are engaged. The Committee also recommended that the study of the employment market, the results of which should be made public in some convenient form, should include a description of the present state of the employment market in the various professions, consideration of the possibility of creating new openings for university graduates and a forecast of the probable development of the professional employment market. The Committee attached great importance to the co-operation in this study not only of statisticians but also of sociologists, economists and others.

In *France* an enquiry by the National Economic Council led to the drafting in December 1937 of a very detailed plan of campaign against unemployment among professional workers. The plan

included the creation of a National Committee on Professional Work, which would include representatives of the Government departments concerned, the professional workers' associations, the associations of students and students' parents and would be responsible for the threefold task of investigation, liaison and supervision.

In *India* middle-class unemployment is a serious problem. With regard to the collection of statistics by educational institutions most of the Provincial Governments, in reply to a letter from the Government of India, issued instructions to the institutions concerned. With regard to middle-class unemployment in industry, most of the Provinces have agreed to legislation being passed by the Central Legislature for this purpose. Steps have also been taken to obtain statistical information by the Provinces of Madras, the Punjab and Sind, the United Provinces and Gwalior State. The Government of India has also addressed a Circular to the Provincial Governments calling attention to a suggested change in the system of recruitment for Government service, which would provide for an annual examination to be taken at the age of 17 and success in which would be an indispensable preliminary for Government employment; this would, it is thought, turn the minds of many young men to other occupations. The Universities of Allahabad and Calcutta have, however, expressed opposition to this suggestion and Bombay University has made an alternative proposal. The Government of the United Provinces has set aside 100,000 rupees for grants to educated young men to assist them in setting up or maintaining small industrial undertakings and in Rampur State a similar sum has been provided by the Government for industrial development. Training schemes have been adopted in Bombay for leatherwork and tailoring and employment bureaux have been established at the University of Dacca in the Province of Bengal and in Bihar. In Bengal a special adviser on problems relating to unemployment has been appointed by the Government, his duties being to survey the unemployment situation, propose measures for dealing with it, collect systematic information on the possibilities of employment and indicate the technical training required for the occupations concerned.

In *Switzerland* the Federal Council, in a Message to the Federal Assembly dated 7 June 1938, outlined a series of measures which had been adopted, such as subsidising the employment of professional workers in cantonal and other undertakings and the employment of such workers on the preparation of public works plans, land development schemes and in research and the collection of statistics.

In the *U.S.S.R.*, by a decision of the Council of People's Commissaries and the Central Committee of the Communist Party, published on 6 March 1938, the placing of specialists, which had previously been carried out by the educational establishments, was entrusted to the People's Commissaries. Each appointment must be countersigned by the People's Commissary himself and

by the head of the Department to which the administration or undertaking in which the person concerned is to work is attached. The number of students who were expected to conclude their studies in 1938 and to come under the new placing system was estimated at 91,000.

International Regulation ¹

Convention No. 2: Unemployment, 1919

Ratified by *New Zealand* (29 March 1938).

Denounced by *India* (16 April 1938), in accordance with Article 9: denunciation took effect 16 April 1939.

In *'Iraq*, decision of competent authorities to postpone all action concerning ratification.

Convention No. 34: Fee-Charging Employment Agencies, 1933

In *Argentina*, submission by Executive to Congress (22 September 1938) of message recommending approval of Convention.

In *'Iraq*, decision of competent authorities to postpone all action concerning ratification.

Convention No. 44: Unemployment Provision, 1934

Ratified by *New Zealand* (29 March 1938).

In *'Iraq*, decision of competent authorities to postpone all action concerning ratification.

In *Argentina*, proposal by Executive to Congress (message of 22 September 1938) not to ratify at present, since complete social insurance scheme is under consideration.

Recommendation No. 45: Unemployment (Young Persons), 1935

Communication to the Secretary-General of the League of Nations

Hungarian Government intends to take steps for fullest possible application, within limits of existing possibilities at suitable time (10 January 1939).

Other Information

Reports for which preamble of Recommendation provides communicated to Office by *Canada, Denmark, Great Britain, Norway, Sweden, Union of South Africa, United States of America*.

In *Great Britain*, Parliament informed (May 1938) that Government proposed to approve Recommendation.

In *Estonia*, interdepartmental committee appointed to examine possibilities of application of principles of Recommendation.

Recommendation No. 50: Public Works (International Co-operation), 1937

Communications to the Secretary-General of the League of Nations

Approved by *Union of South Africa* (28 March 1938).

Decision by *Estonian* Government (9 September 1938) to put provisions of Recommendation into practice so far as technical possibilities allow (31 October 1938).

Although Government of *India* is not convinced that international co-operation is essential to effect action in respect of advance planning of public

¹ The information given here relates only to the period 16 March 1938-15 March 1939. See the table at the end of the volume for the general situation as regards the Conventions concerning employment and unemployment.

works, it will be prepared to consider question of co-operation with Committee contemplated in Recommendation and to examine, in consultation with Provincial Governments, possibility of supplying statistics (17 May 1938).

Netherlands Government proposes to give effect to Recommendation (19 December 1938).

In *Siam*, competent authorities consider that there is no necessity to take any action at present (16 January 1939).

Other Information

Decision of *Colombian* Government to accept Recommendation.

Statement by President of *United States of America* in message to Congress (9 June 1938) that Government is prepared to co-operate in work of Committee contemplated by Recommendation and to communicate statistical and other information on public works in preparation or already begun.

In submitting Recommendation to Chamber of Deputies (5 April 1938) *French* Government stated that it proposed to co-operate with Committee contemplated by Recommendation.

Parliament informed by *British* Government (January 1939) that question of approval of Recommendation was under consideration; it was prepared to co-operate with international Committee and to provide as far as possible information for which Recommendation calls.

Proposal to Storting by *Norwegian* Government (26 October 1938) to approve Recommendation and take part in work of international Committee.

Swiss Federal Assembly informed by Federal Council (13 June 1938) that it considered international co-operation in public works could not have any real effect in Switzerland but that it thought it valuable to compare experience acquired on international scale and would therefore take part in proposed co-operation.

Submitted to competent authority in *China* and *Latvia*.

Recommendation No. 51: Public Works (National Planning), 1937

Communications to the Secretary-General of the League of Nations

Approved by *Union of South Africa* (28 March 1938).

Government of *India* proposes to forward Recommendation to Provincial Governments, since it contemplates administrative rather than legislative action (17 May 1938).

Netherlands Government considers action should be postponed until international Committee contemplated by Recommendation No. 50 has been fully developed (19 December 1938).

In *Siam*, competent authorities consider it unnecessary to take any action at present (16 January 1939).

Other Information

Parliament informed by *British* Government (January 1939) that question of accepting Recommendation was under consideration.

In submitting Recommendation to Storting (26 October 1938) *Norwegian* Government stated that it was unable for the present to propose creation of a national co-ordinating body, though it fully recognised its importance.

Statement by *Swiss* Federal Council to Federal Assembly (13 June 1938) that central co-ordinating body already existed—the Federal Central Office for possibilities of employment. This office will in future, so far as conditions in Switzerland allow, take account of provisions of Recommendation: it does not seem necessary to create new legal body for purpose.

Congress informed by President of *United States of America* (message of 9 June 1938) that Government was endeavouring to practise principle of stabilising public works and that Recommendation embraced many proposals already applied in United States.

Submitted to competent authority in *China*, *France* and *Latvia*.

CHAPTER VIII

MIGRATION

The resumption of emigration overseas, which had already made itself felt in 1937, was confirmed as regards almost all the extra-European countries. But though these intercontinental movements recovered roughly their normal direction, the figures reproduced on the next page show also that their volume was less than one-fifth of the corresponding annual average for the period 1920-1924 and only 7 (or 8) per cent. of the volume of immigration into these same countries during the year before the Great War.

The statistics show further that the migration of workers between various European countries has also intensified.

CONTINENTAL EMIGRATION OF NATIONALS OF CERTAIN EUROPEAN COUNTRIES

(in thousands)

Country	1934	1935	1936	1937	1938
Belgium	4.9	4.1	3.9	—	—
Bulgaria ¹	11.0	28.0	20.4	19.7	21.1
Czecho-Slovakia	9.6	8.0	8.7	17.9	—
Estonia	0.3	0.2	0.3	0.5	0.7
Finland	0.2	0.4	0.5	1.1	—
France ²	40.1	67.2	46.4	20.5	20.5
Greece	5.5	4.7	4.4	7.0	6.6
Italy	42.3	30.6	21.9	29.7	51.8
Poland	21.8	19.2	29.8	78.6	107.8
Sweden ¹	1.5	1.7	1.5	—	—
Yugoslavia ¹	11.0	10.1	8.6	14.3	—

¹ Including foreigners.

² Foreigners only.

Here, however, the increase was due essentially to temporary exchanges of labour. Indeed, the number of Italian workers who left for Germany in 1938, for engagements of limited duration, is estimated at 30,000, whereas in 1937 the number of migrants from Italy to Germany (including Austria) was only 1,800. Again, though emigration from Poland to other European countries increased from 79,000 in 1937 to 108,000 in 1938, the latter figure included some 60,000 agricultural workers recruited for seasonal employment in Germany, whereas in 1937 Germany admitted only 12,000 Polish

workers. On the whole, permanent migration inside the European continent decreased in 1938.

Though the same is not true of emigration overseas, the extremely slow rate of recovery has not failed to arouse uneasiness in certain emigration countries which formerly obtained a not inconsiderable demographic relief from this—as a rule—permanent movement; indeed, its decline resulted in an immediate aggravation of the economic and social problems of these countries. But, in some immigration countries too the falling off in the increment from abroad, though no doubt a necessary phenomenon during the depression, is rendering public opinion more and more uneasy because of its potential effects over a longer period on the demographic development of these countries, which have always regarded immigration as an important factor in their economic and social progress.

IMMIGRATION OF FOREIGNERS INTO VARIOUS OVERSEA COUNTRIES
(in thousands)

Country	1913	Average 1920- 1924	1929	1932	1937	1938
Argentina	302	132	140	37	42	38
Australia	142	91	29	8	13	—
Brazil	100	74	95	30	34	18
Canada	303	86	133	7	10	11
Cuba	43	53	11	1	1	—
Mexico	18	17	5	2	—	—
New Zealand	—	15	4	1	—	—
Palestine	—	9	5	8	11	—
South Africa	14	17	9	4	8	7
United States of America	1,112	394	174	19	45	—
Uruguay	11	9	12	5	6	—

Clearly, the volume of immigration is narrowly conditioned by the existing openings for employment, and there is no question in the oversea countries of encouraging immigration such as might aggravate unemployment among national workers. The opinion is, nevertheless, fairly widespread in certain new countries that latent possibilities are such as to allow admittance of a larger volume of immigrants than that now received, once the occupations in which such immigration would be useful have been decided and once the authorities have taken the organisational measures essential to the absorption and the success of immigrants belonging to the groups in question. In several Latin-American countries investigations have been or are now being made to determine the sectors of the national economy in which further development is possible and where a field for additional immigration might be provided. In most of these countries, for instance, it is considered that immigration of farmers or agricultural workers would be an

advantage, even in the present circumstances, and measures have been taken or proposed in some of these countries to facilitate the admittance and establishment of agricultural immigrants.

It is particularly in the Latin-American countries that such measures—to amend the regulations governing immigration and to improve the relevant organisation—were taken or proposed during the year under review. Obviously, this process of amendment does not signify a return to the policy of the open door. It would appear to aim rather at replacing legislation of too hard and fast a character—adopted during the depression with the object of protecting the employment market and, no doubt, successful from this standpoint—by a more flexible scheme which will enable immigration to be adapted to existing possibilities. The principle of selection on an occupational or other basis seems likely to remain a permanent feature of the regulations adopted or proposed in the immigration countries. Further, though a tendency to facilitate once more the entrance of at least certain categories of immigrants has begun to make itself felt, the wholesale applications for admittance received from persons who have become emigrants only by force of circumstances, owing to their race, religion or political situation (more particularly since September 1938 the problem of international migration has been dominated by that of the refugees) has induced the immigration countries to tighten up their supervisory arrangements still further and, in some cases, to render the conditions of admittance stricter than before.

Thus apparently contradictory features may be discerned in the measures taken or proposed during the year. Sometimes these measures seem intended to encourage immigration, sometimes they make admittance dependent on fulfilment of still more stringent conditions.

Administrative circulars have been issued in many cases, giving the consular officials more or less wide freedom of judgment beyond that laid down by legislation. In other cases, however, the issue of a visa is made dependent on the previous grant of a permit by the national authorities.

Thus an *Argentine* Decree of 28 July 1938, while not altering the substance of the regulations hitherto in force, established an inter-ministerial committee to which consular officials must submit all applications for admittance before a visa is granted; this obligation does not apply, however, to applications from persons who have near relatives in Argentina or from certain types of technicians or, again, from persons desiring to settle on the land, these being groups which, according to the preamble to the Decree, should be encouraged to immigrate.

In *Uruguay* a decision was taken at the end of 1938 under which the issue of a visa is subject to previous authorisation by the Minister of Foreign Affairs.

In *Paraguay* too the Department of Immigration, Land and Settlement has instructed the consular officials in Europe to submit to it all applications for admittance.

Such measures, which tend to tighten supervision of immigration, naturally render the procedure of admittance slower and more complicated and, in many cases, act as a further restriction.

A new system of regulations was issued in *Brazil* by two Legislative Decrees, dated respectively 4 May and 20 August 1938. These open much wider possibilities of immigration by allowing exemptions from the quota system established under the Constitution of 1934; but at the same time the benefit of the increased possibilities is to a large extent confined to agricultural immigrants. First of all, under the former Decree the minimum annual quota allotted to each nationality (hitherto 100 persons) may be raised to 3,000, as may any other national quota which has not hitherto reached this number; at the request of the Governments concerned, the minimum quota was raised in this way for various nationalities during the year. Secondly, the new scheme permits quotas or fractions of quotas not utilised by certain nationalities during any year to be transferred to other nationalities which have exhausted their quotas. This provision, which may be applied by means of bilateral treaties between Brazil and the countries of emigration, however, is to be used for agricultural immigrants only—i.e., farmers, farm labourers and technicians in agricultural industries. Moreover, a general restriction is placed on the immigration of persons not belonging to agriculture by the provision that at least 80 per cent. of each national quota shall be reserved for agricultural immigrants. Children under one year old, aliens domiciled in Brazil who return after an absence of less than two years and aliens married to persons of Brazilian nationality need not be included in the quotas. Application of the scheme is placed in the hands of a Council of Immigration and Settlement, which has positive as well as supervisory powers. It will take part in the drafting of treaties or agreements to facilitate the settlement of agricultural immigrants, and will supervise the application of arrangements made in this field by the different Brazilian States as well as the activity of private settlement companies. Moreover, various advantages are allowed to agricultural immigrants—housing on arrival, free transport to destination—and bonuses are granted to settlement undertakings.

In *Venezuela*, in the three-year plan prepared early in 1938 for improvement of economic and social conditions in the country, the development of immigration, and particularly of immigration for settlement, was mentioned as one of the great national problems towards which the efforts of the Government must be directed in the future. Soon after the meeting of the Conference of Experts on Migration for Settlement (Geneva, 28 February-7 March 1938), the competent ministry asked for the loan of an expert from the International Labour Office to make a general study of the present possibilities of immigration into the country and to prepare legislation establishing and organising a new Institute for Immigration and Settlement. This body began to act in September 1938. It enjoys administrative autonomy and the necessary freedom of

action, is independent of the Exchequer as regards its finance, and will draw its resources from the following: credits allotted annually in the Budget Act (for the duration of the three-year plan, these will amount provisionally to 12 million bolivars) and extraordinary credits; land or other property transferred to it by the Federal Executive; any profits which may accrue from time to time; and donations. The Federal Executive is empowered to transfer to the Institute any undeveloped land which is public property and is required for the establishment, improvement or extension of agricultural settlements, and any real or other estate belonging to the nation, either for purposes of settlement and immigration or to add to the general material resources of the Institute. This is now the only competent body in questions of settlement. It directed its first efforts towards urgent reorganisation work required by settlements already established and towards the preparatory work necessary for the establishment of new colonies under satisfactory technical conditions. Like the new Brazilian Council of Immigration and Settlement, the Venezuelan Institute is required to make proposals to the Government regarding agreements which would facilitate immigration.

A new Act relating to foreigners, which also governs immigration, came into force in *Ecuador* on 21 February 1938. Under this measure, consular officials may always grant the immigration visa to persons whose admittance is not expressly prohibited by the Act. Nevertheless—and this is a new feature—the authorisation to immigrate does not imply that of remaining permanently in the country. The right to settle permanently is granted by the local authorities only on the expiry of a year and only to aliens who can prove that they are in possession of a sum of 400 dollars, which they will invest in agriculture or in an industrial establishment approved by the Department of Immigration. The possession of this capital is, however, not required of persons who have relatives in the country and of persons who are sent for by the Government for agricultural, industrial or mining undertakings.

In *Mexico* the Minister of the Interior fixed at 1,000 persons the 1939 quota, for immigrants from Belgium, Czecho-Slovakia, Denmark, France, Great Britain, Germany, Japan, Netherlands, Norway and Switzerland, and at 100 persons for all other countries except those of Latin America. The quota system does not apply to immigration from this source. Under another resolution issued in November 1938, the only immigrants authorised are those whose livelihood is assured and who undertake not to accept employment in the country. An additional resolution exempts aliens who come to Mexico to engage in agricultural work, but imposes certain conditions on such persons with a view to hastening their assimilation.

A new Immigration Act was issued in *Panama* on 21 December 1938. While laying down general conditions of a stringent character regarding the admittance of aliens, the Act authorises the Executive to encourage immigration movements which will be of advantage

for the country and particularly to favour the settlement of agricultural immigrants. Undeveloped land which is public property will be used for this purpose. The consular officials of the Republic have the powers of immigration agents and are required, as such, to provide immigrants with all information which will help them to understand conditions in Panama.

Draft legislation to amend the existing Immigration Acts have been submitted to the Parliaments of other Latin-American countries. They show the same tendency to reserve to agricultural immigrants the facilities allowed with regard to admittance and to organise the settlement of such persons as farmers. A Bill which the Government of *Chile* submitted to Parliament in August 1938 deals in a special chapter with immigrants desiring to settle on the land; such persons will not be counted in the national quotas for which provision is made and various facilities will be granted to them. The Bill regulates the following matters in detail: the grant of agricultural land by the Ministry of Settlement or the National Settlement Fund, either free of charge or for payment by instalments; the loans which may be allowed from a credit to be entered annually in the national budget for payment of cost of transport by sea, either to the immigrants direct or to settlement undertakings not engaging in speculation; housing and free transport to the place of destination; exemption from customs duties and consular charges, and from the land tax for ten years. The *Uruguayan* Parliament is also considering a Bill to amend the legislation governing immigration; this contains a special chapter aimed at encouraging immigration for settlement.

It should be added that in *Argentina* the competent committees of Congress have given a favourable opinion on the Government Bill to establish an independent Federal Council on Settlement, which would be required, among other matters, to conclude arrangements for the establishment of immigrants as farmers.

As regards other extra-European countries, it should be mentioned that the Government of the Commonwealth of *Australia* decided in March 1938 to resume the policy of assisted immigration from the United Kingdom, under which assisted passages are granted jointly by the United Kingdom and the Commonwealth. As the Minister of the Interior stated, the immediate aim of the new policy is to stimulate British immigration but, should the supply of British immigrants prove inadequate, other countries in Northern Europe whose inhabitants had in the past generally made satisfactory settlers would have to be considered.

Lastly, in the European countries no essential change appears to have been made in the regulations governing immigration and the employment of aliens. In *France*, the chief European immigration country, several decrees have however supplemented existing measures of regulation and restriction. A Decree dated 17 June 1938 tightened up the supervision of the health of immigrant aliens by requiring them to hold medical booklets. As regards identity cards—a subject on which the regulations were already voluminous

—Decrees dated 14 May and 1 December 1938 made fresh restrictions, the effect of which is, in particular, to limit the validity of the cards to one or several Departments, where the holder may reside, to one occupation or type of occupation in which he may engage. As regards admission to employment, a Decree of 17 May 1938 introduced greater flexibility in several respects into the administrative procedure regarding the raising, when necessary, for a limited period, of the proportion of foreign workers who may be employed in a given region, occupational group, or undertaking or establishment.

A new definition of the "domicile" and "residence" of aliens in France was given by a Legislative Decree of 12 November 1938, under which aliens are entitled to the rights, whose acquisition, exercise and enjoyment are governed by laws or regulations concerning conditions of domicile and residence, only if at the time of acquiring, exercising or enjoying such rights they are authorised to remain on French territory for a period exceeding one year. Further, a Decree of 14 May 1938, the provisions of which have not been abrogated, provides for certain advantages for foreign workers who have resided for a long period in France and are recognised after enquiry as offering all the necessary safeguards: those who have resided in France for over 10 years or who have received an employment permit holding good for a period of at least three years may engage in the occupation mentioned on their identity card in any part of French (metropolitan) territory, and those whose period of residence exceeds 15 years may be authorised to engage in their chosen occupation throughout French territory, save for certain frontier Departments.

Whereas in the immigration countries there is a tendency to amend the regulations in force with the object of limiting the immigrants admitted in strict accordance with what are regarded as national needs, the emigration countries manifest a desire to subordinate emigration either to the interests of the workers themselves or to those of the national economy.

On 15 June 1938 the Government of *India* prohibited emigration to Malaya until conditions on the employment market should have improved. Further, an Act was adopted in September 1938 empowering the Central Government to regulate both assisted and un-assisted emigration so that it might bring under its control the total flow of emigration for unskilled work.

In *Poland* the consequences of the stoppage in migration and the mass repatriation in the depression years, with the restrictions of a social, occupational and cultural character encountered by Polish immigrants in certain countries, brought about a change in public opinion and in the attitude of the competent political circles towards the problem of emigration. More and more frequent expression is given to doubts regarding the value of emigration and efforts are being made to render it less necessary by large-scale changes in the organisation of national production. The formation and present development of the "central industrial district" are im-

portant steps towards the creation of new possibilities of employment inside the country. The economic plan which has been adopted for the coming years is to extend these internal openings and lead, it is said, to a gradual fall in emigration. Meanwhile the Polish emigration policy is tending rather to encourage seasonal movements as far as possible and to allow other forms of emigration, including emigration for settlement, only in cases where the migrants are provided with the necessary guarantees. Furthermore, the Government is attempting to find openings for emigration for the Jewish minority, the occupational and economic structure of which is regarded as unsuitable for adaptation to the present changes in the economic and social life of the country.

In *Italy*, after a number of meetings had been held under the chairmanship of the Minister of Foreign Affairs between representatives of the different Ministries and Confederations concerned and officials from the principal Consulates, it was decided on 18 November 1938 to establish a "Permanent Committee of Italians Abroad". It will be the duty of this body to co-ordinate and facilitate the repatriation of Italian citizens who have decided to return to Italy or to one of the colonies; the Committee may, however, make a selection from among applicants. Moreover, towards the end of the year the Government carried out a large emigration scheme in Libya, and 1,800 peasant families were settled in that country under the Legislative Decree of 17 May 1938; to meet the expense of the colonisation scheme which the Government intends to apply, the Libyan administration will receive an annual grant of 100,000,000 lire for the five fiscal years 1937-1938 to 1941-1942.

In *Japan* emigration received fresh impetus by the enforcement of the first stages of a plan under which, from 1938 onwards, 30,000 young men between 16 and 19 years of age will be sent annually to Manchuria; the plan provides in detail for the recruiting, training (both in Japan and Manchuria), transport and settlement of the young migrants. This scheme is a complement to that established in 1937 for the years 1937-1941, under which 6,000 families were sent to Manchuria in 1937 and a second quota, probably as large, in 1938.

Bilateral Arrangements

Since the events mentioned in the *Year-Book 1937-38*, the policy of bilateral arrangements appears to have gained ground (reference has already been made to the powers expressly conferred in this connection on the Brazilian Council of Immigration and Settlement and the Venezuelan Immigration and Settlement Institute); but only Poland has actually concluded new agreements—with Bolivia on 31 December 1937, Estonia on 22 November 1938, Latvia on 29 November 1938 and Germany on 3 February 1939.

The agreements concluded with *Latvia* and *Estonia* give facilities of various sorts to the Polish migrant workers and their families in connection with departure, arrival and return. The workers are engaged within the limits of quotas fixed annually by agreement between the administrations concerned, and conditions are based on a contract drawn up in advance by common agreement. The immigrants enjoy the same advantages in the country of residence as the nationals of that country in several respects including labour protection and social insurance; and the right to transfer their savings to the home country is guaranteed. Further, the immigrants may belong to Polish organisations, provided the relative regulations are respected. The agreements govern in detail the method of engagement and transport of migrants, the supervision of conditions of work, etc.

The agreement concluded with *Germany* adds to the preceding agreements on the subject several provisions the object of which is to improve the position of Polish workers emigrating for the summer season to Germany, particularly as regards those who take employment as farm hands on small peasant farms. The agreement regulates the hours of work of these persons, provides for special bonuses for additional work and several other benefits, and contains a number of provisions regarding the supervision of conditions of work, social assistance, etc.

The *Polish-Bolivian* Convention deals with immigration for settlement in Bolivia. It secures for Polish immigrants the advantages which the Bolivian Government is authorised by the Immigration Act to grant to immigrants desirous of settling on the land, as well as the following other facilities: exemption from consular charges; free use of postal and telegraphic services for a year; free transport from the place of disembarkation; exemption from customs' duties for personal belongings and tools; exemption from all taxes for ten years; a free allowance of 50 hectares of land to each settler, the same area for each settler's son aged 18-21 years and 25 hectares for each son aged 14-18 years. If the immigrants are settled on private land which has been expropriated for the purpose, they will however be required to pay one-quarter of the purchase price.

The Conventions which were initialled by representatives of the *Argentine* Government and the Governments of *Switzerland*, the *Netherlands* and *Denmark* in 1937, and aim at facilitating the immigration of settlers, were ratified in 1938; the Mixed Technical Committees for which these Conventions provide (composed of three experts from each side) were officially installed at the end of the year.

International Action

The principal international activities of 1938 connected with migration were as follows: the proceedings of the Conference of Experts on technical, financial and international collaboration

with regard to migration for settlement, which sat in Geneva from 28 February to 7 March; a study of the question of international regulations concerning the migration of workers, undertaken at the 24th Session of the International Labour Conference in June; a thorough discussion of immigration problems at the Eighth Pan-American Conference, held at Lima in December; and the efforts made to solve, by means of inter-governmental collaboration, the grievous problem of refugees, which has—particularly since the summer of 1938—assumed predominating importance among the various migration questions.

The work of the *Conference of Experts on Migration for Settlement*, in which ten immigration countries of Latin America and eight emigration countries took part, has already been analysed in the *Year-Book 1937-38*¹; it had undoubted influence on the attitude of both immigration and emigration countries towards this form of international migration, whose special technical and financial problems the Conference clearly brought out. The Permanent International Committee on Migration for Settlement, the establishment of which was recommended by the experts in order to facilitate co-ordination between emigration and immigration countries, to study in detail the problems of international finance involved in the development of migration for settlement, and to carry out any other duties in connection with international credit operations which might be found necessary, has not yet actually been established; but several countries have already informed the International Labour Office of their intention to collaborate in this Permanent Committee, and there is reason for hoping that other countries will adhere in sufficient numbers to ensure the success of the Committee's work. In September 1938 the Assembly of the League of Nations adopted a report of its Economic Committee, in which it expressed the opinion that the Permanent Committee on Migration for Settlement might do valuable work and lead to positive results if the countries concerned made arrangements permitting them to play their full part in the collaboration envisaged; the Assembly also expressed the hope that the replies of Governments would be of a character to enable the proposed body to be established. It will be seen below that the Pan-American Conference at Lima in its turn voted a resolution calling on American States to support the International Labour Office with a view to the establishment of the proposed Committee in the near future.

At the 24th Session of the *International Labour Conference* the problem of the protection of migrant workers came up for first discussion. The Conference adopted points for a questionnaire, which was subsequently submitted to Governments, to prepare for consideration, by the 1939 Conference, of a proposed Draft Convention and one or more draft Recommendations covering more particularly the following points: supervision of propaganda regarding emigration;

¹ Cf. *I.L.O. Year-Book 1937-38*, p. 419.

supply of information to migrant workers; organisation and supervision of recruiting, introduction and placing of migrant workers; adaptation of migration movements to the employment situation; supervision of contracts of employment; guarantees regarding the voyage in both directions; equality of treatment regarding admission to employment; repatriation not resulting from the contract of employment; transfer of savings; and collaboration between the States concerned.

The *Pan-American Conference* at Lima also adopted several resolutions concerning immigration, some of which closely relate to the work now being carried out by the International Labour Organisation.

A first resolution deals with the general consideration of the problem of migration and the financial co-operation necessary for facilitating immigration. It refers to the resolution adopted by the Buenos Aires Peace Conference, which pledged the Governments to set up, in collaboration with the Pan-American Union, a Committee of Experts which would draft standard treaties on immigration and would investigate the possibilities of immigration into their respective territories; these investigations would be co-ordinated with those already undertaken by the International Labour Office to give effect to the resolution adopted by the Santiago Labour Conference. It also recommends that the American Governments should support the efforts of the International Labour Office to create a Permanent International Committee on Migration for Settlement, in accordance with the resolution adopted by the Technical Conference of Experts which met at Geneva on 28 February 1938.

A second resolution deals with the question of migrant workers, but covers migration inside the American continents only. It recommends that Governments should regulate the migration of workers by the conclusion of bilateral or regional agreements, which would tend to guarantee an adequate protection to migrant workers in a spirit of continental solidarity. The questions recommended by the Conference for treatment in these agreements correspond to a large extent to those which the International Labour Conference has chosen for discussion in 1939 and are as follows: State control, by both the emigrating and immigrating States, of all recruiting agents, in order to establish clearly the responsibilities of the recruiting bodies; labour contracts guaranteeing the legal and economic equality of the immigrant and the national worker, and specifying the obligations of the agent or employer as regards the transportation of the worker, the situation of his family, working conditions, repatriation, etc.; requirement of passport as evidence of official authorisation for emigration; regulation of immigration by the granting of permits in accordance with the capacity of the country; extension of insurance benefits to families residing in any other American country and facilities for transmitting pensions, savings, etc., to them.

A third resolution recommends the adoption of regulations concerning immigration, which shall exclude any discrimination based on nationality, creed or race, such discrimination being contrary to the ideal of fraternity, peace and concord which the American nations undertake to uphold.

A fourth resolution recommends that the American nations, while maintaining the exclusive right of each State to legislate on immigration matters, should develop inter-American or European immigration, co-ordinating their internal needs with the qualifications and activities of the immigrants; it further instructs the Pan-American Union to keep a classified register of the immigration possibilities of each country, based on information which the States are requested to submit annually to the Union.

To pass to international activity with regard to emigration, the attention of Governments in 1938 was monopolised to a large extent by the problem of *refugees*. In September 1937 the Assembly of the League of Nations decided that the organisations it had established for assistance to refugees should be wound up at the end of 1938, but requested the Council to take steps for the establishment of a plan for further international assistance. In accordance with this plan, which was approved by the Assembly in 1938, the Nansen International Office and the Office of the High Commissioner for refugees coming from Germany were replaced by a single body, with headquarters in London, entitled the Office of the High Commissioner of the League of Nations for Refugees. The duties of this body are to provide for the political and legal protection of refugees as defined by the international agreements of 1933 and 1936 and the Convention of 18 February 1939 (drafted by the Conference which met in Geneva from 7 to 10 February 1939 to deal with the question of refugees from Germany and to facilitate the co-ordination of assistance to these refugees).

The constant increase in the number of refugees during 1938 led to further action.

Early in 1938 the number of refugees then coming under either the Nansen Office or that of the High Commissioner for refugees from Germany was estimated by the competent services of the League of Nations at between 400,000 and 500,000 Russian, Armenian and assimilated refugees and about 150,000 refugees from Germany, including 35,000 then provisionally living in countries bordering on Germany. Among the refugees not under the protection of the League of Nations, mention must be made of those from Italy, whose number was estimated at the same period at 30,000. The political events of 1938 led to a daily increase in the number of refugees, so that it is at present extremely difficult to estimate their number. It is nevertheless believed that the refugees of Jewish origin from Germany (including former Austrian territory) alone number 200,000; and account must also be taken of "non-Aryan" refugees not of Jewish origin, political refugees, and religious refugees belonging to religions other than

the Jewish. Moreover, the number of "potential" involuntary Jewish emigrants for the next few years has been estimated at 5 million¹.

The most striking measure taken during the year was the establishment at Evian in July of an Inter-Governmental Committee for refugees from Germany; according to a resolution adopted on 14 July 1938, the competence of this Committee extends to persons who have already left Germany but are not permanently established (their number was then estimated at over 200,000) and to those who have not yet left Germany but will probably be compelled to do so. The Inter-Governmental Committee has opened negotiations with the German Government in order to obtain facilities for the transfer of capital belonging to the involuntary emigrants and with the Governments of several countries which might receive refugees on a permanent or temporary basis.

The highly critical position of the refugees has led to the establishment, in a large number of countries, of private bodies which attempt to find a new livelihood for these unfortunate persons; the number of national and international organisations pursuing this object is now considerable. Moreover, several countries have already admitted a number of refugees to their territory; but the task is on an unprecedented scale and the problems raised by it are far from solution. There is, however, reason for hoping that a favourable solution will be found by the Inter-Governmental Committee. At a meeting held in July 1938 the Committee recognised the value of the work of the existing refugee services of the League of Nations and the studies of migration made by the International Labour Office, and declared its intention, in conformity with a desire already expressed by resolution of the Evian Inter-Governmental Conference, to collaborate fully with the competent services of these two institutions.

International Regulation²

Convention No. 21: Inspection of Emigrants, 1926

Ratified by *New Zealand* (29 March 1938.)

In *Argentina*, submission by Executive to Congress (22 September 1938) of message recommending approval of Convention.

¹ *The Refugee Problem*. Report of a Survey by Sir John HOPE SIMPSON, London, 1939.

² The information given here relates only to the period 16 March 1938-15 March 1939. See the table at the end of the volume for the general situation as regards this Convention.

CHAPTER IX

LABOUR LAW

Right of Combination in Trade Unions

The legal status of trade unions—this term is intended to cover all forms of occupational and corporative organisation—was the subject of extremely important legislative measures in several countries during the year under review.

The reason clearly is that in a period of feverish rearmament, when every ounce of productive power is used, solution of the problem of trade-union and occupational organisation and, more generally, of the collective regulation of conditions of work and wages, cannot—at least, in the opinion of the legislatures of a number of countries—be left as in the past to the action of the parties alone.

Hence the attempts made in most parts of the world to regulate industrial relations in consideration of the needs of the respective national economic systems, with a view to giving them a maximum of stability and efficiency.

It would be instructive to study in detail, country by country, this attempt to adapt and integrate the labour factor in national economy, efforts which take on widely different forms according to the varying social, economic and even political structures of the different countries. But the present brief review must be restricted to bringing out the characteristic features of these new tendencies and indicating in a few words the importance of the various national reforms.

One tendency, to be observed particularly in Germany and Italy, consists in placing the wage level under the immediate control of the public authorities; this naturally involves the elimination of all direct influence by the parties concerned, or by their organisations, on the determination of conditions of work.

In certain other countries, such as Estonia, Greece, Rumania and Spain, occupational unions are organised under State guidance and industrial relations are supervised by the national authorities, though this guidance and supervision do not go as far as prescribing conditions of work and wages.

In still other countries an attempt has been made to regulate industrial and economic relations together and with this object

the framework of a highly organised professional and economic structure has been placed at the disposal of the parties. But the parties are left with the power to arrive at their agreements in full freedom, the authorities restricting themselves to giving these agreements legal force when concluded.

An attempt at organisation of a similar character, but on a purely voluntary basis, has been made by the central employers' and workers' occupational federations in Sweden, and has already borne fruit.

Several South American countries, such as Bolivia and Ecuador, have attempted to regulate the whole of the problems connected with industrial relations and social welfare in new labour codes.

In still other countries the legislatures have taken steps, with the object of protecting the general interest, to prevent certain forms of trade union pressure such as general strikes and lock-outs.

Most countries, however, continue to regard the voluntary organisation of employers and workers as the instrument best calculated to raise the standard of living of employed persons and are content to strengthen the contractual power of occupational organisations, by protecting trade-union rights on the one hand and by guaranteeing minimum wage rates to workers in unorganised occupations on the other.

These are the principal tendencies to which the measures successively analysed below may be attached. As usual, and to facilitate reference back to previous issues of the *Year-Book*, the alphabetical order will be used and not the logical order, which would require grouping of related schemes.

The International Conference of American States. — Before passing to an examination of national reforms, attention should be drawn to a move of an international character. The Eighth International Conference of American States, which met at Lima in December 1938, unanimously adopted a resolution on freedom of association and freedom of expression for workers, which will undoubtedly have a far-reaching effect in all the American countries. Following up a resolution adopted by the International Labour Conference at Santiago de Chile (2-14 January 1936), which called on States to grant all facilities for the establishment of central employers' and workers' organisations on the basis of freedom of association, the Eighth International Conference of American States decided to address an appeal to all the nations of America, asking them, should they not have already done so, to incorporate in their labour legislation provisions to facilitate free association of workers and the free expression of opinion.

In the preamble to this resolution the Conference pointed out that the workers' right of association is recognised by Article 41 of the Constitution of the International Labour Organisation, that establishment of freedom of opinion in all its forms is a corollary to it, and that the social and consequently the economic and moral progress of the different countries is based on an absolute respect for these two rights.

National Regulation

Argentina. — Under a Decree of 24 February 1938 recognition of the legal personality of an occupational organisation will henceforward be subject to the following conditions:

1. Its activity must be marked by work of social value in harmony with the interests of the occupation to which the members of the union belong;
2. It must exclude all forms of ideology contrary to the essential character of the Argentine nation and to the political and social system established by the Constitution;
3. As regards methods, it must renounce all recourse to direct action and all constraint with a view to obtaining members.

Lastly, trade unions must abstain from participation in any political or religious activity whatever and may not join organisations which are not legally recognised.

Under section 2 of the same Decree, a Committee appointed by the Executive is instructed to prepare legislation defining the position of trade unions (to which unions must conform) in accordance with the principles indicated above.

Bolivia. — A Draft Labour Code, the object of which is, among other matters, to regulate the question of occupational organisations, is before the Bolivian Congress.

Under this Code the right of association is recognised not only in the case of employed persons and employers but also in the case of members of the liberal professions and of wage-earning and salaried employees of the public services.

An occupational organisation is recognised as having legal personality, provided only that it sends to the Minister of Labour, for registration, the document recording its constitution, a list of the names and addresses of its officers and a copy of its rules. Organisations so recognised have extensive rights, more particularly those of taking legal proceedings, concluding collective agreements and representing their members in collective industrial disputes. The code prohibits all interference by the employer in the internal affairs of trade unions and regards the dismissal of an employee because he belongs to a union as illicit interference.

Lastly, the Code authorises the establishment of trade union federations on the same conditions and with the same privileges as are laid down for occupational unions.

Brazil. — In accordance with the principles laid down in the new Brazilian Constitution and relating to corporative organisation¹, the Minister of Labour published on 6 December 1938 a Bill under which the future trade union system will be based on the recognition of a single union in each occupation.

Moreover a Legislative Decree of 19 November 1938, which

¹ Cf. *I.L.O. Year-Book 1937-38*, p. 425.

defines offences against the national economic system, makes it an offence to place any restraint on production or communications by cessation of work, lock-outs, etc.

Canada. — Following the example of most of the other Canadian Provinces¹, Saskatchewan, Alberta and New Brunswick adopted during 1938 Acts which contain almost identical provisions concerning freedom of association.

Under these measures (the Saskatchewan Freedom of Trade Union Association Act, the Alberta Industrial Conciliation and Arbitration Act and the New Brunswick Labour and Industrial Relations Act) employees are entitled to organise freely and to conclude collective agreements through delegates of trade unions representing the majority of the personnel. Any clause in a written contract and any condition in a verbal contract by which an employer seeks to restrain an employee from exercising his rights under the respective Act is null and void; and any person who by intimidation, threat of loss of position, or other discriminatory measure seeks to compel any person to join or refrain from joining a trade union, is liable to a fine.

The Saskatchewan and Alberta Acts nevertheless recognise the legal character of the "closed union shop contract" (contract involving the obligation to belong to a specified union) if it proceeds from agreement between the parties. They lay down more particularly that a trade union may maintain or enter into an agreement with an employer or organisation of employers, whereby all the employees of the employer or employers concerned are required to be members of a specified trade union.

On the other hand all these Acts safeguard the employers' right to suspend, transfer, lay off or discharge employees for sufficient cause.

Each trade union is required to file with the competent Minister a copy of its Constitution and rules and a list of the names and addresses of its officers².

Chile. — A Decree of 28 December 1938 repealed several other Decrees which had been issued during the year by the preceding Government and had withdrawn legal personality from a number of workers' unions, on the ground that they had engaged in activity exceeding the defence of occupational interests.

Furthermore, a Decree of 2 January 1939 repealed section 35 of the Decree of 14 August 1936 (under which members of the managing committees of trade unions might be re-elected once only), and lays down the principle that trade-union officers may be re-elected indefinitely.

Colombia. — In response to a request by the General Confederation of Labour, the Colombian Government expressed its desire to support, encourage and protect occupational organisations, on

¹ Cf. *I.L.O. Year-Book 1937-38*, p. 426.

² Cf. also below under "Conciliation and Arbitration".

condition that they restricted their activity to the aims for which they were established. It would, on the other hand, be forbidden for them to intervene in political action of any sort, which could only diminish their authority and injure the interests of the workers.

Ecuador. — By Decree of 5 August 1938, the Government issued a Labour Code, to which further reference will be made in the next issue of the *Year-Book*, when it will have come into full force. One of the objects of the Code is to organise occupational organisations on a solid basis, with a view to associating them as closely as possible in the work of regulating conditions of employment.

It should be added that under a Decree of 3 February 1938 employers are prohibited from dismissing workers with the object of preventing the formation of trade unions or of disorganising those which have already been established.

Estonia. — The Act of 19 April 1938 established a monopoly in trade union representation for legally recognised unions.

Under the new Act, only one union will be recognised for each industry or occupation in a territorial unit, which may include one or more localities or the whole of Estonia. Employed persons under 18 years of age, who have been engaged for at least two years in the occupation concerned, may belong to a legally recognised union. Only employed persons who are in possession of political rights and have been engaged for at least three years in the occupation are authorised to establish a union; the number of foundation members must be at least seven.

Local unions may establish federations, only one of which will be recognised for any industry or profession. Local unions may also form local or district trades councils. The federations and councils may constitute a central trade-union organisation.

The unions, federations and trade councils may acquire legal personality by registering their rules. The Minister of the Interior may refuse such registration if the rules are not in conformity with the provisions of the Act or if a legally recognised union of employees in the same occupation or industry already exists in the locality. The Minister will supervise the unions, federations, etc., and their officers. In the interests of national security or public order, he may displace such officers or replace them—until the date of the next elections—by persons chosen by himself. He may also order a union, federation, etc., to be dissolved, if its activity is contrary to the provisions of the Act, endangers national security or public order, or is contrary to the objects laid down in its rules, or causes rivalry with other unions, federations, etc.

Unions and federations of unions are required to defend their members' occupational interests, to establish and maintain institutions of an occupational character, to raise the cultural and moral standards of their members and, in general, to promote social collaboration.

Unions and federations of unions may maintain relations with foreign organisations, provided that the Minister of the Interior consents.

Existing unions and federations which do not conform to the provisions of the Act will be dissolved.

France. — Under a Legislative Decree concerning conciliation and arbitration dated 12 November 1938 (see below, under "Conciliation and Arbitration"), the right of occupational unions with regard to legal proceedings is considerably extended. Under section 5 of the Decree, occupational unions may take any legal action arising out of the report of conciliation proceedings or from an arbitrator's or umpire's award in favour of any one of their members, without having to produce a mandate from the member concerned, provided he has been informed and has not opposed such action. The person concerned may always intervene in the proceedings initiated by the union.

Furthermore, occupational unions may, under the same conditions, engage in any action in favour of their members arising out of an Order declaring the provisions of a collective industrial agreement to be binding.

It should also be pointed out that, under this Decree, the members responsible for the management of any occupational union must be of French nationality and in possession of civil rights and may not have been convicted of any dishonourable offence.

Germany. — A Decree dated 15 June 1938, the provisions of which are examined below (see under "Collective Agreements"), radically alters the system for fixing conditions of work and wages established under the National Labour Regulation Act of 20 January 1934¹.

The importance of the new Decree, which was issued, not under the above-mentioned Act of 1934, but under a Decree of 18 October 1936 concerning execution of the Four-Year Plan, lies in the fact that wage policy will in future depend almost exclusively on the public authorities, who will enforce it through the labour trustees. It may be recalled that, under the Labour Regulation Act, the labour trustees were empowered to issue collective rules fixing *minimum* conditions of work and wages either for different occupations or industries or for groups of establishments, while employers retained the power to pay wages in excess of the legal minimum to individual workers by agreement with their staffs. Now, however, the labour trustees are required to keep all wages and conditions of work under their control and, for that purpose, have full powers to fix *maximum* as well as *minimum* wage rates for the different undertakings.

According to an official commentary, the Decree may be attributed to the increasing shortage of labour, which had led many

¹ Cf. *I.L.O. Year-Book 1934-35*, pp. 394 *et seq.*

undertakings to raise their wage rates as a means of attracting workers. This policy of adapting wages to the conditions of the labour market in accordance with the "law of supply and demand", is, the commentary states, opposed to the "iron law" governing the German economic system, which requires that prices and wages must at all costs be stabilised.

Greece. — The Legislative Decree to reorganise the trade union system, dated 21 October 1938, makes a profound change in the position of Greek occupational organisations. It confers a monopoly in occupational representation on the General Confederation of Labour and the organisations affiliated to it. The right of members of unions to elect their officers freely is preserved.¹

Iceland. — An Act of 11 June 1938 amends the Act of 27 June 1925 relating to occupational associations and industrial disputes².

Italy. — The constitutional reform announced in the *Year-Book 1937-38*³ was put into execution by two Acts issued in January 1939. The first of these relates to the reorganisation of the National Council of Corporations and the second to the establishment of a Chamber of Fasces and Corporations, which was to take the place of the old Chamber of Deputies on 23 March 1939.

The essential feature of the reform is that the employers' and workers' occupational organisations will henceforward be associated, through the National Council of Corporations, in the exercise of legislative power⁴. It should also be pointed out that, at the suggestion of the head of the Government and by a decision of the Central Corporative Council taken in March 1939, the wages of all classes of workers which did not reach a specified level were increased by between 6 and 8 per cent. in order to adapt their real value to the cost of living.

The occupational organisations will be required to give effect to this decision by means of collective agreements.

Latvia. — An Act relating to public order and social security, dated 11 February 1938, prohibits strikes and lock-outs (section 7).

Poland. — A Decree relating to the defence of the State, dated 22 November 1938, provides for up to five years' imprisonment for any person guilty of public incitement to a general strike, a general lock-out or a boycott of the supply of foodstuffs to towns, and for any person who takes part in a meeting the object of which is to decide on a collective stoppage of work.

The Act also provides for up to three years' imprisonment for any person who, for purposes of propaganda, publishes, stocks or

¹ For a detailed analysis of this Act, cf. *Industrial and Labour Information*, Vol. LXIX, No. 10, 6 March 1939, p. 290.

² Cf. *Legislative Series*, 1925, Ice. 2.

³ Cf. *I.L.O. Year-Book 1937-38*, p. 429.

⁴ For a full analysis of these two Acts, cf. *Industrial and Labour Information*, Vol. LXIII, No. 11, 12 December 1938, p. 369.

circulates printed matter or drawings constituting incitement to a general strike, a general lock-out or a boycott of the supply of foodstuffs to towns.

Portugal. — After several years of experiment, the definitive form of the corporative system¹ was determined by the Legislative Decree "to govern the establishment and working of moral, cultural and economic corporations", dated 12 November 1938.

Under the new legislation, corporations will be established by Decree, after consultation of the Corporative Council. They will be formed by all the lower corporative bodies, grouped by industries or main branches of economy, which will normally include the whole economic process of production. The economic co-ordinating bodies established in 1936 will continue to exist side by side with the corporations as links between the State and the corporative system.

The corporations, which will have legal personality, will perform functions of a public character and represent the joint interests of capital and labour. They will be required, more particularly, to co-ordinate the action of the corporative bodies which constitute them and to submit regulations to the Government for collective discipline in economic relations. The corporations will also be required to encourage the conclusion of collective agreements, to work for the improvement of the social welfare system, to deal with appeals brought against convictions pronounced by the corporative or co-ordinating bodies and, lastly, to attempt to adjust collective industrial disputes if the Government refers the matter to them.

The executive organ of each corporation is its Council. The organisations and bodies which compose the corporation, as well as the co-ordinating bodies and the public services, will be represented on the Council. Each Council will choose a President from among its members.

The Councils of the various corporations will form the Congress of Corporations, which will meet at least once every two years to supervise the progress of the corporative movement, to lay down guiding principles with regard to organisation and to examine problems of common interest to capital and labour. The first Congress will be held in 1940.

The composition of the Corporative Chamber was modified by the Legislative Decree of 12 November 1938. It is now composed of the delegates of the local autonomous bodies and of the "moral, cultural and economic corporations" and persons representing government social departments.

In order to facilitate the establishment of employers' organisations, a Legislative Decree of 8 December 1938 authorises the organisations now existing to form themselves into corporations under certain conditions. Though exempt from the provisions of

¹ For the corporative system in Portugal, cf. *I.L.O. Year-Book 1933*, p. 293; *1934-35*, p. 376; *1935-36*, p. 395; and *1936-37*, p. 403.

the Decree of 1934¹ regarding formalities, the organisations in question will be subject to the legal system laid down in this Decree.

Rumania. — A Legislative Decree of 11 October 1938 concerning the recognition and working of "corporations" of workers, salaried employees and craftsmen radically alters the legal status of occupational associations as established by the Trade Unions Act of 24 May 1921², which is implicitly repealed by the new Decree.

The new scheme, which authorises workers, salaried employees and craftsmen as well as employees of the Government, the departments, local authorities, etc., to form themselves into corporations, establishes the principle of a single occupational organisation for each occupation or industry. The corporations must include at least one-tenth of the employees or craftsmen of the occupational group in question; the number of foundation members may not be less than 30.

Any person, whether a Rumanian or a foreign national, who is engaged in the occupation in question and is at least 18 years of age may belong to the corporation. The members of the committee of management of each corporation must be Rumanian nationals over 30 years of age who are or have been actively employed for not less than three years in a trade belonging to the occupational group covered by the corporation, are in possession of full civil and political rights and have not been convicted of any dishonourable offence.

Each corporation must apply for recognition of legal personality, which may be granted and withdrawn by Royal Decree issued on the proposal of the Ministry of Labour after consultation of the Labour Committee. The opinion of the Labour Committee will relate not only to fulfilment of the conditions required under the Decree, but also to the advisability and utility of such recognition in view of political, economic or social considerations. The Act gives the Ministry of Labour general and permanent power to supervise the activity of the corporations. Officials of the Ministry may take part in meetings of the committee of management and the general assembly of any corporation.

A corporation, once its legal personality has been recognised, has the exclusive privilege of appointing delegates to all public and private institutions where occupational interests require representation, to conclude collective industrial agreements, to plead in legal proceedings and to take legal action arising out of collective agreements or individual contracts of employment on behalf of its members individually or collectively. It is further entitled to appoint delegates on conciliation and arbitration committees, if not less than half the employees affected by the collective industrial dispute in question are members of the corporation; to appoint delegates to accompany factory inspectors on their visits; and to set

¹ Cf. *Legislative Series*, 1934, Port. 7.

² *Legislative Series*, 1921, Rum. 1.

up institutions for vocational guidance and training and the defence of labour, either on its own account or in co-operation with other corporations, occupational chambers or the Ministry of Labour.

Two or more corporations may form associations, only one of which may exist for each group of occupations throughout the country; the headquarters of these associations will be at Bucharest. No provision is made for the establishment of a central federation.

Associations of corporations are entitled to plead in legal proceedings and, at the request of the Ministry of Labour, to appoint delegates and technical advisers at international conferences and other meetings. It is expressly provided that corporations shall engage in activity of a national character only and may not be affiliated to organisations of an international character or be represented at international meetings without the express authorisation of the Ministry.

Existing unions or federations of unions of workers, salaried employees and craftsmen must conform to the above provisions and apply for recognition of legal personality in order to be able to enjoy the rights conferred by the Decree.

Spain. — In February 1938 the Spanish Government issued a new Labour Charter, which governs, among other matters, the question of trade union and corporative organisation.

Under Declaration XIII of the Charter, the trade union organisation of the Spanish State will be based on the principles of unity, totality and hierarchy.

All factors in the economic system will be organised together, by branch of production or by service, in "vertical unions" (corporations). The vertical union is a body with legal personality, established by bringing into a single unit all the groups of persons engaged in a branch of economic activity, a service or an industry, and will be hierarchically organised under the direction of the State.

The higher posts in the trade unions must be given to active members of the Traditionalist Phalanx.

The vertical trade unions are intended for the service of the State, which will use them as the principal channel for its economic policy.

A Trade Unions Act (to be issued subsequently) will govern in detail the incorporation of existing economic and occupational associations in the new corporative structure.

Sweden. — The most characteristic event of the year with regard to industrial relations was probably the conclusion on 20 December 1938 of a General Agreement between the Swedish Employers' Federation on the one hand and the Swedish Confederation of Trade Unions on the other. The importance of this Agreement lies in the fact that it embodies the desire of responsible representatives of the employers' and workers' trade union movement to settle the principal questions separating them without any intervention by the legislative power.

Under the Agreement, the national organisations affiliated to the respective central bodies undertake not to have recourse in the future to militant action (strikes, lock-outs, etc.) without having first tried methods of peaceful negotiation in accordance with rules laid down in the agreement; they will also endeavour to avoid any action which might be injurious to third parties or to the community.

With this object it is proposed to establish: (1) a permanent organ of negotiation entitled the "Labour Market Board"; and (2) a uniform negotiation procedure. The Agreement further contains rules for the settlement of other important questions, namely: (3) the termination of contracts of employment and the laying-off of staff; (4) the restriction of certain forms of economic militant action; and (5) the treatment of disputes affecting public utilities. The General Agreement will be binding on the affiliated national organisations only after formal adoption in collective agreements, subject to termination at six months' notice. To the extent to which it is so adopted, the Agreement will become binding on the Employers' Federation and the Confederation of Trade Unions, with legal effect in accordance with the existing Collective Agreements Act ¹.

United States. — The system of labour relations established by the National Labor Relations Act of 5 July 1935 ² was considerably strengthened by the passing of the Fair Labor Standards Act (Wagner Act), which came into force on 24 October 1938. As a detailed analysis of this Act appears in another chapter of this issue of the *Year-Book* ³, it will suffice to state here that under its provisions minimum wage and maximum hour standards may be laid down for the different occupations and industries.

It is certain that the legal barrier thus opposed to a possible fall in wages or a possible increase in hours of work will be calculated to strengthen the position of the labour unions with regard to the fixing of conditions of work.

It should also be stated that the Byrnes Act of 1936, making it a felony to transport strike-breakers from one State to another during a labour dispute and for other purposes ⁴, was amended by an Act of 29 June 1938. This provides that it shall be unlawful to transport or cause to be transported in interstate or foreign commerce any person who is employed or is to be employed for the purpose of obstructing or interfering by force or threats with peaceful picketing by employees during any labour controversy affecting wages, hours or conditions of labour, or the exercise by employees of any of the rights of self-organisation or collective bargaining (guaranteed by the Wagner Act).

¹ For full analysis of the agreement, cf. *Industrial and Labour Information*, Vol. LXIX, No. 12, 20 March 1939, p. 354.

² Cf. *I.L.O. Year-Book 1935-36*, pp. 397 and 415; *1936-37*, pp. 432 *et seq.*; *1937-38*, pp. 433 *et seq.*

³ See pp. 153 *et seq.*

Cf. *I.L.O. Year-Book 1936-37*, p. 406.

According to the third annual report of the National Labor Relations Board set up under the National Labor Relations Act, 12,632 cases involving 3,131,688 workers were received by the Board in the year ending 30 June 1938 and 8,851 of these cases, involving nearly 2 million workers, were closed by that date.

During the same period, the Board had also handled 1,003 cases in which strikes or lock-outs were in progress during the year, involving 139,260 workers; settlements were secured in 77 per cent. of the cases, thanks to the mediation of the Board.

Lastly the Board brought about the reinstatement of 6,630 workers alleged to have been discriminatorily discharged, and by its actions nearly 90,000 workers were reinstated after strikes or lock-outs.

It is clear from this brief summary that the National Labor Relations Board has justified the hope, entertained by the Administration and the parties, that it would exert a regulating influence on labour relations.

But though the manner in which the National Labor Relations Board has given effect to the Act is fully approved by the Committee for Industrial Organization (C.I.O.), it has nevertheless given rise to some criticism from the labour unions attached to the American Federation of Labor. Owing to action by this body, a Bill to reform and limit the powers of the National Labor Relations Board has been introduced in Congress. As this Bill has not yet been given its final form, its submission is simply mentioned here as a symptom of the uneasiness reigning in labour circles, which only the successful conclusion of the attempts now being made to reconstitute the unity of the labour movement can finally dissipate.

Collective Agreements

Legislation on this subject has continued on the lines to which attention has been repeatedly drawn in recent years: the provisions of collective agreements, when they are of special importance or represent the wishes of the majority, are recognised as regulations for the occupation in question and as such are made binding upon all persons engaged in the occupation.

Minimum wage-fixing legislation is also of powerful assistance to the parties which wish to conclude a collective agreement. If it is of general application it ensures to all workers a minimum which cannot be retracted during the negotiations. If it applies to certain classes of workers whose wages are exceptionally low, it strengthens the position of the workers' organisations by eliminating the competition of ill-organised occupations. In both cases the fixing of minimum wages tends to facilitate and encourage the conclusion of collective agreements and this is a point of particular importance, since minimum wage legislation is at present steadily increasing.

Brazil. — In application of the Act of 14 January 1936¹ Legislative Decree No. 399 of 30 April 1938 set up minimum wage committees for the whole country, which is divided for the purpose into 22 districts.

The number of members on these committees will be fixed by the Minister; the minimum is 5 and the maximum 11. The employers' and workers' representatives are elected by the employers' and workers' organisations recognised by law.

Minimum wages are to be so fixed that every adult worker, male or female, is able, in the various districts, to satisfy his or her normal needs for existence (food, housing, clothing, health, transport).

Canada. — In the province of Quebec the Workers' Wages Act and the Fair Wages Act² were amended by two Acts of 18 March 1938. Apart from the change in the title of the first Act, which will in future be called the Collective Agreements Act, it is laid down in both Acts that the Lieutenant-Governor in Council may give retrospective effect, not only to collective agreements and to the Order extending them to third parties, but also to the Orders fixing minimum wages. But the retrospective effect may not be more than four months from the date of the agreement or Order.³

In New Brunswick and Alberta Acts of 8 and 9 April 1938, dealing with the right of association, conciliation and arbitration, contain a provision to guarantee to the workers the right of entering into collective negotiations with their employers and of conducting these negotiations through representatives elected by the majority of the votes of the workers concerned or—under the New Brunswick Act—through officials duly chosen from the organisation to which the majority of the workers concerned belong. Under the Alberta Act an employer who refuses to enter into these negotiations is liable to a fine.⁴

Cuba. — Under Decree No. 798 of 13 April 1938 collective agreements are defined as agreements concluded between a trade union, a federation of trade unions or a group of workers and an employer, an employers' organisation or a group of employers, for the total or partial regulation of the conditions of labour of the persons employed in an undertaking or the workers in a branch of industry.

Collective agreements must be drawn up in writing. They must give the following details: the parties to the agreement, the nature of the work, the object of the agreement; the working day, timetable and rest periods; the rate of payment and a statement whether it is wholly or partially made in cash; the period to which the rate applies and a statement whether wages are by time, piece work or

¹ Cf. *I.L.O. Year-Book 1935-36*, p. 402.

² Cf. *I.L.O. Year-Book 1937-38*, p. 435.

³ For the amendments concerning the right of association, see above: "Right of Combination in Trade Unions".

⁴ See above: "Right of Combination in Trade Unions".

any other legal method; the undertaking, workshop or branch of industry covered; the period and conditions of holidays with pay; the obligation to observe all provisions concerning labour, hygiene and social welfare; the date and place of conclusion and the signatures.

The Decree states that individual agreements concluded with workers already protected by a collective agreement are invalid. No list of workers may be appended to a collective agreement in order to limit its application to those workers but all persons employed in an undertaking or branch of industry must enjoy the same protection.

The Decree provides for detailed regulation of the deposit in writing and registration of agreements. It may be noted that the registration of an agreement between an employer and a group of workers in his undertaking is invalid if the group does not represent the majority of the workers. Registration of an agreement concluded with a group of workers becomes void when a collective agreement is concluded with a trade union.

Czecho-Slovakia. — By Legislative Decree of 17 December 1938 existing collective agreements were prolonged until 31 March 1939.¹

Ecuador. — The Labour Code promulgated by Decree No. 210 of 1938 contains in Part II regulations for collective agreements. Under the Code a collective agreement is deemed to be any agreement concluded between one or more employers or groups of employers and one or more workers' organisations, to establish conditions or principles in accordance with which individual contracts of employment are to be drawn up by the employers and workers represented by the respective organisations.

Any employer employing at least 15 workers who are members of an organisation is required to conclude a collective agreement if the organisation so requests. In undertakings in which there is a works council the directing committee of the council represents the workers; in other undertakings representation is regulated in accordance with the rules of the trade union.

If there are several trade unions for the same occupation in the same undertaking the collective agreement must be concluded with the union which has the greatest number of members.

Collective agreements are concluded in writing in the presence of the director or assistant director of labour or an inspector or assistant inspector of the branch of industry concerned. They must lay down the hours of work, rates of payment, quantity and quality of work, rest periods and any other conditions on which the parties agree.

The clauses of collective agreements are embodied in individual contracts of employment between the employers and workers concerned. The Code provides that in consequence the provisions of the collective agreement shall apply, whatever the individual

¹ Cf. *I.L.O. Year-Book 1937-38*, p. 436.

contracts may be, if the provisions of those contracts are contrary to the conditions laid down in the collective agreement.

Collective agreements which are not concluded for a fixed period are subject to revision every two years, if one of the parties, representing more than 50 per cent. of the workers concerned, so requests.

If a collective agreement is concluded for two-thirds of the organised employers and workers in the same branch of industry and in the same province, the Minister may, at the request of the employers and workers concerned, declare it generally binding. In that case the collective agreement will apply, whatever contrary provisions there may be in individual or collective agreements concluded by an undertaking, unless those provisions are more favourable to the workers.

The term of validity of such an agreement may not exceed two years, but may be tacitly extended. If, however, economic conditions justify it, a collective agreement which has been declared generally binding may be revised at any time if employers and workers representing two-thirds of the members of the organisations concerned so demand.

It should be added that the directing committee of the works council is required, not only to prepare and sign the collective agreements, as has been stated above, but also to supervise the observation of those agreements by which the members of the council are bound by inflicting the statutory penalties on workers who infringe them. The committee has also to see that the employer does not infringe the agreements.

Finally the Code provides that minimum wages shall be fixed by committees set up for that purpose. No payment for work performed may be lower than the rates officially laid down.

France. — Attention has previously been drawn to the provisions of the Act of 24 June 1926 which make it possible to declare a collective agreement generally binding.¹

As a result of the experience gained since 1936 the Decree of 2 May 1938 concerning production amends and supplements the Act on certain points.

Decrees extending the scope of agreements must be posted up in undertakings in the same way as the undertaking's internal regulations. The posting is controlled by the labour inspectors and failure to post up decrees is punishable.

The duties of labour inspectors have been extended to cover supervision of the enforcement of the wages provisions contained in collective agreements which have been declared generally binding.

Penalties are attached to failure to observe wages provisions in a collective agreement or arbitration awards declared to be generally binding; employers who pay wages lower than the rates

¹ Cf. *I.L.O. Year-Book 1936-37*, p. 416.

made generally binding by a decree extending the scope of an agreement may be fined but are prosecuted only at the instance of the Minister of Labour.

An extension decree may be abrogated either by agreement between the contracting parties or by decision of the Minister; if both parties agree to denounce, revise or amend a collective agreement, the Decree ceases to have effect.

The Minister has power to rescind an extension decree if it appears that the agreement no longer suits the situation of the branch of industry in question or if the agreement has been denounced either on the workers' or the employers' side by one of the signatory organisations considered to be the most representative.

The Minister's decision must take the form of a decree issued in the same form as the extension decree, that is, after consultation of the parties concerned and of the competent section of the National Economic Council.

Germany. — The Act of 20 January 1934 concerning the regulation of national labour¹ remains the basis for the regulation of labour conditions. But the political events of 1938 have not been without influence on its application.

As a consequence of the incorporation in the Reich of Austria and the Sudeten territories of Czecho-Slovakia, the application of the Act was extended to those regions and two new posts of labour trustee were created. But existing collective agreements were provisionally maintained as collective regulations, subject to the adaptation of the conditions of labour to the standard existing in the Reich.

Under the Act of 30 April 1938 concerning the protection of young persons, the labour trustees no longer have power to extend the hours of work of young persons. From 1 January 1939, on which date the Act came into force, provisions of collective agreements permitting such extensions are abrogated.

For the carrying out of the four-year plan the labour trustees have been given new duties. Under a Decree promulgated on 25 June 1938 by Field Marshal Goering, labour trustees must control conditions of work and wages and take all necessary steps, even by altering existing agreements, to prevent the movement of wages and changes in labour conditions from harming the defence of the nation and the carrying out of the four-year plan. In particular these officials are given power to fix compulsorily minimum and maximum wages in the branches of industry selected by the Minister of Labour. Any infringement of these measures is punishable, at the instance of the trustee, by imprisonment or fine, the amount of which is not limited by the Act.

Up to the present the decrees issued by the trustees have been mainly directed against the breaking of contracts of employment.²

¹ Cf. *I.L.O. Year-Book 1934-35*, p. 387.

² See below, "The Individual Contract of Service".

Great Britain. — The Road Haulage Wages Act, 1938, provides for two types of wage-fixing machinery, one for workers employed in connection with vehicles having public or limited carriers' licences and the other for workers employed in connection with vehicles having private carriers' licences.

For public carriers a Central Wages Board and Area Boards are set up. The Area Boards are composed of equal numbers of representatives of employers and workers. The members of the Central Board are (a) representatives of the parties concerned appointed partly from among the members of Area Boards, partly from among employers and workers and (b) independent persons, one of whom is to be the chairman. Provision is made for the consultation of representative organisations before appointment of the members of the Boards representing employers and workers.

It is the duty of the Central Board to submit to the Minister of Labour proposals for the fixing of remuneration and to make recommendations to the competent departments on road safety, the health and comfort of the workers concerned and on any other questions affecting technical and labour conditions in road transport and to submit to the Minister, if he so requests, reports on the above questions.

The Central Board may delegate matters and functions to an Area Board, except the power of submitting proposals for the fixing of wages; but before it submits any such proposal the Central Board must consult the Area Board concerned and allow the persons affected by the proposed measure an opportunity of stating their views.

Proposals made by the Central Board take effect by Order of the Minister. The wages fixed become the "statutory remuneration" and are legally enforceable as between all workers for whom the wages are fixed and their employers.

For workers employed in connection with vehicles with private carriers' licences wages are fixed only if any such worker, his trade union, or a trade union representing a substantial number of road haulage workers makes a complaint to the Minister of Labour that his remuneration is unfair. The Minister refers the complaint to the Industrial Court, unless machinery already exists under a collective agreement; but even in that case the Industrial Court is competent if the machinery produces no settlement and both parties request its intervention.

If the Court concludes that the remuneration is unfair, it fixes the "statutory remuneration". In making its decision the Court must take into account, among other matters, collective agreements in force in similar trades or industries in which the conditions of work are comparable to those in road haulage. The statutory remuneration is legally enforceable for three years, as between the employer concerned and all workers employed by him. The payment of lower wages is a punishable offence. The court which inflicts the fine upon the employer may at the same time require him to pay the arrears found to be due.

An Act of 30 March 1938 provides a somewhat different system of wage regulation for the cinematograph film industry. Unless agreed upon by the employer and by organisations representative of the employed, wages and conditions of work of persons employed in the making of films may not be inferior to those applicable under contracts concluded in accordance with a resolution of the House of Commons concerning Government departments' contracts. Any dispute is to be referred to the Industrial Court; wages and conditions of work laid down by award of the Court become automatically part of the contract between the parties concerned and remain in force until they are altered in accordance with the provisions of the Act.

Greece. — An Act of 25 August 1938, in addition to certain formal provisions, extends the two collective agreements drawn up for industrial workers and salaried employees. These agreements will take the place of every other agreement when it comes to an end.¹

Ireland. — In a previous issue of the *Year-Book*² reference was made to the Conditions of Employment Act of 14 February 1936, under which wage rates laid down in collective agreements may be declared generally binding in an industry. The Shops (Conditions of Employment) Act, 1938, deals in Part V with the regulation of wages of staff employed in shops.

Under the Act a Wages Board is set up. It consists of three members appointed by the Minister, of whom one is chairman, and the two others represent the parties concerned. When a person employed in one of the establishments covered or the representative of the category of workers in question demands the fixing of minimum wages, claiming that the existing wages are too low, the Minister, if he considers that the claim is justified, refers it to the Wages Board. After enquiry, the Board lays down minimum rates, which are sanctioned by ministerial Order.

When a collective agreement is concluded between representative organisations of employers and workers and includes regulation of wages, the Minister, if the agreement has been submitted to him by one of the parties, communicates the agreement to the Board, which, after enquiry, may fix as minimum wages the rates agreed upon by the parties.

Luxemburg. — Attention was drawn in a previous issue³ to the Decree of 23 January 1936 setting up a National Labour Council, which carries out duties of conciliation and in particular assists in solving the question of wages. Under a Decree of 29 December 1938 these regulations were supplemented by provisions which allow the extension of collective agreements to third parties. The Decree provides that collective agreements drawn up or approved by the National Labour Council for a given occupation

¹ Cf. *I.L.O. Year-Book 1936-37*, p. 417.

² *Ibid.*, p. 417.

³ Cf. *I.L.O. Year-Book 1935-36*, p. 395.

may be declared generally binding on the whole occupation for which they have been concluded.

Several legal guarantees are attached to this measure.

Only agreements concluded for an occupation and not for one or more given undertakings may be so extended. In such cases the National Council includes, in addition to the delegates of the principal organisations, the most qualified representatives of the occupation, nominated on the proposal of the competent occupational chamber.

The groups of the Council, composed in this manner, or the representatives of the occupation in question, must submit an agreed request.

The competent occupational chambers must express a favourable opinion. In forming their opinion they may consult the parties concerned. The collective agreement may not be extended to the whole of the occupation if at least three-quarters of the votes cast are not in favour of such a step.

Whatever the majority obtained, the chambers can refuse to agree if they consider that the legitimate interests of the minority are endangered.

The declaration that an agreement is generally binding must be made by a Decree issued by the Government in Council.

Portugal. — Under a Legislative Decree of 1 August 1935 the Under Secretary of State for Corporations was given power to fix minimum wages whenever a systematic reduction in wages occurred as a result of excessive competition in any branch of commerce or industry and when wages fell below a reasonable level¹. This power was extended, by Legislative Decree of 17 September 1938, to all economic activities and minimum wages may be fixed, whatever the reason for the fall in wages. The provisions for enforcement and penalties were also strengthened.

United States. — Although it does not definitely deal with the question of collective agreements, the Fair Labor Standards Act of 25 June 1938 may have considerable influence on the development of collective agreements. The Act provides for minimum wages and maximum hours of work and lays down standards which the parties may not infringe when deciding upon conditions of employment.

The Act also makes several direct references to collective agreements. Thus maximum hours of work may be fixed over a basic period of 26 or 52 weeks only by an agreement concluded as a result of collective bargaining by representatives of employees certified as *bona fide* under the National Labor Relations Act.

In fixing minimum wages the competent authorities must take into consideration, among other factors, the wages established by collective labour agreements for work of like or comparable character.

¹ Cf. *I.L.O. Year-Book 1935-36*, p. 396.

U.S.S.R. — Although the sixth plenary assembly of the Central Trade Union Council decided (in May 1937) to restore the practice of concluding collective agreements, no agreement was concluded in 1938. The non-application of the decision appears to be due to the fact that it was first necessary to revise the various systems of payment in force in undertakings; these systems had been found extremely complex. The revision was carried out in some branches of industry, in the motor industry among others. The simplified scales of wages drawn up for this occupation served as a basis for the drafting of a collective agreement for the Stalin Motor Works in Moscow. According to a statement made by Mr. Schvernik, secretary of the Central Trade Union Council, this draft, when definitely approved, will be considered a model collective agreement, upon the basis of which similar agreements can be concluded.

Venezuela. — The Decree to apply the Labour Code¹ lays down that individual contracts of employment must contain as obligatory clauses the provisions of collective agreements previously concluded with workers in the same occupation and in the same undertaking. Collective agreements, on the other hand, may not lay down conditions less favourable to the workers than those contained in existing contracts of employment of workers in the same occupation and in the same undertaking.

The requirement of the Code that employers must conclude collective agreements with the trade unions becomes effective under the terms of the Decree when 75 per cent. of the workers in the branch of industry concerned request it.

If the terms of several collective agreements conflict, the provisions of the agreement most favourable to the workers are applied.

Conciliation and Arbitration

The tendencies to which attention was drawn in the *Year-Book 1937-38* as regards the regulation of labour disputes have been even more evident in the course of the last year.

They are marked by the trend of States to use conciliation and arbitration procedure more and more to influence wages and prices, instead of, as in the past, only for the preservation of industrial peace.

This new policy in conciliation and arbitration naturally involves resort to certain measures of compulsion, though to very different degrees in different countries.

Thus several countries which retain the principle of optional arbitration nevertheless compel the parties to submit to an attempt at conciliation before resorting to methods of trade union pressure.

Others introduce compulsory procedure for a limited period if

¹ Cf. *I.L.O. Year-Book 1936-37*, p. 420.

disputes break out in certain vital industries and the prolongation of the dispute might endanger the interests of the nation as a whole.

In other countries, again, in which recourse to conciliation and arbitration procedure and compliance with the awards given was, in the absence of compulsion, a moral obligation only, the system has been linked up with sanctions of an occupational, civil or even penal character.

In short, in every country in which changes have been made in an existing system or new legislation has been passed the legislature has endeavoured to place the regulation of labour disputes on the firmest possible foundation.

Australia. — The following developments should be noted in relation to the tendency in Australia to extend the competence of arbitration courts beyond the purely industrial sphere and to associate the members of the courts with the organisation of the general economy.

In New South Wales the Industrial Arbitration and Workmen's Compensation Amendment Act of 22 December 1938 specially empowers the Industrial Commission to investigate and report on any matter referred to it by the Minister concerning the prices of commodities or services or the rents of dwelling-houses or shops. The number of members of the Commission is increased from four to "not less than five and not more than six".

On the other hand, in Queensland, where a member of the Industrial Court has hitherto been both Commissioner of Prices under the Profiteering Prevention Act and, in virtue of that office, Chairman of the Central Coal Board under the Coal Production Regulation Act, the Industrial Conciliation and Arbitration Acts and Other Acts Amendment Act of 1 December 1938, besides making certain changes with regard to inspection and enforcement of awards¹, provides that the Commissioner of Prices may in future be either a member of the Court or any other person qualified under the Act. The chairmanship of the Central Coal Board will continue to be occupied by a member of the Court. His functions as Chairman will include the decision of appeals against any fixation of the price of coal and for this purpose he is invested with the powers of the Commissioner of Prices under the Profiteering Prevention Act.

In the sphere of industrial regulation, mention may be made of the extension of control in Victoria by the appointment of new wages boards to fix conditions in occupations not hitherto regulated. The "general board" appointed under the Factories and Shops Amendment Act of 23 December 1936 has been empowered to deal with various miscellaneous occupations (manufacture of abrasive articles, cutlery, ink, lamp shades, asbestos articles, artificial flowers, surgical instruments, toys, etc.).

Canada. — The tendency to unify legislation on the regulation

¹ See p. 159.

of labour disputes, to which attention was drawn in the *Year-Book 1937-38*, persisted in 1938. In Alberta a Conciliation and Arbitration Act of 8 April 1938 and in New Brunswick an Industrial Relations Act of 9 April 1938 reorganised the conciliation and arbitration system on lines similar to those of British Columbia and Manitoba, which were described in the *Year-Book 1937-38*¹. It will suffice here to mention the chief features of the two Acts.

Both the Alberta and New Brunswick Acts lay down as the first stage in the procedure the intervention of a conciliation commissioner appointed by the Minister of Labour whose duty is, in the presence of representatives of the parties, to promote an amicable solution of the dispute.

If this attempt at conciliation fails the Minister of Labour of the Province appoints a board of conciliation and arbitration composed of two arbitrators and an umpire. The two arbitrators are appointed by the two parties concerned or if no appointments are made by the parties, directly by the Minister of Labour. The umpire is chosen by agreement between the two arbitrators or, if they fail to agree, by the Lieutenant Governor in Council.

In both provinces the boards of arbitration and conciliation enjoy very wide powers of enquiry and supervision: they may call witnesses, take evidence on oath, require the production of any document which may offer relevant information, visit workplaces, make enquiries on the spot, inspect undertakings, etc.

The awards are given by a majority decision and are retroactive to the date on which the conciliation commissioner was appointed. They are not binding, but the parties are required to accept or reject the award by a secret ballot, taken under the supervision of the Ministry of Labour.

No suspension of work (strike or lock-out) is permitted during the period between the request for the appointment of a conciliation commissioner and the fourteenth day after the ballot.

The Acts also provide that if an employer proposes to alter conditions of wages or hours of work he must first inform the conciliation commissioner; no change may be made in working conditions or wages and there may be no suspension of relations between employer and employed until the whole procedure has been followed to the end.

It should be noted however that if the parties have come to an agreement on arbitration procedure, that agreement takes precedence over the legal regulation (see also above, under "Right of Combination in Trade Unions" and "Collective Agreements").

The New Brunswick Act also provides for the creation of a Fair Wages Board, whose duty is, after enquiry, to fix fair wages.

Cuba. — The new Social Defence Code, which came into force on 9 October 1938, provides for sanctions against employers and wage earners and, if necessary, against organisations and their

¹ Cf. *I.L.O. Year-Book 1937-38*, p. 455.

leaders in case of illegal suspension of work, failure to observe arbitration awards, interference with the right to work by methods of violence or coercion, etc. : strikes and lock-outs aiming at changing the political and social régime by force are treated as seditious crimes.

Ecuador. — The new Labour Code, promulgated on 5 April 1938, lays down a new conciliation and arbitration procedure, the chief features of which are summarised below.

In the event of a labour dispute the wage earners must submit their claims to the labour inspectorate, which will in turn inform the employer or his representative. The latter is required to reply within three days. If the reply is favourable an act of agreement is drawn up and signed by the parties concerned in the presence of the competent authority.

If this attempt at direct conciliation fails the dispute is to be submitted to a conciliation and arbitration court composed of five members; a labour inspector, who will take the chair, two representatives of the employer and two representatives of the workers, who must be nominated within 48 hours after receipt of notification from the labour inspector.

The court will first endeavour to conciliate the parties. If the conciliation fails the court will grant a delay of four days (which may be renewed if necessary) for the production of evidence and will take its final decision within three days from the end of this period. The decision can only be taken by all the members of the court and has executive force.

The parties may appeal to the Labour Department, which must announce its decision within three days.

The Code provides that the court may allow the dismissal of wage earners involved in a dispute as a condition of an agreement only if the wage earners in question have caused the employer bodily harm or have damaged his property.

France. — The conciliation and arbitration scheme in France¹ underwent in 1938 a series of changes, especially as regards procedure and sanctions.

As regards procedure, it will suffice to mention the relevant legislation, namely, the Decrees of 3, 4, 6, 7 and 27 April 1938 setting up the Superior Arbitration Court and appointing Government commissioners to appear before the Court; the Decree of 20 April 1938 concerning the organisation of conciliation and arbitration procedure; and the Decree of 12 November 1938 concerning the reform of conciliation and arbitration.

The chief innovation concerns the sanctions to which the parties are liable if they refuse to carry out a binding arbitration award. The sanctions laid down for this offence are both penal and occupational in character.

¹ Cf. *I.L.O. Year-Book 1936-37*, pp. 424 *et seq.*, and *I.L.O. Year-Book 1937-38*, pp. 458 *et seq.*

If an arbitrators' or umpire's award which has become finally operative is not carried out by a party or by a member of the group which was a party to the collective dispute, any person concerned may request the arbitrators or umpire who issued the award to register non-compliance and to condemn the group or person responsible to the payment of a fine, which may not exceed 1,000 francs for each day of delay. The product of the fine is paid into the Treasury for the benefit of public bodies of a social character.

Appeal may be made against the decision of the arbitrators or umpire to the Superior Arbitration Court within three clear days from the notification of the award.

An employer or group of employers who fail to carry out an arbitrators' or an umpire's award are liable, when the arbitrators or the umpire have registered the failure in question, to be declared ineligible for three years to belong to a chamber of commerce, a chamber of handicrafts, a commercial court or a probiviral court.

Such failure also debars for the same period the persons concerned from participating in any form in a works or supplies contract for the Government or a public body. The employer may only be liberated from this prohibition in the public interest by joint decision of the Minister of Labour and the Minister in whose jurisdiction the works or supply contract lies.

Failure to carry out an arbitrators' or an umpire's award by one or more employed persons constitutes unjustified breach of the individual contract of employment and involves loss of the right to compensation on discharge, loss of the right to compensation for dismissal without notice and loss of the right to holidays with pay.

Iceland. — An Act of 17 March 1938 provides for compulsory arbitration procedure for the regulation of disputes between fishing boat owners and fishermen concerning labour conditions. The object of the Act was to end a wages dispute which, owing to its prolongation, was endangering the success of the spring fishing season.

India. — An Act passed by the Central Legislature, the Trade Disputes Amendment Act of 9 April 1938, extends the definition of "trade disputes" by the inclusion of disputes between employers and employers in addition to disputes between employers and workmen or between workmen and workmen, and the definition of "public utility services" by the inclusion of undertakings supplying power to the public and by provision for the inclusion, on notification by the Provincial Government concerned, of tramway services or water transport passenger services subject to the Inland Steam Vessels Act, 1917. A new section provides that the Central Government, in respect of undertakings carried on by them or under their authority or by a railway company, and the Provincial Governments, in respect of undertakings carried on within the Provinces, may appoint Conciliation Officers charged

with the duty of mediating in or promoting the settlement of trade disputes. Such an officer may, after giving reasonable notice, enter the premises of any undertaking and inspect any document which he considers relevant to any existing or apprehended dispute. Provision is made to secure the confidential nature of information thus obtained and to prevent its disclosure except in accordance with the Act.

The Bombay Industrial Disputes Act, 1938, assented to on 13 February 1939, provides for the registration of trade unions and the settlement of disputes by conciliation and arbitration.

In each local area of the province, only one union may be registered in respect of each industry and one union in respect of each occupation in the industry. The basis of registration is membership relative to the total number of workers or recognition by an employer. Under certain conditions, a registered union may be declared a "representative" union and, where no registered union exists, an existing union may be declared a "qualified" union.

Every employer must submit, for the approval of the Commissioner of Labour, standing orders relative to the discipline and working of his establishment. An employer may not make any alteration in the standing orders or in conditions of service, wages, etc., without giving due notice to his employees and to the Government authorities. Employees desiring changes must also give notice of their wishes. Negotiations regarding the proposed changes will take place and, if agreements are reached, they will be registered. If no agreement is reached, the dispute will be referred to an official Conciliator or to a Board of Conciliation, composed of a chairman and an equal number of persons representing the interests of employers and of workers respectively. Strikes and lock-outs are illegal during conciliation proceedings.

A distinctive feature of the Act is the establishment of a Court of Industrial Arbitration for the voluntary arbitration of disputes. Employers and employees may submit disputes either to an agreed arbitrator or to the Court for decision. In addition to its functions with respect to voluntary arbitration, the competence of the Court includes the power to hear and decide appeals from decisions relative to registration of trade unions or approval of standing orders of establishments and to decide whether a strike or lock-out or a change of conditions is illegal.

The Act does not apply to disputes for the settlement of which proceedings are taken under the Trade Disputes Act, 1929, of the Central Legislature.

Acts for the investigation and settlement of trade disputes on the lines of the British India Trade Disputes Act, 1929, were passed in 1938 in the States of Indore (Trade Disputes Conciliation Act of 24 February 1938), Baroda (Trade Disputes Act of 4 July 1938) and Travancore (Trade Disputes Regulation of 22 September 1938).

Italy. — A Decree of 7 March 1938 lays down the procedure to be followed for the settlement of disputes arising out of the

regulation of piece work. A Ministerial Order of 9 June 1938 issued under the Decree set up a Superior Technical Council as a court of appeal.

Luxemburg. — A Decree of 29 December 1938 amending the Decree of 23 January 1936 establishing a National Labour Council for the settlement of collective disputes¹ provides that collective agreements concluded under the auspices of the Council may in certain conditions (see above, under "Collective Agreements") be extended to all the persons engaged in an industry or occupation.

In connection with this amendment, mention should be made of a Bill now before the Chamber of Deputies under which minimum wages may be laid down by compulsory arbitration in non-organised occupations. The Bill provides that if the Government considers that the wages paid in an industry or occupation are exceptionally low, it may cause an arbitration board to be appointed, which will of its own accord fix minimum wages, if the parties concerned have been unable to come to an agreement in the National Labour Council.

Norway. — Compulsory arbitration procedure was provisionally introduced in November 1938 to end a dispute in the forestry industry.

Sweden. — An Act of 1 July 1938 repealed certain provisions of the Penal Code relating to strike pickets. Under the provisions now repealed any attempt to force any person to take part in a collective stoppage of work or to prevent any person from resuming work or accepting the work offered to him was punishable by fine or imprisonment (see also above, "Right of Combination in Trade Unions").

Venezuela. — Regulations promulgated by Decree of 30 November 1938, under the Labour Act of 16 July 1936² lay down rules for the appointment, duties and procedure of conciliation boards and arbitration boards.

The Individual Contract of Service

Questions of individual labour regulations have continued to occupy legislatures. Matters relating to the payment of wages, for instance, have led, as in previous years, to the adoption of a number of measures. In *Germany* increased protection has been afforded to workers and salaried employees in the event of a restraint on wages. Guarantees against the abuses of the truck system have been strengthened or codified in *Bolivia* (mines, draft code), *Cuba* and *Ecuador*, as well as in *Porto Rico* and the *Philip-*

¹ Cf. *I.L.O. Year-Book 1935-36*, p. 395.

² Cf. *I.L.O. Year-Book 1936-37*, p. 433.

pine Islands. In the *United States* efforts have been continued to ensure to workers the punctual and real payment of their wages.

But at present questions of security of employment call for attention in the first place. It therefore seems desirable to devote most of this account to the new legislative measures on the contract of service, the more so since a special aspect of the question, indemnities in case of dismissal, came before the last session of the International Labour Conference, which adopted a resolution on the subject, requesting the Governing Body of the International Labour Office to consider the desirability of instructing the Office to study the question with a view to placing it on the agenda of an early session of the Conference.

Legislation is tending to place more and more restrictions on the freedom of the parties to terminate the contract of service. It imposes certain conditions on the exercise of that right, such as proof of valid cause, the observation of a period of notice, the payment of an indemnity, the intervention of certain administrative or judicial authorities, etc.

In some countries, such as *China* and *Japan*, these are temporary measures which need not be described here, but attention must be drawn to the permanent ones. In the past these regulations mainly affected salaried employees, but manual workers—or some classes of manual workers—are now also protected; in any case, the making of a distinction between these two groups of wage earners raises many difficulties. In *Uruguay* a Decree of 19 October 1938 laid down, for the purposes of the application of labour legislation, a legal definition which finds its main criterion in the preponderance of intellectual or physical effort expended by the wage earner.

It should also be added that in some countries the tendency to restrict the free cancelling of contracts applies as strictly to workers as to employers, so that the essential nature of the relations between employers and workers seems likely to be radically altered.

Argentina. — Act No. 12383 of 7 October 1938 prohibits employers from providing in contracts of service or works regulations that marriage entails dismissal. A wage earner dismissed on those grounds is entitled to an indemnity which may not be less than one year's pay. An employer in default is also liable to a fine.

Cuba. — Decree No. 798 of 30 April 1938 regulating contracts of service deals with various questions relating to the contract; its form and manner of conclusion, the reciprocal obligations of the parties, the payment of wages, etc. The provisions concerning the cancelling of the contract are specially interesting.

The Decree enumerates the cases in which the employer or worker may denounce the contract. But an employer who desires to dismiss or suspend a worker from employment must prove the justice of his action by a special procedure, the full details of which are laid down.

He is required to open the procedure by communicating a copy

of his decision, with a statement of the reasons for it, to the worker concerned, to the organisation to which the worker belongs, and, in Havana, to the Secretariat of Labour, and elsewhere in the Republic, to the provincial office. He may then immediately suspend the worker but in any case he must invite him to submit his observations and produce his evidence within ten days.

Within a further ten days the employer must reconsider the case in the light of the evidence brought forward by the other party and then decide either to withdraw the charge against the worker by ending any suspension which may have been inflicted, or to inflict on the worker the disciplinary penalty which he considers necessary, or to dismiss him. This decision must be communicated to the worker, the trade union and the competent authority.

The worker or his union may within ten days appeal against the employer's decision to the Secretariat of Labour in Havana or to the provincial office elsewhere in the Republic. The competent authority examines the question judicially and in accordance with the conclusions reached submits proposals confirming or cancelling the employer's decision to the Secretary of Labour, with whom the decision rests.

An appeal against the Secretary of Labour's decision may be made to the President of the Republic, whose decision is governed by the procedure for administrative disputes in accordance with the general principles of Cuban public law.

If the competent authority decides that the worker is to be re-engaged, the employer must comply with the decision, under penalty of prosecution in the correctional court. It should be noted that whatever the finding of the court, the Secretary of Labour may appoint a commissioner to see that the worker obtains the post which he previously held in the undertaking, or if that is impossible, another post in the same conditions.

Instead of taking the worker back into employment the employer may within 30 days give an undertaking that he will indemnify the worker for all damages caused by the dismissal by paying, in addition to the costs, an amount equal to as many months' wages as the worker's years of service or parts of years of service. An extra month's pay is added to this amount. The employer must attach to this undertaking a money order.

If the worker refuses this offer the Secretary of Labour takes the decision, but he must confirm the employer's request unless the employer is obviously attempting to avoid compliance with labour legislation or to harm a given workers' organisation.

A worker who is dismissed or punished by his employer in disregard of the procedure laid down may appeal to the competent authority, who will examine his case. The Secretary of Labour, if the worker's claims are upheld, decides that he shall be restored to his post or that the disciplinary measures shall be cancelled.

Employers are responsible for damages suffered by a worker

from dismissal without reasonable cause or for failure to observe the procedure required by the Decree.

Denmark. — An Act of 13 April 1938 governs relations between employers and private employees. The most important provisions of the Act concern the cancelling of the contract.

The Act lays down different periods of notice for employers and employed. For both parties however notice must always be given for the first of the month.

For the first three months of the employee's service the employer is required to give one month's notice, which may however be reduced by written agreement, and after three months' employment notice of three months. For every period of three years' service the notice is increased by one month, up to a maximum of six months.

The notice to be given by an employee may not be fixed at more than one month. By written agreement, however, the parties may fix a longer period, provided that the notice to be given by the employer is prolonged in proportion.

It should be noted that the terms laid down by the organisations concerning the notice to be given in the event of a stoppage of work legally announced override all the provisions of the Act.

An employee's illness does not justify the immediate cancelling of the contract, but the parties may agree in writing that the employee's contract is to be considered cancelled without special notice if he has in a period of 12 consecutive months drawn his wages during a total number of 120 days' sickness.

Ecuador. — Most of the provisions of the Labour Code promulgated on 5 August 1938 are devoted to individual relations between employer and worker.

The cancelling of the contract of service in particular is regulated by detailed provisions. Both employers and workers may cancel a contract at any time for any of the serious reasons enumerated in the Code. But the alleged reasons must be confirmed by the visa of a labour inspector. The employer may not cancel the contract in the following three cases: (1) if the worker is sick during the authorised month of absence; (2) if the worker is called up for military service or is discharging a compulsory public duty; (3) if a woman worker is in childbirth.

It should also be noted that a strike suspends but does not break the contract of service.

The Code further prescribes the giving of a period of notice, which is one month for the employer and 15 days for the worker. Notice must be given to the other party by a written document submitted to the competent labour inspector and communicated by him to the other party within 24 hours.

An employer may not simultaneously dismiss more than two workers in undertakings employing 20 workers or less, or more than five workers in undertakings employing more than 20 workers. Unless there is serious reason an employer may not dismiss a wage

earner who is a member of the directing committee of the works council or of any other workers' organisation without paying him one year's wages as indemnity.

The Code provides for the creation of a reserve and pensions fund to indemnify workers who leave their employer after one year's service. As soon as the Code comes into force every worker with more than a year's service may require the employer to place to his credit an amount equal to one month's wages for every year of service. This sum constitutes his reserve fund. The worker's rights cannot be alienated in any manner; the fund cannot be distrained upon or transferred. The employer may not hold back any sum except for indemnities due to him from a worker who has not given the prescribed period of notice or who has been punished for an offence.

Subject to the existing provisions concerning salaried employees and manual workers' insurance funds, the reserve fund is paid to the worker when he ceases employment or, in case of death, to his dependants.

Workers who have served for 25 years or more are entitled to a pension which is fixed in accordance with the rules laid down by the salaried employees' and manual workers' insurance fund. The individual credit due to the worker is composed of the reserve fund, of an amount equal to 5 per cent. of half the annual wages which the wage earner has received in the last five years, multiplied by his years of service, and of an amount equal to as many months' wages as the worker has years of service. The monthly pension may not, however, exceed the average wage for the last year of service or the sum of 800 sucres if the wages exceed that amount.

France. — The Act of 13 January 1939 concerning house porters and doorkeepers covers persons paid wages by the landlord or principal tenant who are housed in the building and are responsible day and night for its safety, supervision and upkeep, except porters in the personal service of the landlord.

Apart from the application to these persons of the provisions of the Code respecting the payment of wages, it should be noted that unless they have committed a serious offence in the discharge of their duties, they cannot when dismissed by the employer be required to leave their quarters before three months at least, unless they are given an indemnity equal to the cost of three months' rent of accommodation equivalent to that which they occupy and to the benefits in kind which they receive from the landlord.

Germany. — The application of the four-year plan has led in some occupations to a shortage of labour which has required the issue of legislation. Only those provisions are here mentioned which deal with the conclusion and cancelling of the contract of service.

The Decrees of 22 and 30 June 1938, co-ordinated by the Decree of 13 February 1939, are directed to ensuring the necessary labour for work of special political importance. For certain work declared

to be important and urgent all inhabitants of the territory of the Reich, except foreigners, may be compelled to undertake work decided by the competent labour office. In that case existing contracts of employment are suspended, but they cannot be broken unless the new employment is of unlimited duration. The new contract of employment, to which the collective or works rules in force for the work in question apply, can only be cancelled with the consent of the labour office.

Apart from the cases just mentioned, the Decree of 13 February 1939 empowers the Minister of Labour for special political reasons to make the cancelling of certain contracts of service conditional on the consent of the competent labour office. Similarly, he may provide that the engagement and employment of certain manual workers and salaried employees may not be effected without the permission of the labour office.

In the same connection the Decree of 25 June 1938 concerning collective agreements¹ should be mentioned.

Under the absolute powers which this Decree confers on them, the labour trustees in several districts of the Reich and for certain occupations have regulated the breaking of the contract of service by the imposition of severe penalties. To this end they have laid down compulsory periods of notice—sometimes three months, prohibited the enticing of workers from their employment by the offer of specially favourable conditions and declared the illegal breaking of the contract of service to be in itself punishable.

Rumania. — The Act of 28 March 1929 respecting contracts of service was amended by two Decrees of 3 August and 17 October 1938. Under this legislation the party who cancels the contract must inform the other party of the reasons for his action. Abuse of the right to cancel a contract gives rise to liability for damages. Cancelling of the contract without statement of the reasons is deemed to be abusive.

The period of notice for workers was fixed at 14 days for those with less than ten years' service and 30 days for those with ten or more years' service.

U.S.S.R. — An Order of 28 December 1938 increased the penalties which may be inflicted on workers for breaches of discipline and amended the provisions governing the cancelling of contracts of service.

The Order gives the management of undertakings the necessary powers for the severe punishment of all workers who do not observe the time-table laid down, who frequently leave one undertaking for another, etc. It also provides that heads of the economic organisations of the State who do not apply the measures for the improvement of discipline shall be liable to penalties and may even be dismissed and prosecuted.

¹ Cf. p. 286.

From 1 January 1939 a worker who wishes to leave his employment must inform the management at least a month beforehand; previously this period was in most cases fixed at one day. A worker living in a house belonging to a given undertaking must leave his quarters within ten days if he leaves the undertaking of his own accord or if he is dismissed for a breach of discipline.

Venezuela. — The Decree to apply the Labour Act¹ contains detailed provisions on the cancelling of contracts of service. The worker may be immediately dismissed for deserting his employment if he leaves the workplace without his employer's permission and without valid reason during working hours, if he refuses to work at the employment allotted to him, in spite of the fact that it is in accordance with the contract and the law, or if he fails to come to work without valid reason and so hinders the working of the service or the carrying out of the work.

An employer may also dismiss a worker who is absent without reasonable cause for three days in a period of three months. In case of duly proved sickness an employer may not dismiss the worker on the ground of absence if he has been informed in time.

Administration of Labour Law

Further developments were recorded during 1938 in connection with the institution and operation of separate judicial tribunals for the settlement of labour disputes. Apart from the countries, such as *Argentina*, *Brazil* and *Salvador*, where proposals were discussed by the legislatures for the creation of a separate labour judiciary, three cases are cited below where legislative decrees on the subject were actually put into effect.

France. — A Decree of 30 December 1938 provides for the institution of probiviral courts (*conseils de prud'hommes*) in the French colony of Guadeloupe, on the model of the probiviral courts which have been in operation in France for over a century. The Decree reproduces the greater part of the provisions of the French Labour Code dealing with probiviral courts and introduces only such changes as are necessitated by local conditions in the colony.

Luxemburg. — Individual labour disputes arising out of contracts of employment or of apprenticeship between employers and their wage-earning employees or apprentices will henceforth fall within the jurisdiction of one of three probiviral courts set up in accordance with a recent Grand-Ducal Decree of 31 December 1938.

The Decree prescribes that each probiviral court is to be composed of a Justice of the Peace or his substitute and of two assessors,

¹ Cf. *I.L.O. Year-Book 1936-37*, p. 449.

one representing the employers and one representing the workers. These assessors and their substitutes will be selected by the administrative authorities from the lists established in accordance with the Decree of 23 December 1927 for the settlement of disputes arising out of social insurance laws.

The decisions of the probiviral courts are final when the sum involved in the dispute does not exceed 3,000 francs. Otherwise an appeal will be allowed to the regular appeal court. The procedure for appeals in labour matters will be governed by special rules to be issued by the administrative authorities.

Venezuela.— No changes have been made in the labour judiciary, already described in a recent study¹, based on the Labour Act of 11 July 1936, and on the Legislative Decree of 15 November 1937. It is only necessary to point out here that the more recent Decree of 5 December 1938 concerning the application of the Labour Act merely reiterates the provisions of the 1937 Decree with respect to the working of the special labour courts which had already been established.

Profit-sharing and Workers' Participation in Management

PROFIT-SHARING AND SHAREHOLDING BY WORKERS

As most profit-sharing schemes in operation are of a private character, very few Governments publish statistics which make it possible to keep abreast of the developments in the different countries.

The British Ministry of Labour again published in 1938 its annual survey of profit-sharing in *Great Britain and Northern Ireland*. The statistics reveal that the total number of profit-sharing schemes in operation in private businesses and in co-operative associations during 1937 was 415, as compared with 418 in 1936, while the total number of employees entitled to participate in 1937 was 264,300, which represents an increase of 4,300 over the figures for 1936². The organisations in which these schemes existed numbered 410 and out of this number there were as many as 149 organisations which paid no profit-sharing bonus for 1937. The others made payments averaging £11 8s. 0d. per employee, or 6.1 per cent. of the wages. Most of the schemes in co-operative associations provided for payments in cash, whereas some of the private businesses made payments either in cash or as a deposit in a savings account to the credit of the employee and others retained the bonus as part of the working capital of the employing

¹ Cf. INTERNATIONAL LABOUR OFFICE: *Labour Courts, Studies and Reports*, Series A (Industrial Relations), No. 40, 1938, pp. 210-211.

² Cf. *I.L.O. Year-Book 1937-38*, p. 449.

company in the form of shares belonging to the employees, or as so much capital on which a fixed rate of interest was guaranteed.

In the *United States of America* profit-sharing is the subject of a nationwide investigation by a sub-committee of the Senate Committee on Finance. The resolution adopted by the Senate directed the appointment of a sub-committee "to make a complete study and report to the Senate upon all existing profit-sharing systems between employers and employees now operative in the United States with a special view (a) to the preparation of an authentic record of experience which may be consulted by employers who are interested in voluntarily establishing profit-sharing schemes; (b) to the consideration of what advisable contribution may be made to the encouragement of profit-sharing by the Federal Government, including the grant of compensatory tax exemptions and tax rewards when profit-sharing is voluntarily established; (c) to the considerations of any other recommendations which may prove desirable in the pursuit of these objectives."

In accordance with this resolution the sub-committee, which is composed of three Senators, has appointed an experienced business man as special investigator, with a staff of six assistants, including statisticians, analysts and field men, to carry out the enquiry throughout the country. The sub-committee also began, in November 1938, its hearings of representatives of the most successful business concerns in the country. These hearings, which have not yet been terminated, will doubtless contribute in a large measure to forming public opinion on the subject.

In a statement to the sub-committee the President of the American Federation of Labor expressed the view that labour is not opposed to the principle of profit-sharing but disagrees with the way in which profit-sharing has developed and operated. The gist of his criticism is that the tax power of the Government should not be used to promote profit-sharing and also that collective bargaining should be extended to profit-sharing.

In *Venezuela* the Federal Government, exercising the powers conferred upon it by Section 63 of the Labour Act of 1936, issued a Decree on 17 December 1938 determining the conditions under which profit-sharing is to be effected. It stipulates that large undertakings habitually employing 400 workers or more or whose working capital is not less than one million bolivars shall pay their wage-earning and salaried employees 12.45 per cent. of their yearly wage or salary; undertakings habitually employing 200 workers or more, or whose working capital is less than one million but not less than 200,000 bolivars, are to pay 8.30 per cent.; undertakings employing less than 200 but not less than 50 workers, or whose capital amounts to less than 200,000 but not less than 50,000 bolivars, are to pay 4.15 per cent.; and, finally, undertakings employing less than 50 workers or whose capital is less than 50,000 bolivars, are to pay 2.05 per cent. In all cases the profits are to be distributed half-yearly.

WORKS COUNCILS

Two important events as regards works councils have to be reported: the final settlement of the legal status of staff representatives in France, under a Decree of 12 November 1938, and in Mexico the transference of the administration of the national railways to the control of the trade unions, under a Decree of 29 April 1938.

France. — Before the promulgation of the Decree of 12 November 1938 defining the legal status of staff representatives, the only legal provision concerning works councils was the Act of 24 June 1936 respecting collective labour agreements, which merely provided that the agreements must include clauses appointing staff representatives in undertakings employing more than 10 persons ¹.

In practice, since 1936 collective agreements had developed staff representation in most undertakings and the staff representatives formed an essential feature of industrial relations in France.

But the contractual system thus organised led to a number of difficulties, arising either from the insufficiency of the provisions in the collective agreements, or from their diversity, and the new definition of status was intended to remove these difficulties.

Under the new Decree, which follows in the main a Bill introduced in 1937 ², staff representatives will be appointed in all industrial and commercial establishments with more than 10 employees.

The duty of these representatives, in any matter relating to conditions of employment, is to enable the heads of undertakings to be readily informed of the workers' requirements and to facilitate the amicable solution of any differences which may arise. For this purpose the representatives are empowered to submit to the management individual and collective requests. They may also maintain relations with the labour inspectorate. These powers may not, however—as is stated in the explanatory note to the Legislative Decree—in any case infringe the employer's legitimate authority; nor may they deprive the employees of the right to submit their claims in person.

The representatives and their substitutes are elected by all the employees of the undertaking. Their number is fixed in proportion to the number of employees in the undertaking and provision is made for separate representatives for different categories of employees, so that the different occupations are represented. In each category as many electoral colleges are set up as there are representatives to elect. If in any category there are not enough employees to be entitled to a representative of their own they may vote in another category.

As regards the electorate and eligibility the Decree lays down the same conditions of age, nationality and character as are required for parliamentary and other elections. The Decree also prescribes

¹ Cf. *I.L.O. Year-Book 1936-37*, p. 410.

² Cf. *I.L.O. Year-Book 1937-38*, p. 451.

the manner in which the representatives are to discharge their duties, the term of their office and the conditions under which it may be ended. It should be remembered in this connection that representatives are protected against arbitrary sanctions from the employer by the application of the conciliation and arbitration procedure, since arbitrators and umpires have power to decide upon the substance of the occupational failings with which the representative is charged or of the wrongful use which he may have made of his functions and if they consider that a representative has been dismissed without justification they must order his re-engagement or the payment of compensation.

Mexico. — Under the Legislative Decree of 29 April 1938 a public body was set up, called the "Workers' Administration of the Mexican National Railways". The Workers' Administration possesses legal personality and is directed by a Governing Body consisting of seven members appointed by the railway workers' trade union. The term of office of these members is two years. The trade union may however withdraw members at any time for sufficient reason. On the other hand, the mandate of members may be renewed when it expires.

The Governing Body elects from its members a chairman, who receives the rank of administrator-general and is responsible for the organisation, administration, and working of the railways.

In the discharge of its duties the Governing Body possesses the fullest autonomy, which does not however exclude a very strict supervision of its financial management. In this connection the following details may be of interest.

The Workers' Administration must obtain the approval of the Executive for the following actions: building of new lines or suppression of existing lines, sale or mortgage of property, conclusion of agreements for the acquisition or administration of other railway systems or the cession of lines to other railway companies, issue of loans, etc.

The working expenses may not exceed 85 per cent. of the gross receipts. 5.36 per cent. of the gross receipts must be invested in improvements and 5.65 per cent. go to the State as a shareholder if the annual gross receipts exceed 125 million dollars and 3.64 per cent. if the receipts are less than that amount.

The net profit must be divided as follows: 25 per cent. must be devoted to increase of investments, 25 per cent. to the Government (in addition to its share of the gross receipts), 25 per cent. to the railway workers' welfare fund and 25 per cent. to form a reserve fund to meet periods of crisis.

Supervisors appointed by the Government have very wide powers to examine the accounting, books and other documents of the workers' administration. As regards the running of the railways the Administration is subject to the compulsory provisions in the Act concerning general means of communication and, as regards labour relations, to the provisions of the Federal Labour Code.

National Economic Councils

As in previous years, most of the national economic councils have shown great activity. The nature of their work and their reports is often confidential and it is therefore difficult to give an exact idea of their relative importance. In some countries economic councils have been reorganised, while in Ecuador the council has been abolished. In the following countries proposals are under consideration for the creation of new national economic councils: Argentina, Belgium, Bolivia, Chile, Cuba, India, Mexico, New Zealand, Paraguay, Venezuela and Uruguay.

Colombia. — By Decree of 1 October 1938 a permanent secretariat was set up for the National Economic Council, which dates from 1931. The task of this new body is to encourage, co-ordinate and direct the whole work of the National Economic Council as regards economic problems in general and questions of production, consumption and international trade in particular. The secretariat includes technical experts who are specialists in economic, financial, statistical and social questions. It possesses an economic and financial documentary service and a library. Government Bills, as well as all Bills of an economic or financial nature, will be examined by the secretariat before they are submitted to Congress.

Czecho-Slovakia. — By Legislative Decrees of 23 December 1938 and 25 January 1939 the Government set up a new national economic council with a maximum of 65 members, divided into five sections. This council met on 8 February 1939 and undertook certain urgent tasks connected with the economic reorganisation made necessary by the recent losses of territory.

France. — The chief questions dealt with by the National Economic Council, which were the subject of reports adopted by the Council's General Assembly at its two sessions, held in March and July 1938, were: agricultural credits, the financing of State markets, apprenticeship in industrial and commercial occupations, compulsory conciliation and arbitration procedure, protection for production and sale in the boot and shoe industry, short and medium term credit, credits for building and vocational education in agriculture.

The Council also devoted considerable attention to certain aspects of national economic recovery. It appointed a committee to examine industrial and technical organisation and the Government has recently asked it for a documented opinion on building regulations for general stores. It should be noted that the National Economic Council's suggestions have already been followed to a large extent by Legislative Decrees.

The occupational sections examined questions raised by the extension of collective agreements and the application of the

40-hour week. 250 draft Orders to extend collective agreements were submitted to them.

Greece. — The National Economic Council published the following studies and enquiries in 1938: organisation of the fishing industry; enquiry into the nutrition problem in Greece; the economic situation in Greece in 1937; enquiry into the tobacco industry; and economic bibliographies for Greece for 1936 and 1937.

Italy. — Problems connected with autarky have continued to be the most important in the work of the corporative organisation. Among the questions which came before the Central Corporative Committee were price fixing for certain commodities, stabilisation of rents, supplies of water, gas and electricity and public transport fares. The Committee approved of trade agreements between producers and retailers particularly as regards almonds, walnuts, hazelnuts and pistachio nuts, sheet-glass and crystal and pharmaceutical specialities. Other economic agreements which it approved dealt with the duties of commercial travellers and agents and the rules of the Fascist Aid Institute for workers employed in banking and insurance establishments and the fiscal services.

Reference should also be made to the Act of 9 January 1939 which effects an important reform in the National Council of Corporations; in its new form it is part of the Chamber of Fascii and Corporations and thus collaborates in legislation. The Central Corporative Committee, under the new Act, will include, besides its former members, the ministers, the secretary of the Party and the under-secretaries of State.

Luxemburg. — The following questions came before the National Economic Council: reorganisation of the Council; economic publications on the occasion of the centenary of 1939; examination of draft Orders concerning reduction of hours of work and reorganisation of labour exchanges; possibility of altering the distribution of the joint receipts for which the economic union convention provides; the acceptance of bids by the Government from contractors who have not signed the labour collective agreement.

Rumania. — Apart from the opinions which it has given on legislation of an economic character, the National Economic Council has published a work setting out the guiding principles for a Rumanian economic plan, which would take several years to carry out and would co-ordinate all the endeavours towards economic development. In addition the Research Office of the Council has prepared a number of reports on various aspects of Rumanian economy, including agriculture, the sub-soil, commerce, relations between labour and capital, mutual insurance in agriculture, the monopolies, the industries under autonomous public management, public works, energy, etc.

United States. — The National Resources Committee has continued its work on a wide scale and has examined from the

point of view of local, regional and national planning the possibilities of utilisation of all the resources which the United States possess: human resources, resources of the land and sub-soil and resources in hydraulic power. Among its recent publications are: " Technological Trends and National Policy, including the Social Implications of New Inventions "; " The Problems of a Changing Population "; and " Relation of the Federal Government to Research ". Attention should also be drawn to the activities of the Business Advisory Council of the Department of Commerce, set up in 1933, which consists of some fifty persons representative of industry, commerce and the economic sciences. During 1937-1938 this Council prepared 15 confidential reports containing, in addition to documentation, constructive proposals for the economic policy of the country.

U.S.S.R. — The problem of co-ordinating the work of the people's commissariats responsible for the prosecution of Soviet economic policy has become one of immediate interest, particularly since the dividing up of the chief industrial commissariats. The creation of more specialised commissariats brings them closer to the undertakings, but also raises a number of problems which cannot be solved by a single commissariat alone. According, therefore, to a statement made before the Eighteenth Congress of the Communist Party of the U.S.S.R. by Mr. Molotov, Chairman of the Council of People's Commissars, the State Planning Commission (*Gosplan*) and the Economic Council will have to be strengthened to ensure better co-ordination between the bodies which direct the economic life of the country.

CHAPTER X

LIVING CONDITIONS

Nutrition

The International Labour Office published in 1938 a report on the worker's standard of living¹. This report indicated that varying proportions of the population of the world have an insufficient diet, even when measured by the tentative standards adopted in various countries. Examination of the statistics given in the report also indicates that as the income per consumption unit rises, food consumption increases and the diet tends to become more varied and better balanced.

During the year nutrition problems were given considerable attention on the American continent. The *Pan-American Sanitary Conference*, which met at Bogota, Colombia, in September 1938, adopted the report of its Nutrition Committee, which recommended that the governments of American countries should set up national nutrition committees, facilitate co-operation between them, institute systematic education on nutrition, supervise the preparation of milk and bread and make the Pan-American Nutrition Committee a permanent institution.

The *Fifth Medical Congress of Central America and Panama* met at San Salvador and adopted a recommendation requesting Governments to create nutrition sections in their departments of public health, to organise an energetic campaign for the improvement of the nutrition of the peoples of Central America and to exercise certain controls, particularly over prices and over the quality of foods of prime necessity.

The main activities as regards nutrition in various other countries were as follows.

In some States of *Australia* standards have been laid down for the manufacture of bread, on the recommendation of the Australian Nutrition Council.

In *Belgium* the Ministry of Agriculture intends to set up a Milk Office, to organise propaganda to encourage milk consumption.

In *Canada* it was announced at the close of a conference on the co-operation of the Dominion Government in the work of the

¹ *The Worker's Standard of Living*, Studies and Reports, Series B, No. 30.

Canadian Nutrition Council that the enquiry already begun upon the subject would be extended and that further research would be undertaken in 1939.

In some towns in *Egypt* popular restaurants have been opened where poor persons can obtain a suitable meal for a very low price.

In *Great Britain* the Government is endeavouring to encourage the consumption of milk among those classes of the population for whom milk is specially valuable as nourishment. The "milk in industry" movement is making successful progress and has been adopted in over 7,000 plants employing about $2\frac{1}{4}$ million workers.

In *Greece* the Conference on the nutrition of the people has suggested to the Government that it should take scientific and economic action to improve the nutrition standard of the nation.

In *Hungary* the "milk for children" movement, organised in 1937, continues to progress. In six months, beginning on 15 October 1938, a total of half a million litres of milk was distributed to 23,000 children. The expense was borne partly from State grants and partly by local contributions.

In *Iraq* a committee has been appointed to deal with the production and inspection of milk.

The *Latvian* Labour Chamber has opened in Riga eleven restaurants in which it distributes cheap meals to town workers.

In the *Netherlands* certain forms of food which cannot be sold at a profit are distributed at cheap prices to needy persons. More than $6\frac{1}{4}$ million kilograms of butter and 10 million kilograms of fresh vegetables have been distributed to the poorer classes.

In *Norway* the local authorities in a number of districts have increased the grants for the distribution of food to persons in receipt of assistance; in some cases the increase was greater than the rise in price of the provisions.

In order to improve the insufficient diet of the poorest classes of the population the Department of Agriculture makes grants to enable poor families to buy milk, meat and bacon at cheap prices. In 1937-38 900,000 crowns were spent on the provision of cheap milk and 250,000 crowns to increase the consumption of meat and bacon.

In *Uruguay*, under the auspices of the Nutrition Institute, more than $1\frac{1}{2}$ million cheap meals were provided in the popular restaurants of Montevideo and nearly $2\frac{1}{4}$ million meals in the whole country. Three meals a day are provided, containing approximately the necessary elements required for a well-rationed diet, including a daily ration of 510 grammes of pasteurised milk. The scheme is to be still further extended.

In *Venezuela* the first popular restaurant is being built.

In *Yugoslavia* the Government has intervened directly in the interests of the nutrition of the poorer classes of the population during years of bad harvest. The State has also distributed food to needy widows, to poor and sick persons, to orphans and to persons unable to work; food is also given to poor peasants as payment in kind for public works carried out by them¹.

Housing

Argentina. — A national Committee for cheap housing was set up in February 1937. It was transformed by law in May 1938 into a Workers' Housing Institute, but its existence is suspended during 1939 under the terms of the Finance Act of 1939. The Ministry of Labour has made an enquiry into the living conditions of workers' families in the capital.

The building of cheap dwellings has been undertaken in the Provinces of Santa Fe and Entre Rios.

Australia. — An Act of December 1937 empowered the Housing Improvement Board in New South Wales to build a model estate to show local bodies what could be done. The Health Department may condemn insanitary houses without consulting the local authorities.

In order to carry out the recommendations of the Housing Investigation and Slum Abolition Board, a Housing Commission was set up in Victoria in 1938.

Belgium. — An Act adopted in June 1938 increased the functions of the National Society for Cheap Houses and Dwellings and empowered it, under State guarantee, to contract a loan of 350 million francs. The Society has drawn up a programme for the abolition of 30,000 slum dwellings.

A Belgian Federation of Town Planning and Housing was created in June 1938.

Bolivia. — The question of rents has been closely studied by the Ministry of Labour and Social Welfare, which has submitted to the National Convention various Bills to remedy the housing shortage.

Brazil. — The Retirement and Pensions Funds are empowered to make loans to their members for the building of houses. The Institute of Social Welfare includes a Building Section and devotes 50 per cent. of its receipts to loans. The President of the Republic has decided that workers' housing estates shall be built in all the industrial centres of the country. In 1938 he authorised the transfer, without payment, to the "Workers' Homes" Association, of land belonging to the Federal Government in the suburbs of Rio de Janeiro for the building of houses for workers.

Canada. — Under the Act of 1 July 1938 persons of modest means living in small municipalities may raise mortgages which

¹ For more detailed information, see *Survey of Nutrition Policies, 1937-38*, League of Nations, 1938.

the Government guarantees, without however accepting responsibility for a total of more than 20 million dollars. It may make loans to local housing authorities up to a total of 30 million dollars. For buildings begun before 1941 the Government pays part of the taxes.

Chile. — The Housing Fund, the Compulsory Social Insurance Fund and private undertakings have built with State assistance a large number of workers' houses. The earthquake of 24 January 1939 destroyed 111,984 houses. A rebuilding plan has been prepared which will cost 1,719 million pesos to carry out.

Colombia. — The National Minister of Health is enforcing the 1918 Act which requires municipalities to devote 2 per cent. of their budgets to the building of workers' houses. Material imported for co-operative building societies has been duty-free since 1 October 1938. The carrying out of large building schemes for workers' and rural housing with the support of the Social Insurance Fund was announced by the President of the Republic in October 1938.

Costa Rica. — An Act of 17 August 1937 set up a semi-official Committee to supervise the building of cheap houses for workers. On 1 May 1938 the President of the Cortes announced that workers' housing estates would be built and thus work would be provided for the unemployed.

Cuba. — In November 1937 Congress adopted a three-year plan for social and economic reconstruction which provides for the building of workers' houses. The first Pan-American Congress of Municipalities and Town Planning was held at Havana in November 1938. It dealt with the question of workers' housing.

Denmark. — An Act of 13 April 1938 provides for building loans which may amount to 14 million crowns in a fiscal year. The rent reductions granted to large families living in houses built by means of these loans may amount to half the rent. In 1939 a new Act was passed concerning the inspection of houses and slum clearance. A Bill allows the sales value of the mortgage bonds which may be contracted on buildings yet to be built to be fixed in advance.

Ecuador. — The National Institute of Social Welfare issued on 5 May 1937 regulations for loans on mortgage by the insurance fund of employees in private undertakings, which grants loans to its members for acquiring houses. The Institute is building a workers' housing estate at Quito. In January 1938 a Decree was issued prohibiting increases in rent.

Estonia. — The Ministry of Agriculture has adopted a plan to check the movement of labour from the countryside, which has been caused by unsatisfactory housing conditions. The plan enables agricultural workers with large families to obtain suitable accommodation. A third of the building costs are borne by the State in the form of grants.

France. — The Legislative Decree of 25 August 1937 provided for grants to encourage building. The Decree of 2 May 1938 extends these grants to the reconditioning of houses and reduces the transfer taxes on land.

The Decree of 24 May 1938 reinforces the control and expropriation of insanitary dwellings. It provides for the making of loans to communes for the clearance of insanitary quarters and contains measures to encourage better rural housing.

Another Decree creates the "retirement estate" to enable workers to acquire small properties in the country. A Decree of 14 June 1938 allows landlords of insanitary buildings to form associations to erect new buildings themselves.

Exemption from taxation is granted to these associations and to companies which invest their reserve funds in workers' housing. The Decrees of June 1938 provide a credit of 11 milliards of francs for slum abolition.

Three Decrees of 1 March 1939 encourage the building industry by relief from taxation on new buildings and repairs.

Germany. — The shortage of certain building materials makes it necessary to restrict building to the limits of the schemes drawn up by the public authorities.

In October 1937 a Town Planning Act was promulgated.

A guarantee amounting to a total of 100 million RM. may be given for building loans under the Act of October 1937.

Great Britain. — The Housing (Financial Provisions) Act, 1938, provides that the same grants shall be made in future slum clearance and for measures to remedy over-crowding. The rate is based on the number of rooms built and not on the number of persons housed. The normal grant is £5.10 a year for 40 years; it amounts to £10 for agricultural housing. Local authorities add a contribution of £1 a year. The new Rent Restriction Act of May 1938 abolishes rent restrictions for more expensive housing.

Guatemala. — Workers' colonies are being built. The first to be erected contains more than a hundred healthy houses, provided with all the public services. The President of the Republic is paying attention to slum clearance and is causing the poor quarters provisionally built after the 1918 earthquake to be reconditioned.

India. — The Cawnpore Labour Inquiry Committee proposed in 1937 to the Government of the United Provinces that a loan of 5 million rupees should be floated to finance the building of houses for 40,000 workers. Up to the present the Government has granted 20,000 rupees to assist a plan which is eventually to cost 500,000 rupees.

Ireland. — The campaign for the improvement of town and rural housing continues. An official enquiry is to discover how many houses must be built to replace all the slums. In Dublin overcrowded districts have been pulled down and rebuilt.

Italy. — A Decree of 27 October 1937, which was changed into an Act on 7 April 1938, laid down measures to encourage the building of workers' housing for the employees of national industries.

The postponement of taxes on the building of cheap workers' housing was prolonged by the Act of 23 December 1937.

Latvia. — In 1938 the State Statistical Office made an enquiry into the living conditions of agricultural workers which provided information on housing.

Mexico. — The State has prepared and distributed plans for workers' housing. An enquiry into housing was carried out by a technical staff which required the installation of sanitation and ordered the closing of insanitary houses. A National Committee of Healthy Housing and a Superior Council of Social Welfare, to prepare legislation on the building of dwelling houses, were set up in 1938.

New Zealand. — The Reserve Bank has supplied the State Housing Department with 5 million pounds, which form a new fund specially devoted to building. The greater part of this sum has enabled the Ministry to undertake building on a large scale.

Co-operative associations of carpenters are undertaking the building of houses at a contracted price and sharing the responsibility and profits.

Peru. — In June 1937 a Committee was appointed to examine the provision of housing for workers. A workers' housing estate, comprising 262 houses, was opened in December 1938.

An Act of 20 October 1938 prohibits the raising of rents of dwelling houses.

Poland. — The Economic Committee of the Council of Ministers voted credits of 40 million zlotys for building in 1938, and especially for building small houses.

A housing congress was held in Warsaw in December 1937.

Rumania. — The Ministry of Labour proposes to use part of the reserve funds of the Central Social Insurance Fund for the building of workers' houses, to create co-operative building societies and to put a tax on every newly erected building. The revenue from this tax would be devoted to the construction of cheap housing.

Sweden. — An Act of 1938 authorises loans and grants for the erection of roomy accommodation for large families living in overcrowded buildings in rural districts. The Social Welfare Department is making enquiries into the housing conditions of forestry and agricultural workers.

Turkey. — The five-year plan begun in 1937 is providing public utility services in 48 towns.

Union of South Africa. — An Act of 1937 provides for loans to any person who desires to build a house; two-thirds of the loan are

advanced by a co-operative building society and one-third by the Government.

The budget devotes £100,000 to loans for building houses for the aged poor.

A plan for Native housing will enable 11,800 persons to be housed in Johannesburg.

United States. — Amendments to the National Housing Act of 1934, approved by the President on 3 February 1938, extend the provisions of Federal legislation.

The new legislation extends the regulations governing mortgage insurance and guarantees the repayment of 80 to 90 per cent. of the total of loans advanced by the banks.

The annual contributions of the Federal Government to the building of houses are increased from 20 to 28 million dollars. The total amount of the loans which the United States Housing Authority is empowered to advance is increased from \$500,000 to \$800,000.

Uruguay. — An Act of 19 November 1937 set up the National Institute for Economic Housing, whose duties are to build houses and provide public services for workers and to encourage private building.

The four-year plan, begun in 1939, devoted 80 million pesos to public works, which include the clearance of crowded areas.

An enquiry into workers' housing was made in 1938.

U.S.S.R. — The general lines of a building programme were laid down in 1937 and a supervisory body, the "Glavstroimaterial", was set up to ensure order in the production of building materials and to co-ordinate the building industry in general.

Venezuela. — A Decree of 10 March 1938 granted the Workers' Bank a credit of 3½ million bolivars to continue building. The petroleum companies have undertaken a vast programme of housing for their staff. The Government has carried out important housing improvements at Puerto Caballo and under the three-year plan will carry out other work of the same kind.

Workers' Spare Time

There are at present three outstanding facts in a number of countries; first, new or increased activity in providing workers with facilities for their holidays with pay, especially by the creation of private or official bodies to find solutions to the many problems connected with transport, accommodation, the distribution of holiday dates, etc.; secondly, development of organisations devoted to improving the physical standard of the population; and thirdly, co-ordination of bodies dealing with workers' spare time. Other

aspects, such as workers' education, and the formation of holiday aid societies, continue to claim attention.

NATIONAL ACTIVITIES

Belgium. — The work of the second year's season of holidays with pay was made easier by the official co-ordination which was entrusted to the National Office for Workers' Holidays, which is the executive body of the National Committee on Workers' Holidays. The cheap tickets sold to bearers of a reduced price card issued by the Office for Workers' Holidays were more used than in the previous year. It was estimated that the number of persons who benefited by these cards increased in 1938 by 16.5 per cent. as compared with 1937. As regards accommodation during paid holidays, the number of offers of board and lodging (at prices running from 17.50 to 25 Belgian francs a day) more than doubled. A new creation is the Wégimont holiday centre. On this estate, which belongs to the Province of Liège, a holiday centre has been established, with the help of subsidies from the State, including a sports ground, a swimming pool, a camping field, a boating lake, a holiday home and a youth hostel. Great improvements have been made in the organisation of youth hostels and camping grounds.

As in every other country, the question of the lengthening of the holiday season has arisen. It has been studied in detail by the National Committee on Workers' Holidays, which has made some interesting proposals. In September 1938 the Committee recommended the Ministry of Public Education to shift the dates of school holidays by a fortnight: the holidays would begin on 15 July for about half the industrial and urban districts and on 1 August for the other half and for the agricultural districts. This shifting of dates would increase by more than 25 per cent. the present school holiday period. It was also recommended that in elementary schools the present holidays of one week after Easter should be changed to one week after Whit-Sunday.

Denmark. — As a result of the passing in April 1938 of an Act introducing two weeks' holiday with pay, a national institution called "Folke-Ferie" (People's Holidays) was set up in the form of a co-operative society. The object of this institution is to organise cheap accommodation in hotels and peasants' homes and for the rural population in town workers' homes, to establish permanent or temporary holiday homes, in schools, for example, and old country estates, and to set up camps for the cheap accommodation of families. The organisation will also endeavour to organise cheap railway tours and cruises. The capital of the association is fixed at 400,000 crowns.

France. — As a result of departmental reorganisation a directorate in the Ministry of National Education took the place of the Under-

Secretariat for Workers' Spare Time at the beginning of the year.

Efforts to co-ordinate the work of the bodies dealing with spare time were continued; the question received particular attention in Catholic circles. An enquiry was undertaken by the Union of Catholic Engineers' Associations. A congress on spare time was held at Paray-le-Monial by the Union of Organisations. A co-ordinating committee of Catholic organisations for holidays and spare time was set up in the spring of 1938.

The work carried out by the Travel Bureau of the General Confederation of Labour was continued in 1938. A new formula, the "Travel-Plan", was launched and a holiday savings fund was set up to assist workers' travel. A number of foreign organisations got into touch with the Travel Bureau.

The question of holidays received attention from employers as well as from development societies in holiday resorts and the National French Railways Company. There is a general conviction in all these circles that it is essential in every district to provide for a rotation between undertakings in granting holidays to their staff. Moreover, a Legislative Decree of November 1938 gave the Minister and the prefects power to order such a rotation.

The efforts of the General Confederation of Labour to develop workers' education through the Higher Workers' Institute and through the labour schools aroused great interest and a certain amount of controversy.

Germany. — The travel arrangements made by the "Kraft durch Freude" Organisation have been at the level of previous years. The development is most marked in the sphere of foreign travel and exchanges organised with other countries. The first vessel of the K.d.F. fleet was put into service in the spring of 1938 and has since made cruises lasting about a week, carrying 1,400 passengers each time. Another vessel of this fleet for people's cruises has been launched and the building of others is intended. In the summer the greatest number of passengers on these cruises (about 50,000) visited Norway. Winter cruises were organised to Italy, Portugal and Tripoli. Exchanges with a number of countries were made. The most important were those with Italy, under an agreement with the "Dopolavoro". In the three summer months 27,000 Italians visited Germany. Among the other exchanges may be mentioned those of 400 French trade unionists, Swedes, Japanese, etc. Mixed camps of Germans and British and of Americans and Germans are held in summer. In winter joint skiing camps have been organised for German, French and Belgian young persons. In connection with the development of people's touring the motor factory was inaugurated which is to be specially devoted to the production of the cheap cars known as K.d.F. cars.

Physical culture has been actively developed and has made special progress in factories. In 1938 special efforts were made to encourage the staff of various undertakings to practice physical culture. This "factory sports appeal" induced 1,450,000 persons

to take an active part in sports. These activities apply particularly to young persons. An agreement has been concluded between the chief of the Labour Front and the chief of the Hitler Youth for the organisation of physical exercises during the working day. At the end of the year the Empire Physical Training Union was set up under the direction of the National-Socialist party.

Steps taken to organise the spare time of the younger generation were of particular importance. A tendency to develop this activity may be noted apart from the general movement of the K.d.F. Thus in Wurtemberg, in April 1938, it was decided that young persons under 18 years should not take their holidays with the touring organisations of the K.d.F. but in holiday camps for the Hitler youth (boys or girls). The network of youth hostels continued to develop rapidly; in June the first stone was laid of 578 new hostels.

The workers' education movement, which developed somewhat later than the other sections of the K.d.F., made progress in 1937-1938. 61,000 meetings were organised, at which about 5½ million persons were present. Among these meetings may be mentioned courses of lectures, courses for workers, work groups, accompanied visits and excursions and a number of exhibitions.

There has been some activity in the utilisation of spare time in the country. Village halls have been opened in some villages. Special attention has been given to the encouragement of reading in villages. 4,000 village libraries are working under the direction of the workers' education section.

Great Britain. — The passing of the Holidays with Pay Act in July 1938, to implement recommendations made by the Amulree Committee, was followed by the appointment of an interdepartmental committee to stimulate the co-ordination of industrial, educational, transport, lodging and other holiday arrangements. The Board of Education had a conference with various representative bodies and with local education authorities, school teachers and others to discuss the question of arranging school holidays so as to fit in with the industrial holidays in all areas.

On 30 November 1938 a conference on workers' holidays was held in London under the auspices of the Industrial Welfare Society, to discuss various problems arising out of the spread of holidays with pay. The Minister of Labour mentioned at this conference various suggestions which had been made: the extension of holiday saving schemes, the provision of a larger number of camps and hostels, cruising facilities, recreational and open-air facilities in proximity to large towns, the establishment of inexpensive hotels run by local authorities or by commercial enterprise and the building up of self-supporting holiday villages in country areas.

On the question of changing the dates of school holidays it was pointed out that the main thing to be done was to move the examinations which came in the way of an early holiday, but it was not proposed to make any change in these dates in 1940. With

regard to the spread-over of holidays it was suggested that arrangements should be made by towns rather than by industries. The Industrial Welfare Society decided to set up a committee to consider these various questions.

The National Fitness Council has already received a large number of applications for grants. In the summer of 1938 the total expenditure involved in these projects was nearly £3,000,000; of this amount £1,000,000 was for the provision of swimming baths, £1,250,000 for the provision of community centres and clubs, £500,000 for playing fields and about £50,000 for camping facilities and youth hostels. Only some of these applications had been dealt with, to a total of £400,000, £100,000 of which was for swimming baths and £240,000 for community centres and clubs.

In August 1938 the National Fitness Council published a memorandum on the grants which it could recommend towards the erection and equipment of village halls. The "Towards a Fitter Britain" exhibition was transferred from the Glasgow Exhibition to London and it was decided to show it as well in other large centres of population and in some rural areas.

Italy. — There were two important events: the Dopolavoro exhibition opened in May 1938 and the international "Joy and Work" Congress held in Rome in June. On both these occasions attention was drawn to the results obtained by the National Spare Time Organisation.

There were several important exchanges as regards workers' travel, mainly with Germany, which was visited by several tens of thousands of Dopolavoro members. There were other exchanges with Hungary in August.

Poland. — In March 1938 a committee on workers' spare time was set up in the Labour Department of the Ministry of Social Welfare. The Committee includes representatives of the various departments of the Ministry, of the Social Insurance Institute and of the Institute of Social Questions. The task of the Committee is to draw up a plan for the utilisation of spare time and to co-ordinate the various activities of the Ministry and other bodies. In addition to this official Committee, a private body has been set up, the Council for Spare Time, which depends on educational and cultural organisations. This Council began its work in May 1938. It includes delegates from the Ministry of Social Welfare, the National Physical Culture Office and delegates from each organisation concerned with the question of spare time.

The Spare Time Conference held at Warsaw in April dealt with the general question of spare time and particularly with the organisation of holidays with pay. Some new institutions in connection with workers' holidays may be noted. At Lodz a "Workers' Holidays" society has been founded, which gives its members certain advantages. It owns two organised colonies, a stay in which costs 1 zloty 6 a day. The "Saturne" mining company has opened a rest home for its workers. The expenses are almost

entirely met by the company. An artificial silk factory has provided funds to pay for the holidays of 30 women workers.

The Workers' Universities Society at Cracow has begun an enquiry into the utilisation of spare time.

United States. — Considerable efforts have been made to encourage adult education. The New York Adult Education Council estimates that 400,000 persons make use of the 2,000 organisations concerned with adult education. The New York Board of Education has made an important study of these questions. It is estimated that since 1934 the number of classes for adults has about doubled. Some improvements were suggested in the Board's report. The Works Progress Administration estimates that the number of persons attending adult courses has increased by 500,000. Since the W.P.A. began work more than one million illiterates have learnt to read and write.

The congress of the National Recreation Association in Pittsburg at the beginning of October examined a whole series of questions relating to spare time. One important result of this congress was the formation of the Society of Recreation Workers in America. The Society's aims are to unite in one organisation all recreation workers in the United States, Canada and Mexico, to maintain high standards of professional qualifications and ethics, to affiliate with the National Recreation Association and co-operate with other bodies having recreational objectives and to protect the interests of recreation workers. It is believed that this new professional organisation will be effective in winning recognition for recreation as a field of professional work.

In other European countries some interesting events are to be reported. In *Czecho-Slovakia* the important Sokol meeting held in July 1938 brought together several tens of thousands of Czech and foreign gymnasts. In *Finland* an Order was issued in June on the subject of workers' institutes. At the beginning of 1939 the Finnish Trade Union Federation set up the Workers' Travel Society. In *Greece* it was decided to create two new open-air theatres, one at Athens, the other at Salonica. In *Hungary* the Ministry of Industry proposes to set up a "Spare Time Institute", similar to the German and Italian spare time organisations. In *Ireland*, in connection with the discussion of paid holidays the question has arisen of finding accommodation for workers on holiday. This is to be one of the tasks undertaken by the new Tourist Board. An Order has been published in *Latvia* concerning the creation of workers' clubs in undertakings. These clubs may organise courses, lectures, concerts, dramatic entertainments, games, excursions, etc. They may organise, maintain or support medical societies, libraries, sports grounds and buildings, and restaurants. They are to take steps to enable workers to spend their holidays in healthy surroundings. In *Norway*, in February 1938, a conference brought a number of national organisations together to discuss the utilisation of annual holidays with pay and spare time in general. In *Rumania*, an institution has been

set up in the Ministry of Labour named "Work and Recreation", which consists of five sections: (1) sport, physical culture and travel; (2) people's theatres; (3) cinemas and broadcasting; (4) lectures and libraries; (5) music. A Legislative Decree of 17 October 1938 set up the higher organs of the National Social Service Institute. The chairman of the Permanent Committee of this Institute has the title and rank of a minister of State. The object of the Institute is to form and educate young persons of both sexes to reorganise village life. In each village there is to be a cultural centre to encourage the inhabitants to collaborate in the common interest. In *Sweden* the People's Movement Holiday Committee has been set up on the initiative of the General Trade Union Federation. As a preliminary the Committee questioned 25,000 workers to ascertain how paid holidays were spent. In *Switzerland* the Catholic organisations in French-speaking Switzerland, at their annual meeting, examined the question of spare time in rural life. In *Yugoslavia* the Workers' Educational Centre organised in September a congress of workers' cultural and athletic associations which decided to create a National Central Committee for the rational and collective organisation of workers' spare time.

Outside Europe, in the British Commonwealth mention should be made of the activities of the public authorities in *South Africa* for the physical improvement of the population. The Government has granted £15,000 for this purpose to educational establishments and £10,000 has been granted to local authorities and voluntary organisations. In *Australia* the National Health and Medical Research Council, at its meeting in November 1938, asked that a National Council for Physical Fitness should be set up to improve the physical standard of the population. In *New Zealand* a Council of Physical Welfare and Recreation was set up in May 1938. A Council of Adult Education was set up on 16 September 1938.

In *Argentina* travel has received particular attention. A congress which met in September laid down the basis for legislation on touring. Services have been set up for people's libraries and for physical education. To encourage the departure of workers on holiday it has been proposed to reduce railway fares by 50 per cent. In *Chile* co-ordination on questions of the use of spare time is still under discussion. The Ministry of Labour has organised a Committee which has already examined the creation of an official spare time service. In *Colombia* the municipality of Bogota has organised a workers' evening institute, with educational, cinematograph, athletic and artistic sections. In *Ecuador* the Ministry of Labour intended to set up a department for workers' education. In April 1938 the *Japan* Recreation Society was formed as the result of the joint efforts of the Department of Welfare, six leading municipalities and 30 national and international organisations. The first National Recreation Conference was held in Tokyo from 1 to 10 November. In *Mexico* the Federal Depart-

ment of Labour is considering the creation of national and municipal committees for workers' games. The workers would be invited to take part in games organised by their trade unions. In *Paraguay* a National Tourist Committee has been set up in the Ministry of Foreign Affairs. In *Venezuela* in October a Presidential Decree created a workers' education service in the Ministry of Labour and Transport.

INTERNATIONAL ACTIVITIES

As a result of two international conferences, held in Brussels in May and December 1938, an International Association for Workers' Leisure was set up, with headquarters in Brussels. Membership of the Association is open to international federations of workers' national organisations, independent national federations or associations of workers, other associations for providing workers with means of utilising their spare time and national co-ordinating organisations.

A congress on "Work and Joy" met in Rome in June 1938, with delegates from 62 countries, following the two recreation congresses held in Los Angeles in 1932 and in Hamburg in 1936 at the time of the Olympic Games. The International Office for "Work and Joy", which was set up by the Hamburg Congress in 1936, with headquarters in Berlin, organised a travelling exhibition connected with recreation and mainly devoted to German achievements. It was opened at Athens in May 1938 and at Sofia in October. In February 1939 the International Advisory Committee for the organisation of international "Work and Joy" congresses met in London. It decided to organise the next congress at Stockholm in the summer of 1940, one week before the opening of the Olympic Games. A constitution for a world federation of movements connected with the occupation of leisure time will be submitted to this World Congress.

The Congress of the Socialist Workers' Sports International met at Brussels in May 1938.

The International Congress of Youth Hostels met in Zurich and Lucerne in August and September.

The International Travel Congress met at Luxemburg in August 1938 on the occasion of the 40th anniversary of the foundation of the International League of Travel Associations.

During the year there were important exchanges of workers' travel, as has been pointed out above in connection with Germany.

The Committee on Recreation that was set up in 1937 by the Governing Body of the International Labour Office held its first meeting in London in October 1938, to study problems relating to facilities for workers' holidays. It adopted a resolution concerning "facilities for workers' holidays during their holidays with pay", which, in accordance with a decision of the Governing Body, has been communicated to the Governments of States

Members. Another question, concerning the organisation of holiday camps for young workers, is still under consideration and its study is being continued by the International Labour Office.

Co-operation

The increasing interest, to which attention was drawn last year, taken by the co-operative movement in the whole of the problems raised by the many measures of adaptation, co-ordination and reorganisation employed by public authorities to correct economic maladjustment was further demonstrated during the year under review in connection with the enquiry undertaken by the International Committee for Inter-co-operative Relations in some thirty countries into the relations between public action and co-operative action in the economic field.

It will be remembered that this Committee, which is a joint organisation of the International Co-operative Alliance and the International Confederation of Agriculture, had undertaken to collect information systematically concerning those forms of intervention by public authorities which most directly affect co-operative societies; the participation of co-operative organisations in the framing, enforcement and supervision of such measures; their effect on co-operative organisations and the economic position of the country concerned; and the attitude of the public authorities towards co-operative organisations.

The enquiry has shown that in some cases the intervention of the authorities was made utterly regardless, and even sometimes in complete ignorance, of the part already played by co-operation in the field concerned and that co-operative action was thereby actually, or in danger of being, hindered; while in other cases intervention had been so effected that co-operation had gained or might gain fresh spheres of action and make further advances, in so far as its character and capacities were clearly and distinctly recognised.

The results of this attempt at investigation¹ led the International Committee for Inter-co-operative Relations to adopt a series of practical conclusions and recommendations all of which are intended to help co-operative societies to bring their influence to bear in the framing of general measures of organisation contemplated by the public authorities and if possible to play in all public measures a part corresponding to the interests which they represent and the services which they are capable of rendering.

¹ The results of the enquiry and the practical conclusions which it reached were published by the International Labour Office in a pamphlet entitled "Co-operative Organisations and the Intervention of Public Authorities in the Economic Field".

In addition to the means by which co-operative organisations can endeavour to influence the public authorities, the Committee emphasised in its recommendations the necessity of spreading as widely as possible exact knowledge of what are the nature, objects and methods of the co-operative movement; it insisted especially that co-operative organisations should endeavour more and more systematically and effectively to improve the co-operative education of their members.

In order to help co-operative societies in every country to perfect the system of co-operative education best suited to their needs, the Committee has begun an enquiry into the educational methods used by the chief societies and their results. It has also undertaken, with the help of the International Institute for Intellectual Co-operation, the collection of information on public teaching of co-operation.

These enquiries, for which the International Committee has enlisted the help of the inter-co-operative committees that complete its work in the national field in a number of countries, are now being carried out.

The information collected by the International Committee has also shown the place which co-operative organisations occupy in most national economic systems.

The important contribution which they make to the general work of reconstruction is further proved by the statistics of the census of institutions in which co-operative action is developed and by the number of households in which the standard of living is affected by it.

A census of this type was taken for the preparation of the tenth edition of the International Directory of Co-operative Organisations¹, which deals with the most important and most fully developed side of the movement: organisations of a federal nature and the primary societies affiliated to them. International statistics on primary societies, federated and non-federated, will shortly complete the statistics in the Directory.

The following figures, which refer only to central organisations and to the period 1937 or 1937-1938, show the considerable proportions reached by the trading and financial activities of co-operative organisations in the 61 countries covered.

The total trade of the wholesale societies, including special purpose federal societies belonging to *consumers' co-operative societies* reached 5,989,886,000 gold francs², as compared with 3,887,376,000 Swiss francs in 1934. The turn-over of the co-operative banks run solely or mainly by consumers' co-operative societies totalled 16,205,681,000 gold francs, as against 15,034,825,000 Swiss francs in 1934.

¹ *International Directory of Co-operative Organisations*, tenth edition, International Labour Office, 1939.

² The gold franc figures are given in francs of the former Latin Monetary Union, which were practically equal to Swiss francs before the Swiss franc was devalued in September 1936.

The total amount of commercial transactions (marketing and supply) of the general and special central organisations of *agricultural co-operative societies* was 6,879,697,000 gold francs, as compared with 5,096,441,000 Swiss francs in 1934.

The ascertained value of the produce marketed by central agricultural co-operative societies for the whole of the countries considered was 4,136,028,000 gold francs, as compared with 2,886,093,000 Swiss francs in 1934. The ascertained value of the articles and produce required for the carrying on of agricultural undertakings and, in some cases, for domestic needs which these central societies distributed among their members was 2,354,518,000 gold francs, as compared with 1,606,765,000 Swiss francs in 1934.

The commercial activity of central *occupational co-operative societies* other than agricultural societies (workers' productive societies, craftsmen's societies, small traders' societies, fishermen's societies, etc.) is shown by their total trade figure of 1,831,550,000 gold francs, as compared with 548,524,000 Swiss francs in 1934.

The assets of *agricultural banks* totalled 2,530,536,000 gold francs and their turn-over amounted to 82,057,281,000 gold francs. For the central funds of *rural and urban credit societies* the assets were 3,699,417,000 Swiss francs and the total turn-over 92,041,413,000 gold francs.

As regards central *co-operative insurance organisations* (life, accident, fire, fishing vessels, live-stock, hail, and sundry risks), it will be enough to state that the amounts insured in 1937-1938 in the whole of the countries taken into account amounted to 13,079,346,000 gold francs.

CHAPTER XI

SPECIAL PROBLEMS OF CERTAIN CATEGORIES OF WORKERS

Salaried Employees

In addition to regulation which applied alike to manual workers and salaried employees¹ a number of countries since the beginning of 1938 have made special regulations for establishments mainly employing salaried employees. Mention of some of the chief measures taken or proposed will suffice to show the manner in which questions affecting this class of worker are developing.

In the field of legislative action several new laws have been passed and several Bills or drafts introduced. In *Denmark* an Act to govern relations between employers and salaried employees in private undertakings was promulgated on 13 April 1938. The Act contains provisions concerning freedom of association, conditions under which contracts of employment may be cancelled, the right to pay in case of sickness, aid for the dependants of deceased employees, the application of the radius clause and offers of employment. In *Ireland* the Shops (Conditions of Employment) Act, 1938, which requires shops to close once a week at 4 p.m., with exceptions for certain establishments, was supplemented by an Order of the Minister enumerating the activities which may be carried on during the weekly half-holiday. In *Japan* an Act entitled "Employment Exchanges Act" was promulgated on 25 March 1938. The Act contains provisions concerning conditions of employment. It regulates the closing of shops, requires the grant of at least one rest day a month to salaried employees and prohibits the employment of young persons under 16 and of women for more than 11 hours in the day, including rest periods, in shops employing more than 50 persons. Employees are entitled to a break of more than half an hour if they work more than eight hours a day and a break of more than an hour if they work more than 10 hours. Employers are required to grant at least two rest days in the month to young persons and women. During the busy season hours of work may be extended up to 60 days in the

¹ Cf. above, under the appropriate headings: "Hours of Work", "Social Insurance", "The Individual Contract of Service", etc.

year, subject to the agreement of the administrative authorities. The Act also contains provisions dealing with measures for the prevention of accidents and the improvement of hygienic conditions. In *Argentina* a Bill for the regulation of conditions of employment of bank clerks was published on 13 September 1938 in the Official Gazette of the Chamber of Deputies. The Bill provides for the appointment of a permanent committee composed of three employers' representatives, three bank staff representatives, one member of the management of the National Bank, the chairman of the National Labour Department and the Under-Secretary of the Ministry of Home Affairs. The main duties of the Committee will be to establish regulations calculated to guarantee stability of employment; to establish salary scales; to fix working timetables; to establish the minimum age for the admission of boys and girls to employment in banking and credit institutions; to regulate conditions of sick leave and holidays with pay; to fix the period of notice and the amount of compensation payable on dismissal; and to organise an equalisation fund for the payment of family allowances. In *India* the Government of Bengal at the beginning of 1938 was considering a Bill to regulate shop closing. This Bill contains provisions concerning conditions of employment for commercial employees. The Government of Bombay has also prepared a draft Bill to regulate hours of work for shop assistants. It lays down a maximum of nine hours in the day or 54 in the week, not including rest periods and breaks for meals. It requires the grant of 52 rest days with pay in the year, at least four of which must be in each month. It prohibits the employment of children under 12. For children between 12 and 15 hours of work may not exceed six, and for young persons under 17, eight hours. It also prohibits the employment of children under 15 between 7 p.m. and 6 a.m.

In *Sweden* a Bill concerning hours of work in retail commerce was introduced by the Government at the beginning of 1939. The Bill fixes the maximum working week in principle at 48 hours.

In *Greece* the legislation governing the conditions of employment in hotels and restaurants was completed by an Act which came into force in 1938. It sets up a committee consisting of a justice of the peace, labour inspectors, the director of the travel office and representatives of hotel proprietors and employees. The committee has to consider all questions affecting the conditions of employment of hotel employees. It fixes tips for hotel staff at a rate varying from 10 to 15 per cent. of the bill, but exempts hotels which pay their staff a wage considered adequate. The committee also requires all hotel employees to belong to a benevolent society.

The regulation of conditions of employment of industrial and commercial travellers and agents has progressed in some countries. In *Argentina* a committee composed of representatives of all the associations concerned has been formed in Buenos Aires to promote the passage of special legislation to regulate the conditions of employment of travellers and agents. Two Bills have been sub-

mitted to the Chamber of Deputies. In *France* public administrative regulations based on proposals by the Minister of Labour were promulgated on 9 April 1938, under the Act of 18 July 1937 concerning the legal status of commercial and industrial travellers and agents. The regulations are chiefly designed to bring the persons concerned under the legislation on occupational accidents, holidays with pay and family allowances.

In *New Zealand* an Order of 1 June 1938 introduced the working week of 48 hours on the average for the nursing staff in private hospitals. In *Sweden* the 48-hour week has been extended to cover the staff in lunatic asylums and the Government has fixed the increases in staff which this reform involves. From 1 January 1939 the hours of work of nursing and domestic staff in hospitals are fixed at 48 in the week. New regulations for the employment of auxiliary staff in the social and health services have been issued in *Yugoslavia*. The regulations cover sisters of charity, sanitary assistants (chemists, food inspectors and fumigators), midwives and male and female nurses. Auxiliary staff of private social and health services are entitled to the same salaries as those employed in State services. The new rules lay down that hours of work and rest periods must be fixed in accordance with the nature of the work so as to ensure that the health of the staff is adequately protected.

As regards collective agreements it is noteworthy that this form of regulating conditions of employment shows a tendency to develop in countries in which it had been very little used up to the present. In *Bulgaria* for instance, a number of collective agreements were concluded in 1938 in Sofia and in other towns. These agreements provide for paid holidays of from three to four weeks, whereas the legal minimum is one week. Overtime must be paid at time and a quarter. These agreements come into force at once as soon as they have been approved by the Minister of Labour. In *Greece* a collective agreement governing relations between the employees of limited liability companies and various undertakings and their employers was concluded at the end of 1937 under the auspices of the Government and has come into force. The terms of this agreement cover employees of every kind of limited liability company except banks and private insurance companies. They do not cover lawyers' offices, which form a separate category, nor public utility institutions, the regulations for the staff of which are to be the subject of special measures. A collective agreement for the employees of private insurance companies has also been concluded under Government auspices. The terms of this agreement apply to the staff of every kind of insurance company and to employees of agencies, both in head and branch offices; they do not apply to provincial representatives nor to travellers and agents.

In the *United States* the development of collective agreements has made further progress. An agreement has been concluded, for example, between the Federation of Architects, Engineers,

Chemists and Technicians and two important automobile firms in Detroit. The American Newspaper Guild has secured in almost all the big cities of the United States collective agreements which among other matters determine minimum wages and contain clauses ensuring security of employment. The United Office and Professional Workers of America have concluded collective agreements with several firms of publishers. One of these agreements provides for full recognition of the union and for recourse to its services in the engagement of employees and for the setting up of shop committees to settle disputes. It fixes minimum wages, hours of work, rates of pay for overtime and the length of holidays with pay: one week after six months' employment and two weeks after one year. The A.F.L. Office Employees' International Council, which was formed in 1937 in the American Federation of Labor, encouraged the conclusion of a number of collective agreements which ensured wage increases to employees. These agreements also contain provisions which witness to the growing influence of trade union organisation. The Retail Clerks International Protection Association at La Fayette (Indiana) has reported the conclusion in various districts of collective agreements covering several thousands of employees.

In *France* the system of collective agreements is now generalised. Most of the agreements concluded in 1936 and 1937 under the Act of 24 June 1936 were renewed in 1938. One of the most important was the insurance employees' collective agreement, the final text of which was signed by the contracting parties on 31 July 1938, and the renewal of the agreement in the big drapers' shops. Some organisations maintain, however, that many employees are insufficiently protected by collective agreement. To deal with this situation the Congress of the French Federation of Christian Trade Unions of Salaried Employees, Technicians and Heads of Service which met in Paris in March 1938 decided to submit to Parliament a draft "statute" which would take into account existing legislation and introduce the guarantees which salaried employees consider indispensable. The Congress decided, however, that its affiliated bodies should take an active part in the field of collective agreements. A similar attitude was adopted by the Federal Association of French Salaried Employees (Independent Unions) which met in September 1938. The programme adopted by this Congress included the demand that clauses in collective agreements should be forbidden which reserve a monopoly in recruitment, whether direct or indirect, to an employers' or workers' association, a public or private employment agency or any other body.

The system of collective agreements which has long obtained in *Great Britain*, the *Scandinavian States* and *Italy* has extended in new directions in these countries.

Special mention should be made of co-operative consumers' societies, which in most countries where the co-operative movement is highly developed have concluded collective agreements with the trade union organisations to regulate the conditions of employment

of their employees. This was the case in *Finland, France, Great Britain, Sweden and Switzerland.*

It should also be noted that in some countries in which the system of collective agreements is not yet used the employees' organisations are urging its introduction. In the Grand Duchy of *Luxemburg* the Salaried Employees' Federation is taking action in this direction.

Endeavours made in some countries to regulate conditions of employment of salaried employees by agreement between employers' organisations and trade unions have shown fresh progress. In *Great Britain*, for example, a conference convened by the Minister of Labour at the beginning of 1938 appointed a joint committee to consider the practicability of formulating proposals for the establishment of suitable machinery for the regulation of wages, hours of work and other conditions of employment in the retail distributive trades. The Committee submitted a report to the Minister of Labour containing a draft scheme for the regulation of wages, hours and conditions of employment in the retail distributive trades. It provides for the setting up of a National Retail Distributive Trades Council composed of an equal number of representatives of employers and employees appointed by the Minister, the number not to exceed 40 on either side. Not more than one-third of these representatives should be nominated by the Minister after consultation with the organisations of employers and employees and not less than two-thirds by their respective representative on the National Trade Committees. The Minister should also appoint three independent persons having no personal or professional connection with the industry, one of whom should act as chairman of the Council. The work of the Council should be to consider and fix minimum wages, hours of work and conditions of employment for those employed in retail distribution, subject to confirmation by the Minister. There should be statutory enforcement of the wages, hours and conditions fixed by the Council and confirmed by the Minister.

The report of the Committee also proposes the setting up of National Trade Committees, with functions similar to those of the National Council, and of a National Co-ordinating Committee. All these Committees should consist of equal numbers of employers' and employees' representatives.

The recommendations made by the Council, after considering the views of the Committees, should be confirmed by Order by the Minister in order to secure effective enforcement.

The joint committees set up in *Belgium* in 1936 for banks and chemists' shops and in *France* for big private companies and commercial undertakings in order to provide machinery for the discussion of conditions of employment worked regularly during 1938. In *Germany* the work continued of the works councils set up by the Act of 20 January 1934 concerning the organisation of national labour and of the joint committees appointed under the agreement

concluded on 21 March 1935 between the German economic organisation and the German Labour Front for the joint discussion of occupational questions and social policy.

The special situation of commercial and office workers was emphasised during 1938 by far-reaching enquiries undertaken in certain countries. In *Belgium* the National Central Organisation of Salaried Employees, which unites the Christian trade unions of salaried employees, continued the enquiry which it had begun in earlier years. Its last enquiry dealt mainly with the wages paid, the age distribution of employees, the composition of families and employees' domiciles. In its report the Organisation expressed the opinion that the enquiry showed middle-aged employees to be insufficiently remunerated. It revealed that 8 per cent. of the total number of employees practised a subsidiary calling. It also showed that paid employment of women salaried employees was becoming more general. It concluded that according to the enquiry, to which 19,500 persons had contributed by answering its questionnaire, the situation of salaried employees had not improved, especially when the rise in the cost of living was taken into account. In *Sweden* the results have been published of three enquiries carried out in 1936 and 1937 by the Department of Labour and Social Welfare. The enquiries dealt with hours of work, holidays with pay and the wages of certain categories of salaried employees. The results were published in the form of statistical tables, with commentaries. In *Switzerland* the Swiss Association of Commercial and Office Employees published the results of an enquiry into the conditions of employment of salaried employees. The enquiry dealt with wages, hours of work and holidays with pay. As regards wages it showed considerable differences for the various age groups. The conclusions concerning hours of work showed that 28 per cent. of salaried employees worked 49 or more hours per week. Working days of 9 to 10 hours are not exceptional. Hours of work are shortest in banks and insurance offices and longest in commerce. 48 per cent. of commercial employees work more than 48 hours per week. For holidays the enquiry showed that the most general length is 12 working days. But the length of holidays depends upon the age of the employees and their years of service.

The programmes drawn up by the congresses of international organisations of salaried employees may be taken as a synthesis of the general demands made by national congresses.

The International Federation of Christian Trade Unions of Salaried Employees decided its attitude at the Congress held at Antwerp in May 1938. The Congress adopted resolutions demanding that in every country legislation on collective agreements should take account of the competence of the trade unions most representative owing to their seniority, the size of their membership, their independence, their rates of contribution and their affiliation to national and international central organisations. The Congress urged a whole series of measures concerning the termination of

contracts of employment. In defining the position of salaried employees in occupational organisation it reaffirmed its opinion that employees, whatever their position and rank in an undertaking, form a special class of wage earners, which should be distinct from that of manual wage earners, though this did not in any way injure their solidarity with the working class as a whole. It urged the legal regulation of the status of salaried employees. Other resolutions adopted concerned the employment of women and the special situation of technicians and commercial travellers.

The International Federation of Commercial, Clerical and Technical Employees (free Unions) at Berne in July 1938 took note of a report on the social importance of the trade union movement of salaried employees and of a series of guiding principles concerning young salaried employees. It adopted a resolution demanding the application of the 40-hour week in shops. It was decided that the Federation should intensify its efforts for the adoption of an international Convention limiting hours of work to 40 in the week, with five days of 8 hours for salaried employees. Other resolutions adopted demanded measures for security of employment of bank employees, wage scales on the basis of automatic increments and right to a pension not only in case of sickness, invalidity, old age or death, but also in case of dismissal for reasons other than the employee's fault. Recommendations were also made concerning the status of travellers, representatives, technicians and foremen.

The International Federation of Independent Trade Union Organisations of Salaried Employees held no congress in 1938, but the directing committee met in September at the same time as the Congress of the French Federal Union of Salaried Employees and adopted a resolution confirming the Federation's support of the work of the International Labour Office.

Two questions examined by the International Labour Conference in 1938 on the basis of reports prepared by the International Labour Office were of great interest to salaried employees as well as to other classes of workers. They were: technical and vocational education and apprenticeship; reduction of hours of work in industry, commerce and offices.

On both questions the 1938 Conference proceeded only to a first discussion. It drew up the questionnaires which were sent to the States Members of the International Labour Organisation. At its session in June 1939 the Conference, in the light of the replies made by the Governments, will have to take a final decision.

On 22 and 23 April 1938 the Advisory Committee on Salaried Employees held its fifth session at the International Labour Office. Two questions of special importance were on its agenda: the legal position of salaried employees (definition); the vocational representation of salaried employees (Chamber of Salaried Employees and Joint Committees).

Views were exchanged in the Committee on each of these questions and an attempt was made to draw up rules which might be

recommended, taking into account the legislation and existing practice in the different countries.

On the definition of salaried employees it unanimously adopted a resolution noting that no effective action could be taken to legislate for salaried employees in countries having no such legislation until they had solved the difficulties arising from the absence of a legal definition of the term "salaried employee". The Committee agree merely to lay down principles to be followed in each country for the formulation of a general definition, supplemented by an enumeration. It drew special attention to the necessity for establishing a clear legal definition of the status of commercial travellers and representatives, whose position is very vague in a large number of countries.

The debate in the Committee on the vocational representation of salaried employees brought out the differences existing in the various countries in the bodies set up or about to be set up to enable the parties concerned to negotiate the drafting of legislation or the conclusion of collective agreements. All the salaried employees' representatives were agreed in the opinion that if such methods of collaboration can be instituted without infringing the freedom of the parties, trade unions have everything to gain from the procedure, since they can exercise great influence in joint committees. The resolution on this question was also adopted unanimously.

On the basis of a report prepared by the Office on the regulation of conditions of employment and the occupational organisation of salaried employees the Committee laid down the principles which it considers should underly the regulation of the conditions of employment of salaried employees.

The three resolutions adopted by the Committee were submitted to the Governing Body of the International Labour Office, which, at its sitting of 29 April 1938, authorised the Office to communicate them to the Governments of the States Members of the International Labour Organisation. The Office has given effect to this decision.

Further information has been compiled by the Office upon questions concerning the status of public servants and the staff of public administrative departments and services. This information has been used not only by employers' and employees' organisations but also by administrative departments.

In accordance with the procedure followed in recent years, some leading representatives of the big public servants' organisations met in January 1939 to examine the information compiled by the Office on promotion and engagement in central government administrative departments and on service conditions in post and telegraph offices on Sundays and holidays.

This advisory meeting adopted, in the form of resolutions, a number of recommendations which were submitted to the Director of the International Labour Office.

Professional Workers

In addition to the problems raised by the questions of unemployment and organised social welfare¹, the organisation of professional workers and the protection of professional titles continue to claim special attention. The difficult situation of professional workers, the shrinking in their earnings and the overcrowding of their professions are leading them to seek means of protection against the competition of amateurs and intruders. They consider that the time and money sacrificed in order to acquire their diplomas and titles give them the right to demand some protection of them. It will be remembered that the International Labour Office has on several occasions examined the protection of professional titles for various separate professions. Its Advisory Committee on Professional Workers has considered in turn the protection of the titles and the organisation of engineers, architects, and accountants. At its Session in May 1939 it is to examine the same question for veterinary surgeons.

During the past year a certain amount of legislation on the subject has been adopted or under consideration. Rules dealing definitely with titles were not involved in every case. In some cases it was sought to provide protection by general organisation of the profession.

In *Argentina* a Bill to regulate the profession of accountant was submitted to the Chamber of Deputies in July 1938. At the same time another Bill was introduced to lay down the status of engineers, architects, and surveyors, while a third Bill dealt with lawyers. A little earlier, in June, a Bill to lay down rules for all the liberal professions had been submitted; it revived a Bill drafted by the Executive in 1936.

In *Belgium* the Act of 1933 for the protection of titles in higher education was amended by an Act of 21 November 1938 which defined in several respects the conditions necessary for obtaining and using the title of engineer. Further, an Act of 20 February 1939 strictly regulates the acquisition and use of the title of architect and the practice of that profession, which is conditional on inscription in a provincial register of qualified architects.

In *Brazil* the Minister of Education has under consideration the proposed creation of an "Order of Doctors", whose duty would be to supervise pharmaceutical products, free medical attendance, medical instruction, the creation of medical posts in the countryside and in schools, and, finally, the protection of titles and the

¹ Cf. Chapter VII, "Employment and Unemployment", and Chapter V, "Social Insurance".

repression of illegal medical practice. The Government has also announced its intention of drafting rules for the profession of journalist.

In *Colombia* a Decree of 20 December 1938 regulated the practice of midwifery by laying down certain conditions for the award of diplomas and by protecting the profession.

In *Ecuador* the Government in September 1938 began consideration of the regulation of professional titles in general.

In *France* the Bill submitted to the Chamber of Deputies in March 1938 for the protection of the title of architect has not yet been the subject of any decision. The Bill concerning the veterinary profession (January 1938) has, however, been adopted. The new Act, which was promulgated in June, prohibits persons who hold no diploma from using the title of veterinary surgeon. The campaign continues against the quacks who under other names really practise veterinary medicine in whole or in part. Accountants are also continuing their attempts to secure regulation for their profession, and so are graphic artists.

In *Great Britain* an Act received the Royal Assent in July 1938 regulating the use of the title of architect and setting up a register for the profession.

In *India* the Legislative Council of Madras passed in August 1938 an Act concerning a medical register. The Legislative Assembly of Bengal also passed an Act setting up a professional register for dentists.

In *Latvia* the Council of Ministers adopted in May 1938 Bills to set up a Chamber of Arts and Letters and a Chamber of Professions to ensure corporative representation, the first for men of letters and the press, the theatre, music, and the fine arts, the second for doctors, lawyers, engineers, etc.

In *Poland* the profession of barrister was reorganised by an Act of 4 May 1938. The Act lays down the conditions to be fulfilled to obtain the title of barrister and those under which the profession may be practised. It gives the Minister the right to close the lists of barristers and licentiates. Another Act, adopted in July 1938, lays down new regulations for the practice of medicine and in particular fixes the conditions of probation giving the right to practise.

In *Rumania* a Bill has been introduced to regulate the profession of barrister. Another Bill, drafted in June 1938 by the Ministry of Public Works, deals with the profession of engineer. It would set up a College of Engineers the members of which would alone have the right to practise the profession, and a certain number of conditions would also attach to the right to use the title of engineer. Lastly, a Bill drafted towards the end of 1938 would regulate the use of the title and of practice in various kindred professions (assistant engineers, persons in charge of public works).

One question with which professional workers' organisations have been concerned for many years made an important advance in the past year, that of performers' rights in broadcasting, tele-

vision; and the mechanical reproduction of sound. It is well known that musicians and theatrical artists have been one of the classes of professional workers to suffer most. The general economic crisis and the introduction of new technical methods (gramophones, cinema, broadcasting) has been disastrous to the profession. Unemployment among musicians and actors reached in some parts proportions which were unknown in any other profession. Interpretative artists, with the support of the general organisations of professional workers, tried several ways of improving their serious economic situation. Among the methods considered was the securing of certain rights as regards broadcasting and mechanical reproduction. Since about 1925, performers' rights were the subject of numerous discussions in the organisations concerned and of various action and proposals by institutions or jurists specialising in questions of professional rights. An endeavour to carry out these plans in 1928, when the Berne Convention relating to the protection of literary and artistic works was being revised, was unsuccessful. An attempt was then made to discover a field in which no confusion could occur between authors' rights, which are protected by the Berne Convention, and the new rights claimed by performers. Such a field was found in the International Labour Office, which undertook an examination of the question, accompanied by enquiries and consultations of experts, from the strict point of view of workers' rights. After several years of careful preparation, the International Labour Office convened in November 1938 a Committee of Experts on which the various organisations and institutions concerned were represented (international institutions dealing with professional rights, gramophone industry, broadcasting organisations, authors, performers) and it was able to agree on a certain number of points suited to form a basis for international regulation. The Governing Body of the International Labour Office examined the highly encouraging results of this meeting and decided in February 1939 to place the question of performers' rights on the agenda of the International Labour Conference; the question will be dealt with by the double discussion procedure, the first discussion being held at the Twenty-sixth (1940) Session of the Conference. The meeting of the Committee of Experts and the Governing Body's decision have therefore this year set the question of performers' rights on a path likely to lead to the international regulation for which interpretative artists and professional workers have for so long been asking.

Among the international meetings held during the year mention should be made of the 16th Congress of the International Confederation of Professional Workers, which was held in September 1938 at Helsinki. It adopted a number of resolutions concerning intellectual co-operation, protection of the earnings and standard of living of professional workers, the legal status of the artistic professions, equivalence of university degrees, the part of professional workers' unions in education, apprenticeship, the supply of labour and the engagement of workers, plans for large-scale

international works and migration for colonisation. On the last point the Congress instructed the Secretariat of the Confederation to take all necessary measures to ensure the Confederation's collaboration in any action on the subject undertaken by the International Labour Office and by the Permanent International Commission on Migration for Colonisation which it was proposed to set up.

The Executive Committee of the International Federation of Journalists met at the end of June at Royaumont, near Paris. Among other matters it discussed professional ethics, assistance schemes, hours of work, holidays and weekly rest. As regards journalism attention should be drawn to the creation at the end of 1938 of an International Association of Journalists of the Spoken Press.

In August 1938 the 13th annual session of the General Council of the International Professional Medical Association was held at Copenhagen. Among other matters, it dealt with the situation of factory doctors, the practice of specialised medicine, the holding of a plurality of posts and the financial gain therefrom.

Finally, mention should be made, among international meetings affecting professional workers, of the American Conference of National Intellectual Co-operation Committees, which met in January 1939 at Santiago-de-Chile and adopted a resolution emphasising the need for taking steps to protect the economic interests of professional workers.

Home Work

The serious problem of home work has continued to claim legislative attention. The abolition of home work is still considered in the United States to be the most practical remedy for the evils which this form of employment breeds; Belgium, Brazil, France, Sweden and Switzerland have continued to legislate to protect outside workers, by giving them their share of the advantages granted to factory employees or by taking special protective measures for them. Three countries, on the other hand, have legislated on the subject for the first time: Argentina (State of Mendoza), Bolivia and Ecuador.

Two more measures of prohibition were taken in the *United States* in 1938. In Rhode Island the home manufacture of clothing or objects connected with it was prohibited under a regulation relating to minimum wages. In Utah home work was prohibited in retail commerce. One very important event which will affect home work has occurred; the Federal Government, in its interpretation of the scope of the Fair Labor Standards Act, which came into force on 24 October 1938, includes home work.

The abolition of home work in the circumstances for which the measures described above provide seems to be going forward in

the United States without causing serious disturbance and even to give satisfaction to the majority of the employers and workers concerned.

A report published by the Department of Labor, as the result of an enquiry, shows that the majority of the home workers affected by the legislation have without great difficulty become factory workers. Work inside the factory has brought them a considerable increase in wages, which in some cases have doubled and even tripled. The employers recognise that loss due to waste and the deterioration of stock has diminished and that the quality and quantity of the output has increased.

It is therefore evident why the Fifth National Conference on Labor Legislation, held at Washington in November 1938, strongly urged that States which have not any legislation for the complete abolition of home work should immediately take such legislation into consideration. Similar resolutions were adopted by the annual congress of the International Association of Governmental Labor Officials, held at Charleston from 8 to 10 September 1938, although the reporter on the question of home work reached the conclusion that the severity of the law should be lessened in favour of workers who, owing to age or other reasons, could not work in factories.

Among the measures taken in countries which provide for the protection of home workers, reference should be made to the Legislative Decree of 30 April 1938 in *Brazil*, amending Legislative Decree No. 185 of 14 January 1936 concerning minimum wages, so as to make it applicable to home workers; and in *France* to the Act of 27 December 1938 extending the provisions of § 33 (*n*) of Book I of the Labour Code to various manufacturing processes, in particular to silk weaving, jewellery and clothing accessories. The provisions had previously applied only to manufacture covered by the clothing industry. Under the section labour inspectors and officers of the judicial police initiate prosecutions if wages below the legal minimum are paid to workers covered by the Act. Before this Act was promulgated employers who paid insufficient wages could only be sued for damages by the workers concerned but experience showed that workers very rarely brought a civil action against their employer and that the application of penalties was indispensable to secure real enforcement of the law.

In *Sweden* the Holidays with Pay Act promulgated on 17 June 1938 contains special provisions for home workers; in *Belgium* Royal Orders have laid down the conditions for the application of the Holidays with Pay Act to home workers in the textile industry and in linen manufacture in East and West Flanders.

In *Switzerland* the Federal Act concerning the minimum age prohibits the employment of children under 15 in home work as well as in workshops.

The protection of home workers seems moreover likely to develop still further in these countries. In *Switzerland* a Bill was submitted on 8 July 1938 to the Federal Assembly by the Federal Council. The chief object of its provisions is to ensure to home workers

sufficient wages, paid at frequent intervals and free from any abusive deduction, to prevent the truck system, to bring the working day to a normal length and to secure Sunday rest for the workers. The report accompanying the Bill points out the value of home work in Switzerland, especially in the Jura and the Pre-Alps, where a large part of the population lives by it. It states that where home work has become scarce the region has lost population and it justifies the proposed legislation by urging the need of ensuring suitable living conditions to home workers and of abolishing the disastrous competition between home and factory workers.

In *Poland* a sub-committee set up in the Committee on questions relating to people's and domestic industries is to distribute the credits for the assistance of home workers and prepare a Bill to regulate their conditions of work; in *France* a Bill has been introduced the object of which is to extend to home workers the legislation in force for factory workers as regards the work certificate. Various other proposals for legislation have also been made. They are all directed towards the improvement of home workers' conditions; one of them lays down a statute for them.

Legislation and regulation of home work not only continue to develop in these countries, but also, as already stated, further countries have begun to regulate home work during the past year. Thus in *Ecuador* the Labour Code which came into force on 5 August 1938 contains a section dealing with home work. Employers are required to pay a minimum wage to outside workers. These minimum wages, which are fixed by a commission, must not include any payments to middlemen. Employers must keep registers and work books fulfilling certain requirements to facilitate supervision of the wages actually paid. The law is enforced by the labour inspectors and provision is made for penalties. The inspectors are required to visit places where home work is carried on if the trade practised is unhealthy or dangerous.

The Governments of *Bolivia* and the State of *Mendoza (Argentina)* have brought forward draft labour codes containing provisions on home work. In *Cuba* questions relating to home work are under examination.

Agricultural Workers

THE ECONOMIC SITUATION OF AGRICULTURE

From year to year it becomes more and more difficult to bring within a few pages a general survey of the economic situation of agriculture. The figures showing the world production of the different agricultural products have no longer the same value as they had before. The marketing of this production in other countries meets with constantly increasing difficulties; the home markets are more and more protected against the influence of oscillating production in order to ensure to the nation's agriculture

reasonable prices which are independent of the world market. However, this purpose is so difficult to achieve that hardly any country, however developed its system of agricultural protection may be, entirely escapes the repercussions of changes in world production and prices on the world market. It is therefore always of interest to follow the development as a whole, even if it is hardly possible to draw from it direct conclusions with regard to the position of the hundreds of millions who depend on agriculture for their livelihood.

The instability which characterised the economic situation of agriculture a year ago has, in the course of 1938, developed into a real worsening of conditions. The balance between production and consumption of the most important agricultural foodstuffs seems to have been upset once more and the prices of these goods have considerably fallen, with the consequence that new efforts are being added to those already made in order to protect agrarian economy against the new crisis which threatens.

Production and Prices

According to the estimates of the International Institute of Agriculture, the world production of wheat (the U.S.S.R., China, Iraq and Iran excluded) reached in 1938 a new record figure of 1,221 million quintals, against 1,037 million in 1937, and an average of 1,022 million for the period 1926-1930. In the autumn of 1938 the stocks of wheat exceeded by one-third those of the same period of the preceding year. The increase in production has taken place in nearly all countries producing wheat. In Europe production has risen from 423 million quintals in 1937 to 502 million in 1938. For North America the corresponding figures are 235 million and 291 million. South America has produced 104 million quintals, as against 67 million in 1937. In Asia and Africa production has also increased. In India, however, the 1938 harvest was inferior to that of 1937 (41 million quintals against 53 million). The difficulties caused by this large production are further increased by the surplus production of rye. Estimates concerning the production of this cereal give a figure of 266 million quintals, against 221 millions in 1937. Finally, the other foodstuffs capable of replacing wheat in the diet, such as potatoes, rice, etc., have also reached high figures of production.

In these circumstances, the price of wheat has continued its downward movement, which had already begun in 1937. The price of wheat in Chicago, which in January 1938 was 99 cents per 60 lbs., oscillated towards the end of the year round 67 cents; compared with average prices for the year 1936-1937, the fall reached nearly 50 per cent. Prices quoted in Winnipeg and Buenos Aires showed the same relative decline but in these two cases the whole of the drop took place in 1938. This phenomenon reflects the difference in date of Government intervention in these three countries.

The production of beet sugar is estimated at 82 million quintals, against 85.3 in 1937-1938. The production of the U.S.S.R. remained stable and will be about 25 million quintals. The production of cane sugar is not yet known but seems to be rather abundant. The price of sugar gave way considerably between April and August 1938, the minimum being 2.67 cents per lb., against 3.33 cents in 1937. The production of wine continued to show an upward trend, while consumption remained stationary; for the year 1938 the production of the Northern Hemisphere (U.S.S.R. not included) will be 185 million hectolitres, against 178 million in 1937 and an average of 175 million over the last ten years. In regard to coffee, at the time of writing figures are available concerning production in Brazil only, showing a decline in production from 15.3 million quintals in 1937 to 13.1 million in 1938, but this reduction will not make the world overproduction disappear and the price of coffee is only about 6 cents a lb., even touching from time to time a still lower level.

In general, the production of cotton in 1938-1939 seems to be inferior to that of the preceding campaign; this is the case in India and Egypt, but above all in the United States, where, owing to the reduction by more than one-third of the area cultivated, production has fallen from 41 million quintals to 26 million quintals; however, the cotton stocks in the United States amount to 14 million bales, of which 11 million are financed by the Treasury. No improvement of prices can be noted; these have continued to give way and towards the end of the year they were on an average about one-quarter below the average of 1937. In the rubber market the international arrangement strictly limiting the quotas for exportation has resulted in a rehabilitation of prices, which, after having varied between 6 and 7 cents a lb. at the beginning of the year, have risen to nearly 9 cents.

If a judgment may be formed on the basis of the incomplete information available, world animal production has not undergone any changes. The same observation applies to prices or, where changes have taken place, prices show rather a tendency to increase. The change-over to a greater animal production which is the natural consequence of a surplus production of cereals has not yet made itself felt in such a way as to threaten the maintenance of the price level for animal products. It must, however, be remembered that in the course of last year agriculturists in many countries have suffered terrible losses through the violent epidemic of foot-and-mouth disease.

When the movements of agricultural prices taken as a whole are examined country by country, it appears that in general the index figures of agricultural prices have remained stable in countries importing agricultural foodstuffs and in countries exporting products of animal origin, but that they have fallen considerably in countries exporting chiefly cereals and other vegetable products. This is the case in Argentina, in Canada and in the United States of America. It would be interesting if the repercussions of this

movement of production and agricultural prices on the economic situation of agriculturists in 1938 could be ascertained. However, in this respect very little information is available, but it confirms the impression gained from the preceding data. Thus in Switzerland the gross value of production is estimated at 1,258 million francs, or 16 million more than in 1937; the costs of production have, however, increased still more and for this reason the net result will be lower than that for the preceding year. In Denmark provisional figures given by the farm accountancy office show a profit of 4.2 per cent. on agricultural capital, against 2.5 per cent. in 1936-1937. On the other hand, the Department of Agriculture in Washington estimates the total cash income of farmers in the United States at \$7,632 million, including Government payments, as against \$8,574 million in 1937 and \$7,944 million in 1936.

Organisation of Agricultural Production

During 1938, not only were the international schemes already in force maintained which aim at guaranteeing the production or the trade of sugar, tea, rubber and timber of various countries, thus exercising a stabilising influence on prices, but other efforts have been developed to extend these schemes to still further products. The International Advisory Wheat Committee met in January 1939 to examine the possibility of organising a new wheat conference. The question of a world conference for the regulation of the production and exportation of coffee is still discussed and the United States, which hitherto have been alone in carrying the expenses of restricting the production of cotton, seem to be in favour of a similar gathering which would deal with the question of cotton.

If no further international agreements have yet been concluded, it seems nevertheless certain that it is in this direction that agriculture itself looks for the solution of its international difficulties. In July 1938 the International Confederation of Agriculture adopted an important resolution concerning the possibility of obtaining a general reduction of the obstacles to international trade, and declared, among other things, that "more especially in agriculture, the problem will have to be solved primarily by organising agricultural producers and the sale of their produce on the world market on an international basis. This may be achieved more especially by plurilateral and bilateral agreements between producers, with State sanction, improving and developing what has already been done in this respect, for instance in the case of sugar, wheat, timber, rubber, and tea."

In the national field, the ideas of planned or guided economy in agriculture have been also maintained and further developed. These systems were, however, originally introduced as a means of overcoming an acute crisis and have now undergone certain modifications; with the permanent character which they more and more acquire it becomes necessary to render them more elastic to

prevent them from hampering the normal development of agriculture. Other considerations, arising especially out of the danger of war, also play a part in the development of planned economy in agriculture. As an example the Polish scheme may be mentioned, which aims at ensuring the food supply of the country in case of war through developing the consumption of certain products in time of peace and increasing their exportation.

In the countries where an agricultural autarkic policy results from the political theories applied, the organisation of agricultural production has from the outset been considered as having a permanent character. Nevertheless, it develops constantly towards more and more centralised forms, as, for instance, in the U.S.S.R., where in 1938 for the first time a complete plan of production covering all agricultural operations from spring to autumn was applied; and in Italy, where all the economic organisations of farmers handling the marketing of agricultural products have been amalgamated into one organisation, in the administration of which not only the agriculturalists but also the State, employers and workers are represented.

In the United States of America, the plan of organisation of production adopted by the Act of February 1938 and immediately applied is working during 1939 for the first time in a normal way. One of its characteristics is its principle of self-government, which has enabled American farmers to decide to apply in 1939 quotas for the sale of cotton on the home market, but to decline them for rice and tobacco.

Among the countries where the economic agricultural legislation has especially developed in the course of 1938 mention may be made of Argentina. Here the National Cereals Board has obtained still wider control over the exportation of wheat; the construction of elevators has been placed under the control of the State, which, through an Act of September 1938, has also been authorised to fix minimum prices for wheat and to pay subsidies to producers in order to maintain these prices. A special administration has been charged with regulating the production of wine, another with that of cotton. The production of maté has been reduced by 40 per cent., etc. In Great Britain the subsidy policy with regard to wheat continues, and, further, a new scheme has been carried out in order to encourage the production of bacon. However, important changes in agricultural subsidy policy—which is considered to be insufficient for the farmers—are being examined. In Switzerland the Government is looking for means of encouraging a change-over from animal production to a greater production of cereals.

In spite of the difficulties which attend the relative overproduction of world agriculture and in spite of the onerous conditions of indebted small farmers disposing of no capital of their own, numerous countries continue a policy of intensifying national agriculture and developing the system of small family farms. In Hungary the Government has announced its intention of

setting up new small holdings on 700,000 hectares at present belonging to the large estates. In Spain it may now be expected that the declarations of principle referring to farmers contained in the Labour Charter of 9 March 1938 will be applied in practice. In other European countries the possibilities of proper agrarian reforms are nearly exhausted, but smallholdings are being set up on reclaimed land in Estonia, Germany, Italy, etc. In October 1938 Italy took the first step in a vast scheme of colonisation in Libya by installing there 1,800 settlers' families, comprising a total of 20,000 persons. In Germany the number of entailed peasant holdings now reaches the figure of 685,000, or 22 per cent. of the agricultural holdings of the Reich, covering 37 per cent. of the cultivated area.

In France, a Decree of June 1938 aims at developing the family homestead; by an Act of May 1938 this institution has been introduced in Uruguay and it is under consideration in various other States of Central and South America (Argentina, Cuba, etc.). In general, in this part of the world, great activity may be noted in the development of agricultural resources and interior colonisation. Agricultural plans for three, five, or six years have been elaborated in Colombia, Ecuador, Mexico, Venezuela, etc. Schemes providing for the dividing up of large estates and compulsory cultivation of idle land, as well as plans for agrarian reforms, are to be found in a great number of American States. Mexico continues the setting up of collective agricultural communities—the so-called "ejidos"—but has also, in the course of the last year, set up an office to protect small farmers, who have frequently suffered damage during the carrying out of the agrarian reform. Chile and Peru have earmarked large sums in their budgets for the encouragement of interior colonisation. Bolivia has obtained the technical assistance of Mexico in order to organise irrigation works. Nearly all the States have reorganised or set up technical agricultural services; Colombia has created a General Directorate of Agriculture, and Ecuador a Ministry of Agriculture.

In the United States of America, in addition to the efforts made to come to the aid of distressed farmers and to set up family holdings for low-income families, about 1,900 farmers have received loans to enable them to buy the holdings they cultivate. Further, the Farm Security Board has laid down rules to improve tenancy conditions. Under these rules the tenants will in future obtain loans only if they are in possession of written leases by which they are guaranteed reasonable conditions of tenure. In Japan, two important Acts have been adopted; one aims at establishing good relations between landowners and tenants, as well as the preservation of the productive capacity of the soil, and the possibility of procuring land for farmers; the other introduces agricultural insurance against natural calamities.

The measures mentioned are largely justified by the backward state of agriculture in many countries, by the value inherent in a land tenure system based on small properties and by the importance

which, from the demographic point of view, must be attached to a dense rural population. However, it must be noted that voices are beginning to be raised against the setting up of too small holdings which do not allow full utilisation of modern agricultural technique. In Germany less enthusiasm is now shown for the conditions, so often praised, of the South-western regions of the country, where the dividing up of land is far advanced, and stress is laid rather on the advantages offered by the system of medium-sized peasant farms predominant, for example, in Westphalia, which facilitates the introduction of agricultural machinery. In Sweden the agricultural administration has objected to unlimited development of quite small holdings, because experience has shown that such holdings are increasingly to be found in economic conditions which compare unfavourably with those of middle-sized and large undertakings. According to enquiries made, small farmers disposing of only 2 to 5 hectares of land have an income which is distinctly lower than that of a wage-paid agricultural worker. The fact that it has been possible to improve the conditions of the wage-paid worker in recent years makes the demand for access to the small holdings less imperative. The almost classical discussion of the problem of the optimum size of the agricultural holding is thus being revived from new viewpoints.

SOCIAL AND LABOUR CONDITIONS IN AGRICULTURE

The nature of the agricultural policy of recent years followed by the various countries, which aimed not only at protecting national agriculture as such but also at safeguarding the existence of small farmers individually, has logically led to consideration of their living conditions not exclusively from the economic point of view but also from the point of view of social policy in general; this was the attitude of the Permanent Agricultural Committee of the International Labour Office during its first session in February 1938¹. The social problem in agriculture is to-day recognised as going far beyond the ranks of wage-paid labour; this fact is beginning to influence at the same time the activity of the vocational agricultural organisations and the social measures taken by Governments.

In December 1938 the Mixed Advisory Agricultural Committee, composed of representatives of the Permanent Committee of the International Institute of Agriculture and of the Governing Body of the International Labour Office, met at the Institute in Rome. It examined a certain number of proposals aiming at establishing the technical collaboration between the two institutions which had been suggested in the report of the first session of the Permanent Agricultural Committee. This collaboration will in the first place

¹ Cf. *I.L.O. Year-Book 1937-38*, pp. 511-512.

take the form of the drafting by the International Institute of Agriculture of a preliminary report on the economic and social situation of small farmers, which will be submitted to the Permanent Agricultural Committee. The Committee also took note of a memorandum of the International Institute of Agriculture concerning the problem of hours of work in agriculture, recognising the interest to agriculture of accepting the principle of regulation in this field. A few days later the Eighth Pan-American Conference, meeting at Lima, adopted a resolution requesting improvement of the working conditions of women in agriculture, the establishment of rural educational centres and of social assistance institutions adapted to the needs of agricultural regions.

The International Confederation of Agriculture held its General Assembly in Prague in July 1938, during which a whole day was devoted to questions of agricultural labour. The Confederation welcomed with satisfaction the setting up of the Permanent Agricultural Committee, asking however that independent agricultural workers should be proportionately better represented than was at present the case. The questions of unemployment and shortage of labour in agriculture, as well as the access of agricultural workers to small holdings, were further examined. Quite recently organisations of small farmers in the Scandinavian countries have decided to set up a common consultative body and have declared that, in view of the increase in activity of the International Labour Office in the agricultural field, it would be all to the interest of their organisations to follow this work directly.

The Eighth Congress of the International Land Workers' Federation which was held in Amsterdam in July 1938 noted with satisfaction that the International Labour Organisation was again examining, with the assistance of the Permanent Agricultural Committee, several agricultural labour questions. The Congress expressed the hope that it would be possible in the near future to place agricultural questions on the agenda of the International Labour Conference and above all the questions of regulation of hours of work and fixing of wages in agriculture. In the resolution adopted the Congress declared that in all countries social and economic conditions of agricultural workers ought to be the same as those of industrial workers and for that reason the economic situation of agriculture ought not to be less favourable than that of other branches of economic activity in the same country. Legislatures and Governments ought to treat the agricultural workers' organisations on an equal footing with economic organisations of farmers.

Since the preceding Congress in 1935 the membership of the International Land Workers' Federation, to which about fifteen countries are affiliated, has nearly doubled, owing in the first place to the adherence of the Belgian, English and French trade unions, but also to the general development of the trade union movement among agricultural workers; more especially their organisations are again rapidly growing in Belgium, England and Wales, Norway and

Sweden. The increasing interest which the general confederations of labour pay to problems of agricultural labour may also be noted. At the congresses of the Netherlands Confederation, of the Confederation of French Christian Workers and of the General Confederation of Labour in France these questions stood in the foreground. In September the Belgian Labour Party organised an agrarian congress at Brussels.

In the United States the agricultural workers are beginning also to organise, more especially under the auspices of the Committee for Industrial Organization. Organisation is especially developing among migrant workers and among workers employed in sugar beet fields, as well as among the small tenants and sharecroppers of the Southern States. On the other hand this development seems to have contributed also to the organisation of the agricultural employers, especially in the Western States. In Mexico a federation uniting wage-paid workers, small farmers and members of the "ejidos" has been set up. In Colombia the Confederation of Trade Unions has encouraged the organisation of agricultural workers; strikes have taken place in agricultural undertakings in the course of the last year. In Argentina the Provincial Federations of Santa Fé and of Cordoba have organised congresses of agricultural workers.

General Development of the Protection of Agricultural Workers

Legislation in favour of agricultural labour shows in the course of the past year certain interesting developments. As far as the general regulation of conditions of work is concerned, progress has, however, taken place only very slowly. In Estonia an Act on agricultural labour was adopted on 2 March 1939. It fixes the general principles of conditions of work and also regulates child labour. The details will have to be fixed in the labour contracts and through further legislation still to be drafted. In Germany the Agricultural Corporation is studying the question of a new Agricultural Labour Code to replace the provisional Code of 1919, still in force. Germany offers, by the way, an interesting example of the difficulties which hamper the establishment of labour conditions in agriculture that, when compared with those of manufacturing industries, may be considered as satisfactory. Thus among 103 undertakings recognised as model undertakings from a National-Socialist point of view, only six are agricultural undertakings. In Argentina, in the province of Santa Fé the Senate has before it a Bill concerning the regulation of agricultural labour. While the workers' organisations approve this Bill, employers are hostile to purely provincial legislation, fearing the competition which will arise out of the lower costs of production in other provinces. In Hungary the Government has appointed a considerable number of young qualified persons as assistant social officials in the administration of the rural communities.

In the Netherlands the Government has recently announced

that a Bill concerning the working hours of women and children employed in agriculture has been drawn up and that the possibility of extending this legislation to male adult workers as well is being considered. In Sweden a special committee has examined the practical application of the Act on hours of work in agriculture adopted as an experiment and already once amended. The conclusions of this committee will probably result in certain changes in the text of the Act but it appears that the definite solution of the problem is now in sight. In the course of 1938 Acts concerning holidays with pay were adopted in Denmark and Sweden; they cover agricultural workers. In Belgium a Royal Decree of July 1938 laid down the rules of application to agricultural, horticultural and forestry undertakings of the Holidays with Pay Act of 1936. In Great Britain an Act of July 1938 empowers the district boards fixing minimum wages in agriculture to require that the workers covered by their decisions shall be entitled to an annual holiday with pay. A great number of boards have already made use of this power.

In the field of social insurance the most important event seems to be the new Act passed in Hungary in April 1938 introducing compulsory old-age insurance for agricultural workers. In Latvia an Act of May 1938 lays down that agricultural workers engaged by the year and receiving family allowances must be members of the sickness funds, in the same way as industrial workers. In Lithuania medical assistance to the rural population is now organised through the setting up of 200 health centres in the rural districts, each centre being served by a doctor and a midwife. In the United States the Farm Security Administration has established in the State of Dakota a kind of insurance scheme in order to procure medical assistance for low-income farmers' families.

In France a Legislative Decree of May 1938 extended the scheme of family allowances to all agricultural workers, irrespective of the number of days of employment. On the initiative of the employers' and workers' delegates of the National Joint Committee for Agriculture in Belgium, the Chamber of Deputies has adopted an amendment to the Bill concerning compulsory unemployment insurance now under discussion. This amendment will make it possible to extend compulsory unemployment insurance to agricultural workers. In Great Britain an examination of the financial situation of the special unemployment insurance fund in agriculture has made it possible to reduce the contribution to this fund and at the same time to increase the allowances paid to agricultural unemployed.

Legislation in favour of certain classes of agriculturists holding a position between that of wage-paid labour and independent farmers has also made progress. Thus, for example, in France the Chamber of Deputies has recently passed an Act on share farming, and in New Zealand an Act came into force in August 1938 making provision for safeguarding the interests of share-milkers under share-milking agreements.

The Employment Situation in Agriculture

The employment situation in agriculture represents a special problem which merits close attention. The scarcity of agricultural labour seems to increase nearly everywhere. The manufacturing industries, and recently rearmament works, the construction of fortifications, aerodromes, etc., attract the agricultural worker by their more favourable labour conditions, while the countryside, as a result of its reduced birth rate, no longer offers the same surplus population as formerly. This development has reached such a point that in countries as different as Germany and New Zealand it is being stated that production in dairy farming is being directly affected by the lack of labour.

In Europe, the situation in Germany, both in itself and because of its effects on neighbouring countries, attracts special attention. In this country agricultural unemployment, even in the winter, has nearly disappeared. It has been necessary to abandon the policy recently followed under which employers were encouraged to offer annual contracts to their workers and to keep them during the whole winter, even if there was not enough work for them. On the contrary, employers are now invited to set such workers free for the benefit of other branches of economic activity. For the last harvest, appeals had to be made for the help of the Labour Service, and of students, schoolboys, pensioners and even prisoners. The Minister of Agriculture, Mr. Darré, estimates the loss of hands in German agriculture caused by the rural exodus since 1933 at 7 to 8 hundred thousand persons, while the intensification of the cultivation of root crops has made necessary 21 million more working days. Alien labour has had to be introduced; the need was calculated to be 200,000 workers in 1938, against 58,000 in 1937, but owing to currency difficulties (the workers must be able to take their savings with them when they return home) only 121,000 foreign agricultural workers were engaged, coming mainly from Poland (60,000), Italy (30,000) and Hungary (11,000). For the year 1939 the Italian and Hungarian quota will remain about the same, while a new agreement with Poland provides for the admittance to Germany of 90,000 Polish seasonal workers. At the same time, 4-5,000 Polish workers are going to Estonia and 50,000 to Lithuania. In fact the latter country employs relatively more alien workers in agriculture than any other country. The development of the agricultural employment market in Central Europe, together with the political changes which have taken place in the course of the last year, is exercising a certain influence on conditions in France, which hitherto to a great extent drew a considerable part of its alien labour from the same sources.

In England and Wales the number of persons employed in agriculture declined from 1937-1938 from 631,700 to 589,500; for Scotland the corresponding figures are 110,700 and 104,300. In Ireland the number of male workers has declined by 19,000. In New Zealand the question of the agricultural employment situation

is the subject of much public discussion and opinion is much divided upon the real situation and its causes. It has been pointed out that one of the difficulties lies in the fact that agriculture, while demanding qualified workers, for example sheep shearers, does not offer them sufficient opportunities of apprenticeship.

In South America the situation of the agricultural employment market is particularly complex and influenced by the most varied factors. The conditions of agricultural labour are in general much inferior to those of urban occupations and the rural exodus is therefore normally very strong. After military service the young workers remain in the towns and usually efforts undertaken to bring them back to agriculture meet with no success. In the regions where the oil and mining industries are developing, the neighbouring agricultural regions are deprived of their paid labour. The development of certain crops on an industrial scale has the same effect; the workers leave the agricultural undertakings to look for employment in the banana plantations or in other monocultures such as cotton, sugar cane, maté, etc. In the same country there are regions which suffer from shortage of labour and others where agricultural unemployment exists. The lack of employment exchanges makes readjustment of the situation difficult. Where workers' organisations develop there seems to be a tendency to monopolise the local employment market. Further, several States have passed legislation fixing the percentage of national workers which must be employed on farms and agricultural industries. In the United States there does not seem to be a lack of labour in agriculture. On the contrary, from 1937 to 1938 the ratio between supply and demand of employment developed unfavourably from the point of view of the wage earners. Mechanisation in agriculture advances so quickly that the displaced workmen cannot be absorbed as rapidly by other occupations. It is estimated that 65,000 mechanical maize pickers now in use have displaced 195,000 workers and a similar development is expected to take place in cotton cultivation.

The Movement of Agricultural Wages and their Regulation

In the course of the past year the agricultural wage rates of the various countries have remained stable or have increased slightly under the influence of the situation on the employment market or the cost of living. Thus in Poland the collective agreements for the year 1939, which again had to be fixed through arbitration, lay down the same wage rates as for the preceding year. In England and Wales the average minimum weekly wages for adult workers stood in February 1939 at 34s. 7½d. as against 34s. 2d. for the same month of 1938. In Denmark the collective agreements concluded for the years 1938-1939 and 1939-1940 provide for a wage increase of about 6 per cent. In Estonia wages increased during 1938 by 5-11 per cent. compared with the preceding year. In Italy rates increased by 8 per cent. came into force in March 1939 in order to compensate

the increase in the cost of living. In Australia the average weekly wage in agriculture was in 1937 about 78s. and at the end of June 1938 80s. 5d. In the United States wage rates were at the beginning of 1939 at exactly the same level as at the beginning of 1938. The day labourer, not boarded, received on an average for the whole territory \$1.55. In Canada wages were slightly reduced during 1938 as a result of reduced farm income and a decline in urban employment, although the volume of work in agriculture was increased by the necessity of harvesting larger crops.

More interest attaches this year to the development of wage-fixing systems in agriculture.

In Belgium a Central National Committee and nine regional committees composed of an equal number of employers and agricultural workers and presided over by a representative of the Government are now at work. These committees examine the general principles of wages and working conditions in agriculture. In Ireland the system of minimum wage-fixing was introduced in 1936, but the first rate, fixed the following year at 24s. for the whole country, was not considered satisfactory. In May 1938 the Committee on Agricultural Wages raised this rate to 27s. and to 33s. for the immediate environs of Dublin. In Scotland district wage committees set up by the Act of 1937 gave their first rulings in the course of 1938. In New Zealand a new Decree of August 1938 under the Agricultural Workers Act fixes the minimum rate for adult workers on dairy farms at 52s. 6d. per week, as against 45s. in November 1937. By Orders in Council the Government continues to extend the scope of application of this legislation to other categories of workers; thus in 1938 workers in the various market-gardening districts were included.

In Argentina, in the province of Buenos Aires the employers of the large agricultural estates asked, in view of the fall in the price of wheat (from 16 pesos in October 1937 to 7 pesos) that the wage rates fixed by Decree in May 1937 should be reduced by at least 30 per cent. but the Government gave them only partial satisfaction. The rates for skilled workers were reduced from 8.50 pesos per day to 8 pesos and for non-skilled workers from 6.50 pesos to 5.50. In Brazil an enquiry on rural life conditions carried out by the National Committee for Minimum Wages has brought out the hard conditions under which many agricultural workers live. In the sugar-cane plantations the average daily wage varies between \$2.50 and \$3, while the kilogramme of dried meat which constitutes the principal food for the worker and his family costs him \$4. In Mexico wages in agriculture fixed by the municipal committees were adjusted in 1938 to meet the increase in the cost of living which has taken place.

In the United States of America, under the Sugar Act of 1937, the Secretary of Agriculture has issued a new series of Decrees fixing the wage rates for workers employed in the cultivation of sugar beet and sugar cane. In the course of 1938 the system was applied for the first time to Porto Rico and to Hawaii. Finally,

the Farm Security Board has inaugurated an interesting new policy, the scope of which is, however, for the present limited; the Board will in future grant loans to co-operative firms only if their managers undertake to pay certain minimum wage rates to the wage earners employed and to observe other rules concerning hours of work, employment of children, etc.

INTERNATIONAL REGULATION ¹

Convention No. 10: Minimum Age (Agriculture), 1921

Decision by competent authorities in 'Iraq to postpone all action concerning ratification.

Convention No. 11: Right of Association (Agriculture), 1921

Convention No. 12: Workmen's Compensation (Agriculture), 1921

Ratified by *New Zealand* (29 March 1938).

Decision by competent authorities in 'Iraq to postpone all action concerning ratification.

Preparation by National Institute of Social Welfare in *Ecuador* of draft Decrees for approval of Conventions.

Seamen

The progress made in recent years in legislation affecting seamen, to which attention was drawn in the *I.L.O. Year-Book 1936-37* and *1937-38*, has continued in the past year, although on the whole, either because of the weakening of the exchanges as a result of the general insecurity or, in some countries, because of the marked increase in tonnage (Germany 7.7 per cent., Italy 2.8 per cent., Japan 11.9 per cent., Netherlands 8.4 per cent., Norway 6.1 per cent., Sweden 5.1 per cent., etc.) the economic situation of the shipping industry has been somewhat less favourable and some falling off in freights, especially in tramp shipping, has been perceptible. It would be an exaggeration, however, to regard this as the beginning of a new crisis comparable to that which occurred nearly ten years ago. The set-back which has recently been observed and has preoccupied shipping circles does not seem to have been entirely or mainly due to economic causes; it can very largely be attributed to a variety of difficulties, especially political, which have arisen in recent months; it is therefore uncertain whether it will continue or worsen and assume a really serious form. It should not be forgotten that during this period social progress has been continuous and marked and that there has been indubitable evidence of it

¹ The information given here relates only to the period 16 March 1938-15 March 1939. See the table at the end of the volume for the general situation as regards the Conventions concerning employment in agriculture.

in the new wage scales, for instance, which represent either the confirmation of advantages already won or an increase over previous scales, in the new legislation which in several countries has resulted in reducing hours of work, extending the benefit of holidays with pay, improving living conditions on board ship (food and accommodation), etc., and finally in the relatively satisfactory number of ratifications registered of maritime Conventions. If the first signs of a really serious economic crisis had been perceived, it might reasonably be presumed that such a danger would have checked these social achievements to some extent.

WAGES

There were no decreases in seamen's wage rates during 1938, so far as the Office is aware. In most countries rates were maintained at the increased levels secured in 1937. Among the countries which may be mentioned in this group are the United States and Greece. In the *United States* a revised Order of the Maritime Commission of December 1938 maintained in force the rates fixed in the previous year for personnel employed on vessels owned by and operated for the account of the Commission, these rates being also followed on the whole as a minima in collective agreements concluded during the year. Similarly, in *Greece* the Higher Arbitration Commission has maintained at the 1937 scale the payments and wages which at that date were increased for seamen of every rating and every qualification.

In a few cases, certain increases of wages were secured in 1938.

In *Denmark* new collective agreements came into operation on 1 March 1938 for subordinate deck and engine-room ratings and on 1 April 1938 for deck and wireless officers, catering staff and engineer officers. The increase over the previous wages is on the average 7 to 8 per cent. for deck officers, 2 to 3 per cent. for wireless officers, 6 to 11 per cent. for subordinate deck and engineer officers, 6 to 10 per cent. for catering staff and 8 to 12 per cent. for engineer officers. Additional allowances (overtime, special work, night-watches, victualling allowances, etc.) were raised in a proportion of 3 to 10 per cent.

In *Norway* a collective agreement considerably raised the pay of deck officers in the Norwegian coasting trade, in comparison with the previous (1936) rates; the average increase was between 10 and 13 per cent., with an extra annual allowance, varying according to rank and length of service. The new agreement also fixed the scale of supplementary payments and in particular raised the overtime rates by 50 per cent.

In *Estonia* the collective agreement concluded on 1 May 1938 increased deck and engineer officers' wage rates by 4 to 5 per cent. and subordinate staff's wage rates in all three branches by 5 to 10 per cent. Supplementary payments (seniority, overtime, etc.) were also increased.

In *France* the wage rates of subordinate staff laid down by the arbitration award of 30 December 1937 were not changed, but under a new award issued in February 1939 the scales of victualling and family allowances were considerably increased.

Lastly, in *Italy*, under a general measure covering all workers, an increase in seamen's wages was granted in the form of the payment of an additional month's wages at the end of the year.

MARITIME LEGISLATION

Two events call for mention in the field of labour legislation: the issue in *Japan* in March 1938 of an Imperial Order and a Ministerial Order for the detailed application of the Act of 13 August 1937¹ and the publication of a series of Regulations in *Yugoslavia* since the end of 1937 for the full application of the principles of the Order of 29 March 1935 concerning the organisation and conditions of work on board merchant vessels; these new provisions show a marked advance over the regulations previously in force and in particular strengthen the application of certain maritime Conventions ratified by Yugoslavia and embody in Yugoslav legislation a number of the provisions contained in the Conventions adopted by the Twenty-first (1936) Session of the Conference.

HOURS OF WORK AND MANNING

In *Denmark* a Bill based on the Hours of Work and Manning (Sea) Convention, 1936 (No. 57), has been prepared by the competent Ministry and communicated to the shipowners' and seamen's organisations.

The collective agreements of 1 April 1938 (deck and wireless officers) made considerable changes in the previously existing arrangement of hours of work. In port the hours of work for deck officers have been reduced from nine to eight in the day, while provision was also made for the possibility of organising work in eight-hour shifts when vessels carrying three or more deck officers remain in port for more than 24 hours. The hours of work at sea for engineer officers are limited to eight in the day in vessels required to carry three or more engineer officers, and 24 hours during two consecutive days in other vessels, provided that hours of work in vessels engaged in trade within restricted areas are not to exceed 63 per week. On arrival and sailing days hours of work have been reduced from 12 to 10 hours.

In *Estonia* a Decree of 5 August 1938 amends, to the seaman's advantage, some of the provisions of the Act of 1937. It limits the amount and nature of work which may be performed during

¹ Cf. *I.L.O. Year-Book 1937-38*, pp. 522-525.

night watches and increases the number of holidays (in Estonian ports only) on which special hours of work apply; but the time off in compensation for watch duty in port is reduced to one hour for every 1½ hours' watch duty.

A Bill drafted on the lines of the 1936 Convention has been prepared in *Finland*, but has not yet been submitted to the legislative authority. Meanwhile, under a collective agreement concluded in April and September 1938, seamen gained considerable advantages as regards hours of work in comparison with the hours laid down in the Act of 1924.

Thus for subordinate deck and engineer officers, hours of work in port, which were, according to the season, 16 or 18 in a period of two consecutive days, were reduced to the uniform limit of eight hours a day; work must stop at 1 p.m. on the days preceding legal holidays; at sea, the eight-hour day has been introduced for day workers. For catering staff on cargo vessels, hours of work at sea and in port have been reduced from 12 to 10 in the day and special payment is prescribed for certain forms of work performed outside the normal hours; for catering staff in passenger ships navigating to foreign ports hours of work have been limited to 12 in the day (they were not limited in the 1924 Act) except for stewardesses in attendance on passengers.

In *Norway* a Bill to replace the 1919 Act concerning hours of work on board ship was prepared by a special committee, sent for revision to the Ministry of Commerce and Merchant Shipping, submitted in May 1938 to the Social Affairs Committee of the Storting and finally submitted to the Storting for discussion and adoption in January 1939. The Bill, which had been drafted to give effect to the hours of work provisions of the 1936 Convention, was amended by the Social Affairs Committee, which among other matters narrowed its scope as regards crew (exclusion of chief deck and chief engineer officers on board certain vessels and of wireless officers with no other duties) and as regards vessels (raising the limit for the application of the eight-hour day on deck to foreign-going vessels from 2,000 to 2,500 t.g.). As it stands, however, the Bill proposed by the Committee considerably reduces hours of work and in some respects (vessels employed on limited navigation, catering staff) goes beyond the requirements of the 1936 Convention.

The Act concerning hours of work at sea which was prepared in *Sweden* after the maritime session of the Conference was approved by both Chambers of the Riksdag on 18 May 1938 and promulgated on 30 September, to come into force on 1 January 1939; it takes the place of the Act of 13 July 1926 and gives effect to the hours provisions of the Hours of Work and Manning (Sea) Convention, 1936 (No. 57), which was conditionally ratified by Sweden on 6 January 1939.

The new Act, which represents a very big advance, has in particular a very wide scope; it covers, for instance, all vessels making voyages of more than 12 hours and all those categories

of crew which until now were not under any regulation (chief deck and chief engineer officers keeping watch on board vessels navigating in the North Sea and beyond, deck officers acting as wireless officers and *vice versa*, members of the crew engaged directly for the service of passengers and members of the crew belonging to the shipowner's family—for the two last-named, in the case of navigation in the North Sea and beyond).

In addition, the eight-hour day is for the first time extended: at sea, to subordinate deck officers on board vessels over 2,000 t.g. and to deck and engine-room day workers (instead of 12 and 9 hours respectively); in port, to catering staff on board all vessels, whatever their commercial employment, subject, in case of necessity, to limited extension.

The new Act also increases the number of watch-keeping members of the crew to be covered by the eight-hour day and lays down the weekly limit of 48 hours for deck and engine-room staff in port; it further reduces from 12 to 10 the hours of work at sea of catering staff on board cargo vessels and contains new provisions for arrival and sailing days for subordinate watch-keeping deck ratings and engine-room staff on board vessels keeping two watches and for day workers. Finally, several sections are devoted to the classification of, and payment for, supplementary work.

Exceptions may be granted, subject to conditions—which are moreover very strict—for four years as regards the crews of vessels already built or building on 1 January 1939.

When the Riksdag discussed and adopted the Act concerning hours of work on board ship, it examined at the same time and approved a draft Royal Order to regulate manning. This draft Order, which will be put into force by Royal Decree as soon as the Hours of Work and Manning (Sea) Convention becomes binding on Sweden, contains the following main provisions:

- (a) Reduction from 3,000 to 2,000 t.g. for cargo vessels required to carry three deck officers in navigation in the North Sea;
- (b) Reduction from 1,000 to 800 h.p. for engines for which three engineers must be carried in navigation in the North Sea;
- (c) Regulation of the manning and qualifications required for subordinate deck staff carried on vessels of various tonnages.

In *France* an alteration in the application of the 40-hour week (Act of 21 June 1936 and Decree of 8 June 1937) was introduced by the Decree of 31 December 1938. While retaining hours of work on board ship at 40 in the week, the Decree spreads the hours over six working days in the week, with 6 hours 40 minutes per day. All work beyond 40 hours in the week entitles subordinate personnel to compensatory rest on the basis of 24 hours' rest for every 6 hours 40 minutes of work; if this compensatory rest cannot be granted, the persons concerned are entitled to one day's rest for every 30 days on board ship and for the remainder of the overtime worked to cash payment at the overtime rates laid down

in the collective agreements. For officers overtime worked between 40 and 48 hours in the week is compensated annually by 40 days which may take the form either of cash payment or compensatory rest under the same conditions as leave with pay. Overtime worked over 48 hours in the week is still compensated as before.

In the *United States* much progress has been made, by regulations of the Maritime Commission and by collective agreements, in standardisation methods of applying the statutory 8-hour day rules (at sea and in port) for deck and engine-room personnel and in limiting working hours for catering personnel (not yet regulated by statute). The 8-hour day at sea and in port (in a spread of 12 and 13 hours respectively, and, when practicable, between 6 a.m. and 6 p.m. and 6 a.m. and 7 p.m. respectively) has been extended by regulations of the Maritime Commission (of December 1937, revised December 1938) to catering staff on cargo vessels owned by and operated for the account of the Commission. The same regulations also provide for the half-day off on Saturdays in port (as well as Sundays) for all personnel, for fixed times for starting and finishing work in port for deck and engine-room subordinate staff, for the application of the 8-hour day on arrival and sailing days, and—in the case of officers—for the employment of the practice of night relieving officers on vessels in active operation in domestic ports where a vessel is to remain for two or more nights. Similar rules have been adopted in important collective agreements signed by the National Maritime Union and other organisations. These agreements also fix a 9-hour day at sea (in a spread of 14 hours) for catering staff on passenger vessels, with an 8-hour day in port.

Progress has also been made in the detailed regulation of manning. Following up its policy of supplementing its general minimum manning rules of October 1937 for subsidised vessels by special regulations for individual ships or types of ships, the Maritime Commission laid down detailed manning scales for a number of subsidised vessels during 1938.

In *Yugoslavia* new regulations have been completed which, as regards hours of work and minimum manning scales, are evidently based on the provisions of the 1936 Convention. The new rules concerning hours of work are laid down in Regulations of 22 June 1938, which came into force on 28 December.

Hours of work for deck hands are arranged as follows:

(a) At sea, for day workers, eight hours in the day or 48 in the week; for watch-keeping ratings, 64 hours in the week on ships of 2,500 t.g. or over engaged in distant trade and extended coasting trade, and 10 hours in the day, of which not more than six may be consecutive, on board other vessels in which work is organised in a single watch;

(b) In port, eight hours in the day or 48 in the week, except for reasons of *force majeure* or necessities of service; work carried out

beyond the limit of the eight-hour day gives the right to increased remuneration;

(c) On arrival and sailing days hours must not exceed eight in the day, even if watches are not suspended.

The general rule for engine-room hands is the eight-hour day at sea but in the home-coasting trade firemen's hours of work may amount to 10 in the day, of which not more than six may be consecutive, if work is organised in a single watch. Dumping of ashes is arranged independently of the watch-keeping service. In port and on arrival and sailing days the hours are the same as for deck hands.

For catering staff the Regulations limit hours by granting a rest period of at least eight consecutive hours plus four hours for meals and personal needs.

The same Regulations organise work for all the crew in three watches for deck and engine-room staff in distant trade (all vessels), extended coasting trade (vessels over 2,500 t.g.) and in home coasting trade (steamships over 2,500 t.g.); in other cases work may be organised in two watches or even a single watch in the home coasting trade, subject to certain conditions.

Further, regulations of 1 July 1938, which came into force on 8 January 1939, specify minimum manning scales.

For deck staff the scales vary according to the kind of trade, the tonnage and type of vessel, the nature of the work and the length of the voyage, from one officer and four men (including two boatswains or A.B.s) for vessels of 100 to 150 t.g. in the home coasting trade to four officers and 10 men (including six boatswains or A.B.s) for vessels of over 5,500 t.g. engaged in distant trade.

For engine-room and stokehold staff in steamships the minimum manning scales are based partly on the horse power of the engines and number of screws and partly on the length of the voyage and nature of the trade; they range from one engineer officer (single screw vessels, up to 400 h.p. engaged in short voyages) and one engineer officer, one leading fireman and one greaser (twin screw vessels, up to 400 h.p. engaged in short voyages) to three engineer officers, one leading fireman and two greasers (single screw vessels over 3,000 h.p. on all voyages) and four engineer officers, one leading fireman and three greasers (twin screw vessels over 3,000 h.p. on all voyages). In fixing the number of firemen account is taken of the type of boiler, the number of furnaces to be fuelled and the daily consumption of coal. The number of trimmers is calculated on various factors, in particular the quantity of coal to be shifted daily for the needs of navigation and the obligation to limit the hours of work of every trimmer to eight in the day.

The number of wireless operators to be carried is also fixed in relation to the commercial employment of the vessel, its gross tonnage and the presence or absence of an automatic alarm signal apparatus.

Finally, the Regulations lay down minimum manning scales for galley and cabin staff.

The harbour authorities are given special powers to ensure the enforcement of these provisions.

HOLIDAYS WITH PAY

In *Denmark* the general Act of 13 April 1938 establishing holidays with pay, the provisions of which were summarised in the last issue of the *Year-Book*¹, came into force on 1 July 1938, its application to seamen being defined by a Notification of 25 June. In comparison with the previously existing system laid down by collective agreements, it confers markedly better conditions on subordinate staff in all three departments.

In addition, under collective agreements of 1 April 1938, paid holidays for officers (deck and engineer) were retained or extended: second deck officers and chief engineer officers, three weeks after one year's service; other deck and engineer officers and wireless operators, 14 days or two weeks (engineers) after one year's service and three weeks after eight years' service with the same company; assistant engineer officers, two weeks after one year's service.

The working of holidays with pay in *France* was described in the *Year-Books* for 1936-37 and 1937-38². No important changes have since been made but, as regards seamen in particular, the principles laid down in the general Act of 20 June 1936 and the provisions for their application laid down in the Ministerial Circular of 15 February 1937 were consolidated in a Decree of 7 December 1938; the Decree also defined the conditions for the grant of proportional leave (leave vouchers) and the functions and task of the Holiday Compensation Fund.

In *Norway* the collective agreement for deck officers in the Norwegian coasting and local trade (May 1938) grants 14 days' annual leave after one year's service with the same company or, if in special cases leave cannot be given, extra pay for a corresponding period.

In *Sweden* the Act of 17 June 1938 introduced a legal system of annual holidays with pay in the country. The Act, which is of general application, grants one working day's holiday for every month of service after one year, provided that at least 180 days have been worked in the same undertaking and at least 16 days per month; the Act may not be used to invalidate any more favourable conditions contained in collective agreements. For seamen in particular the payment during the holiday includes wages and an allowance for food. Changes in the ownership of the vessel and interruptions of service for which the seaman is not responsible do not affect the right to the holiday.

¹ Cf. *I.L.O. Year-Book 1937-38*, p. 536.

² Cf. *I.L.O. Year-Book 1936-37*, p. 505, and *I.L.O. Year-Book 1937-38*, p. 537.

In the *United States* the provisions concerning annual vacations with pay which were introduced in 1937 by the U.S. Maritime Commission for the personnel of subsidised vessels and of vessels owned by and operated for the account of the Commission¹ have been extended on a wide scale by collective agreements to other vessels and have become the minimum standards for the merchant marine as a whole.

In *Yugoslavia* the Regulations of 22 June 1938, which are based on the provisions of the 1936 Convention, extend the right to holidays with pay to all seamen. For one year's actual and continuous service with the same undertaking masters, deck and engineer officers and wireless operators are entitled to leave at the rate of 12 working days and other members of the crew to nine days. Changes in the ownership of the vessel and interruptions of less than six weeks for which the seaman is not responsible do not break the continuity of the service. The right to *pro rata* leave is recognised. While on holiday a seaman must not undertake any paid work. The holiday pay must be paid to the person concerned in advance, in cash.

FOOD AND ACCOMMODATION

In *Finland* on 26 July 1938 Regulations concerning seamen's food were issued which repealed the Regulations of 1893 and were to come into force on 1 January 1939. In general the new Regulations provide for three hot meals a day and coffee or tea twice a day. The diet must be varied and adequate and except in case of necessity must consist of fresh food. The new ration scale provides for greater possibilities of varying the nutrition and in particular for more ample supplies of vegetables, potatoes, fruit and milk. Special provisions require the provision of fresh drinks and regulate the supply and storage of water.

In *France* a Ministerial Order of 6 May 1938 concerning the nutrition of crews of merchant and fishing vessels increases the amount of the daily ration of certain foods, introduces new foods into the ration scale, either as products equivalent to the normal ration of beef or as substitute products (vegetables) and requires that the crew shall be given three meals a day (which is already a provision of the collective agreements).

In *Great Britain* agreement was reached on 18 October 1938 at the National Maritime Board between the shipowners' and seamen's organisations on a new food scale to replace that drawn up in 1906. The new proposals, which have been referred to the Board of Trade for consideration, increase the amounts of certain foodstuffs (e.g. milk, sugar, butter and tea), substitute fresh food as far as possible for preserved provisions and allow for a greater variety of dietary according to different climatic conditions.

¹ Cf. *I.L.O. Year-Book 1937-38*, p. 538.

In *Japan* an Imperial Order (24 March 1938) and a Ministerial Order (25 March 1938) laid down a ration scale for the crews of vessels over 1,000 t.g. on distant and home trade and prescribe in particular the following weekly quantities: rice, 5,500 grammes; meat (including bone), 1,200 grammes; fish, 1,200 grammes.

In the *United States* the Maritime Commission, in response to the complaints made to it during 1937 concerning crews' accommodation, has taken important steps to improve conditions in this matter in subsidised vessels and in vessels owned by it and operated on its account. In the programme of new ship construction launched by it in 1938 (involving the building of some 50 ships a year for the next ten years) it laid down a set of standards which, in the Commission's own words, "are superior to anything heretofore provided for seamen in any country". In the case of existing ships (mostly already rather old) a special Committee appointed by the Commission in August 1937 has been hard at work making such improvements ship by ship as the age and physical construction of the ship allow, the Commission's plan in regard to these old ships being "to place the crew's quarters as nearly as possible on a parity with the requirements prescribed for new shipping".

In *Yugoslavia* the Regulations of 11 May 1938 consolidate and amend the provisions previously in force concerning food and accommodation.

As regards food, a scale of daily rations is laid down, including in particular 800 grammes of bread, 400 grammes of fresh meat or fresh fish and 50 centilitres of wine (75 for firemen) and a scale of weekly rations which include 3 kilogrammes of fresh vegetables, 3½ kilogrammes of potatoes and 1,200 grammes of macaroni, etc. Other provisions in the Regulations deal with alternative foods, food for sick seamen, the taking in and storage of drinking water, the preparation of meals and galley equipment.

As regards accommodation, the Regulations lay down minimum dimensions for the crew's quarters, their position, internal arrangements, the allotment of cabins according to rank, and the dimensions of berths and their position; they require the provision of mess-rooms, bathrooms, wash-rooms and sanitary accommodation in proportion to the crew carried and also provide for certain hygienic and other measures.

OTHER QUESTIONS

Labour legislation in the various countries has also extended to other questions.

In *Denmark* the adoption by the Rigsdag of a resolution for the ratification of the Placing of Seamen Convention, 1920 (No. 9), led to the issue of Administrative Regulations (26 March 1938) by the Ministry of Commerce to give effect to the provisions of the Act of 31 March 1937. The Regulations abolish fee-charging employment agencies and set up public employment exchanges controlled by the Maritime Registration Office in Copenhagen

and in five other towns and appoint a central joint advisory committee to advise the Minister on the working and activities of these exchanges and of the local advisory committees attached to each employment exchange.

In *Yugoslavia* too the placing of seamen was the subject of amendments made by the Regulations of 13 April 1938 setting up an official body, named the Occupational Exchange for Maritime Employment, with local sections which form special public employment exchanges for seamen; these sections are intended, as and when they are created, to take the place of the special sections of the general public employment exchanges which have functioned up to the present. An Occupational Committee for Maritime Employment of a joint constitution is attached to the Occupational Exchange for Maritime Employment and local committees, similarly constituted, are attached to the local sections. Among other duties, these committees have to advise upon and supervise the placing carried out by the Exchange or its sections.

As regards physical fitness, the ratification by *Denmark* of the Medical Examination of Young Persons (Sea) Convention, 1921 (No. 16), led to the issue of Regulations which came into force on 1 March 1938, making medical examination compulsory for seamen under 18 years and requiring it to be repeated at intervals of not more than a year. The Regulations also require special sight tests for persons employed on look-out duty as well as medical inspection of the whole crew of passenger ships before departure from a Danish port. In *Yugoslavia* Regulations of 15 June 1938 lay down the methods of application of Sections 4, 5, 6 and 11 of the Order of 29 March 1935 respecting the health qualifications of seamen and, among other matters, require the compulsory medical examination of young persons under 18 employed on board ship and its repetition at intervals of not more than one year. The Regulations provide for general examinations (when the seaman's book is issued or renewed or when the seaman reaches 18 and joins the permanent crew), ordinary examinations (on joining a vessel engaged in extended coasting trade or distant trade) and special examinations (after an illness or accident); they lay down minimum medical conditions for candidates for the different services and require seamen to declare certain contagious diseases.

Regulations of 1 July and 8 September 1938 further fix the minimum age for admission to employment in the various ranks, ratings and employments in the three departments on board ship.

As regards professional qualifications, the three sets of Regulations contain provisions which lay down both for officers and subordinate staff the qualifications required in *Yugoslavia* for admission to employment in the deck, engine-room or catering department. The conditions include a minimum standard of education or instruction, a theoretical or practical examination or a theoretical and practical examination, and an apprenticeship on board ship.

The Regulations enumerate in detail the rights to which the holders of the various certificates are entitled.

As regards health and hygiene on board ship, in *Japan* the Ministerial Order of 25 March 1938 requires all vessels with more than 100 persons on board to carry a doctor, whose duties are laid down in the Order; in addition, all distant and home trade ships must be provided with a medicine chest. In *Yugoslavia* the Regulations of 11 May 1938 require all vessels carrying more than 50 passengers or more than 100 persons and trading beyond home coasting trade limits to carry a doctor; vessels carrying more than 1,000 persons must carry a second doctor; the doctor's duties are laid down in the Regulations, which also require a medicine chest to be carried and lay down the prophylactic and hygienic measures to be taken in the handling of medicines and the care of instruments; disinfecting apparatus as required by the harbour authorities must be carried by vessels engaged in distant trade or extended coasting trade; and these vessels must be provided with a sick bay, the equipment and furnishing of which are laid down in detail by the Regulations.

INTERNATIONAL REGULATION

*Ratification and Approval of Conventions and Recommendations adopted by the International Labour Conference*¹

Convention No. 7: Minimum Age (Sea), 1920

In *Mexico*, Decree for approval of Convention promulgated on 12 December 1938.

In *Netherlands*, Act reserving to the Crown the right to denounce the Convention promulgated on 4 August 1938.

Convention No. 8: Unemployment Indemnity (Shipwreck), 1920

In *Iraq*, decision of competent authorities to postpone action as regards ratification.

Convention No. 9: Placing of Seamen, 1920

Ratified by *Denmark* (23 August 1938) and *New Zealand* (29 March 1938).

In *Mexico*, Decree for approval of Convention promulgated on 29 December 1938.

In *Iraq*, decision of competent authorities to postpone action as regards ratification.

Convention No. 15: Minimum Age (Trimmers and Stokers), 1921

Decision of *Mexican* Government (Decree of 9 January 1939) not to ratify.

In *Iraq*, decision of competent authorities to postpone action as regards ratification.

Convention No. 16: Medical Examination of Young Persons (Sea), 1921

Ratified by *Denmark* (23 April 1938).

¹ The information given here relates only to the period 16 March 1938-15 March 1939. See the table at the end of the volume for the general situation as regards the Conventions concerning seamen.

In *Iraq*, decision of competent authorities to postpone action as regards ratification.

Convention No. 22: Seamen's Articles of Agreement, 1926

Ratified by *Canada* (30 June 1938) and *New Zealand* (29 March 1938).

In *Argentina*, message from Executive submitted to Congress on 22 September 1938 recommending approval of Convention.

Convention No. 23: Repatriation of Seamen, 1926

In *Argentina*, message from Executive submitted to Congress on 22 September 1938 recommending approval of Convention.

Convention No. 53: Officers' Competency Certificates, 1936

Ratified by *Belgium* (11 April 1938), *Brazil* (12 October 1938), *Denmark* (13 July 1938), *Estonia* (20 June 1938), *New Zealand* (29 March 1938) and *United States of America* (29 October 1938).

In *Mexico*, Decree for approval of Convention promulgated on 28 October 1938.

In *Sweden* opinion expressed by *Riksdag* (8 June 1938) that Convention should not be ratified at present.

Approval by *Swiss* Federal Assembly (6 December 1938) of Federal Council's report recommending against ratification (of no interest to Switzerland).

In *China* and *Iraq* decisions of competent authority to postpone ratification.

Announcement by *Egyptian* Government of its intention to ratify; Bill for ratification adopted by Parliament.

Adoption by *French* Chamber of Deputies (26 January 1939) of Bill for ratification.

Submission by *Turkish* Government of Bill to Grand National Assembly with recommendation in favour of ratification.

Proposal by *British* Government (May 1938) not to ratify, since ratification would involve introduction of legislation serving no practical purpose.

In *Iran*, decision of Government not to open ratification procedure at present.

In *Japan* and *Lithuania*, submission of Convention to competent authorities.

In *Latvia*, reference of Convention (23 April 1938) by Minister of Social and Public Affairs to Ministry of Foreign Affairs for submission to Council of Ministers.

Convention No. 54: Holidays with Pay (Sea), 1936

Ratified by *Belgium* (11 April 1938) and *United States of America* (29 October 1938).

In *China*, *Estonia* and *Iraq* decisions of competent authority to postpone ratification; approval by *Swiss* Federal Assembly (6 December 1938) of Federal Council's report recommending against ratification (of no interest to Switzerland).

Adoption by *Swedish* *Riksdag* (2 June 1938) of Annual Holidays with Pay Act which covers seamen, but opinion expressed that ratification was impossible, since Act diverges from Convention on important points.

Adoption by *French* Chamber of Deputies (26 January 1939) of Bill for ratification.

Parliament informed by *British* Government (May 1938) that it could not at present decide its attitude, since report of Committee on holidays with pay was still under consideration.

Statement by *Egyptian* Minister for Foreign Affairs that Government did not intend to ratify; in *Iran*, decision of Government not to open ratification procedure at present.

In *Japan* and *Lithuania*, submission of Convention to competent authorities.

In *Latvia*, reference of Convention (23 April 1938) by Minister of Social and Public Affairs to Ministry of Foreign Affairs for submission to Council of Ministers.

Convention No. 55: Shipowners' Liability (Sick and Injured Seamen), 1936

Ratified by *Belgium* (11 April 1938) and *United States of America* (29 October 1938).

In *Mexico*, Decree for approval of Convention promulgated on 12 December 1938.

In *China, Estonia* and *'Iraq*, decisions of competent authority to postpone ratification.

Approval by *Swiss* Federal Assembly (6 December 1938) of Federal Council's report recommending against ratification (of no interest to Switzerland). Decision of *Swedish* Riksdag (8 June 1938) to consider question of ratification postponed *sine die*.

Adoption by *French* Chamber of Deputies (26 January 1939) of Bill for ratification.

In *Egypt*, possibility of ratification under consideration.

British Government's proposal to Parliament (May 1938) not to ratify, since existing system is considered more favourable to seamen than that of Convention.

In *Lithuania* competent authorities consider that Convention should not be ratified at present; in *Iran*, decision of Government not to open ratification procedure at present.

In *Japan*, submission of Convention to competent authorities.

In *Latvia*, reference of Convention (23 April 1938) by Minister of Social and Public Affairs to Ministry of Foreign Affairs for submission to Council of Ministers.

Convention No. 56: Sickness Insurance (Sea), 1936

In *Mexico*, Decree for approval of Convention promulgated on 29 December 1938.

British Government's proposal to Parliament (May 1938) to ratify Convention.

In *China, Estonia* and *'Iraq*, decisions of competent authority to postpone ratification.

Approval by *Swiss* Federal Assembly (6 December 1938) of Federal Council's report recommending against ratification (of no interest to Switzerland).

In *Lithuania* and *Sweden* competent authorities consider that Convention should not be ratified at present. In *Iran* decision of Government not to open ratification procedure at present.

In *Japan*, submission of Convention to competent authorities.

In *Latvia*, reference of Convention (23 April 1938) by Minister of Social and Public Affairs to Ministry of Foreign Affairs for submission to Council of Ministers.

Convention No. 57: Hours of Work and Manning (Sea), 1936

Ratified by *Australia* (24 September 1938), *Belgium* (11 April 1938), *Sweden*¹ (6 January 1939) and *United States of America* (29 October 1938).

In *China, Estonia* and *'Iraq* decisions of competent authority to postpone ratification.

Approval by *Swiss* Federal Assembly (6 December 1938) of Federal Council's report recommending against ratification (of no interest to Switzerland).

In *Lithuania* competent authorities consider that ratification could be contemplated only conditionally upon ratification by Denmark, Finland, Great Britain, Netherlands, Norway, Sweden and U.S.S.R.

Statement by *Egyptian* Minister for Foreign Affairs that Government did not intend to ratify; in *Iran*, decision of Government not to open ratification procedure at present.

¹ Conditionally upon ratification by Denmark, Finland, Great Britain, Netherlands, Norway and U.S.S.R.

In *Japan*, submission of Convention to competent authorities.

In *Latvia*, reference of Convention (23 April 1938) by Minister of Social and Public Affairs to Ministry of Foreign Affairs for submission to Council of Ministers.

Convention No. 58: Minimum Age (Sea) (Revised), 1936

Ratified by *Belgium* (11 April 1938), *Brazil* (12 October 1938), *Sweden* (6 January 1939) and *United States of America* (29 October 1938).

In *Netherlands Act* reserving to the Crown the right to ratify promulgated (4 August 1938); 1919 Labour Act will require amendment on some points.

In *China* and *Estonia*, decisions of competent authority to postpone ratification.

Approval by *Swiss Federal Assembly* (6 December 1938) of Federal Council's report recommending against ratification (of no interest to Switzerland).

British Government's proposal to Parliament (May 1938) to ratify Convention; but ratification cannot be made until one year after 1 September 1939, on which date school-leaving age will be raised from 14 to 15, under Education Act, 1936.

In *Egypt*, possibility of ratification under consideration; competent authorities in *Lithuania* are contemplating ratification.

In *Iran*, decision of Government not to open ratification procedure at present.

In *Japan*, submission of Convention to competent authorities.

In *Latvia*, reference of Convention (23 April 1938) by Minister of Social and Public Affairs to Ministry of Foreign Affairs for submission to Council of Ministers.

Recommendation No. 48: Seamen's Welfare in Ports, 1936

Communications to the Secretary-General of the
League of Nations

Government of *India* is in agreement with principles underlying Recommendation, but views expressed by Provincial Governments, port authorities, shipping companies, etc., have led to the conclusion that in present circumstances it is not practicable to give effect to all suggestions contained in Recommendation (14 March 1939).

In *Japan*, decision of competent authority not to adopt Recommendation. Although it is as yet difficult to enforce all its provisions, measures for seamen's welfare in ports have been taken in close collaboration with private organisations (6 June 1938).

In *Sweden* no legislative or other action is necessary, but measures for seamen's welfare may be contemplated on lines of Recommendation with help of existing private organisations (21 December 1938).

Other Information

In *Estonia* instructions from President Regent to Directorate of Navigable Waterways (6 April 1938) to give as much effect as possible to Recommendation.

Parliament in *Great Britain* informed by Government (May 1938) that it intends to approve Recommendation.

In *Lithuania* no official or officially recognised body exists to deal with seamen's welfare in ports, but competent authorities have come to favourable decision on proposals of Recommendation.

Recommendation No. 49: Hours of Work and Manning (Sea), 1936

Communications to the Secretary-General of the
League of Nations

In *Japan*, decision by competent authority not to adopt Recommendation, since actual conditions of hours of work and manning do not permit it.

In *Sweden*, account taken of essential provisions of Recommendation in preparation of Acts of 30 September 1938, one amending Seamen's Act of 1922 and the other giving effect to Convention No. 57. Draft Orders to supplement and amend existing manning regulations also prepared on basis of Recommendation; will be put into force at latest when Convention No. 57 comes into force for Sweden (6 January 1939).

Other Information

Decision by President Regent of *Estonia* (6 April 1938) to postpone application of Recommendation.

Native Labour

During 1938, the colonial problem was in the foreground of international affairs. It was discussed chiefly from a political point of view which cannot be dealt with here, though some of the proposals that were made, whether as regards territorial distribution, international co-operation for the development of Africa, or the settlement of Europeans in tropical territories might involve serious social consequences. Trade conditions in colonial territories were on the whole somewhat depressed as compared with those of the previous year. This might at other times have caused the machinery of social protection to be slowed down, but on this occasion the standards that had previously been established were maintained. It would therefore seem that social protection has definitely taken root in the colonies and depends much less than formerly on variations in economic conditions.

Social problems, then, are still in the public eye and there is an increasing tendency to study them scientifically. Researches and enquiries are being carried out with a view to substituting accurate observation based on ethnography, demographic statistics and economic and social science for the empirical data on which social policy has only too long been based. Special attention has been given to such investigations by the British; reference will be made later to the monumental enquiry carried out into African problems under the direction of Lord Hailey and to the many local enquiries into particular aspects of labour problems in various British possessions. In Belgium, the Committee for the Protection of Indigenous Labour submitted an important report to the Crown and the calling of a further meeting of the Labour Committee was discussed. In France the Colonial Enquiry Committee set up early in 1937 to promote a "general improvement of the social and political circumstances of colonial populations" was, owing to financial difficulties, obliged to give up its work, but not before it had submitted valuable reports.

The scientific study of social problems in the colonies shows that, in spite of the diversity of local conditions, some aspects of the problems are of general significance and certain difficulties have to be faced everywhere. In almost all tropical African territories, the colonial powers have to deal with problems connected

with the distribution of indigenous labour and the improvement of its efficiency. By way of example, reference need only be made to two kinds of problems of the distribution of labour: on the one hand the growing competition between the needs of European undertakings and those of indigenous agriculture and on the other the migration of workers between colonies that do not always belong to the same colonial power; such migration, which calls for close supervision, is an essential feature of the new Africa and its existence makes necessary the inter-colonial regulation of labour problems.

As regards the improvement of the efficiency of indigenous Native labour, the colonial powers are no longer so inclined to leave this problem to private initiative, but are tending more and more to seek the solution in the regulation of conditions of labour. This involves developing both the provisions which deal with the special problems of indigenous labour and legislation on the same lines as that applicable in Europe. As regards the latter it was long held that indigenous wage earners could not be made subject to the same type of labour legislation as European workers. It is therefore interesting to note that, although the detailed provisions of colonial labour regulations must necessarily be adapted to local conditions, it is being found possible to base these provisions on the same broad principles as those which underlie European labour legislation: thus, in some tropical colonies, the limitation of working hours has proved both useful and easy to apply; the same is true of the minimum age for admission to employment, which is being raised nearer to the age limits adopted in Europe, of the protection of women and children, of the weekly rest, of holidays with pay, of collective agreements and so on. Workmen's compensation schemes based on the same principles as apply in the laws and regulations of the home countries are gradually being adopted in colonial territories.

Another important feature of the year under review is the growing importance attached by colonial powers to the proper organisation of the administrative services concerned with labour in the various territories and to labour inspection services. In the last issue of the *Year-Book* reference was made to French progress in this respect: this year interest attaches chiefly to the progress made in British territories.

Attention may also be drawn to some of the special labour problems which arise in Asiatic colonies owing to the density of the population. Whereas in Africa there is often a serious labour shortage, the opposite is the case in Asia, where overpopulation has led to the appearance in some colonies of such problems as unemployment. Reference will also be made later to the situation that has arisen in Malaya owing to the restriction of rubber planting; this is a difficulty which planters in the Netherlands Indies may only have escaped for the time being. Finally, mention will be made of the steps taken by the administrative authorities in Indo-China and the Netherlands Indies to raise the standard

of living of the people by developing industry, transferring population, reducing agricultural indebtedness, etc.

It is encouraging to be able to note that the decisions of the International Labour Conference are having an increasing influence on the development of colonial labour regulations. Local administrations are giving consideration not only to the Conventions that have been specially drafted for such territories (i.e., those relating to forced labour and recruiting and the proposed Convention on contracts), but also to the Conventions that are mainly concerned with conditions in metropolitan countries: for instance, International Labour Conventions concerning the minimum age for admission to employment in industry, night work for women, night work for children, workmen's compensation and minimum wages have already been applied in varying degree in many colonial territories.

Belgium. — The main feature of economic conditions in the Belgian Congo during 1938 was a substantial increase in exports; mining production still accounts for by far the largest proportion of the exports and will no doubt continue to do so for many years. Nevertheless the growing diversity of both agricultural and industrial production is making it easier for the Belgian Congo to face economic depressions and maintain a certain stability.

The improvement of economic conditions has again raised, in a rather acute form, the problem of the recruitment and protection of indigenous workers. In an important speech made at the opening of the Government Council in June 1938 the Governor-General of the colony dealt at length with the adjustment of economic and demographic policies. He stated that nearly 500,000 men were at present employed by European undertakings throughout the colony, that is 82,000 more than in the previous year or 19.5 per cent. of the adult able-bodied males. In some districts the demand for labour greatly exceeds the available supply. Accordingly the Governor-General asked whether the State had any right to grant concessions of land if there was no longer enough labour for development, or whether an economic pause ought not to be made by prohibiting new undertakings. He pointed out that the healthy vitality of traditional indigenous communities was an essential condition of prosperity in the colony. At the same time he expressed certain doubts upon the efficiency of State interference in the distribution of labour and suggested that a much more effective brake was supplied by competition between existing undertakings. He pointed out, however, that such competition could not do its work if the State interfered by bringing administrative pressure to bear on workers with a view to their accepting employment with unpopular undertakings. In this respect he laid down the principle that no guarantee as regards labour would be given to new settlers in areas in which the available labour had already been absorbed. The Governor-General also referred to indigenous peasant farming, the development of which did not seem to him to be necessarily in conflict with the interests

of European undertakings. "If the inhabitants produce more, the additional agricultural produce will have to be worked up or semi-transformed and this will open up new avenues of employment for European settlers."

As a result of this speech, the Government Council decided to suspend the concession of new land in districts where the development of the existing concessions already absorbed the whole of the available supply of labour.

In Belgian colonial circles the intensification of European settlement in the Congo is still giving rise to considerable discussion. Reference was made to this problem in the 1937-38 issue of the *Year-Book*. The Colonisation Office which was set up in 1937 seems to be adopting a policy of well-organised "selected immigration"; by 4 November 1938 it had only sent 375 Belgian settlers to the Congo.

No appreciable change was made during 1938 in the laws and regulations applicable to indigenous labour; the usual Orders were promulgated prohibiting or limiting recruitment in certain territories.

The Bill to ratify the Forced Labour Convention, 1930 (No. 29), which was passed by the Chamber of Representatives, is still under consideration by the Colonial Committee.

British Empire. — In the dependent territories of the British Empire the dominant feature of the period under review was the development of the machinery of social policy and labour protection. In several territories economic conditions were difficult and there was not inconsiderable social unrest accompanied by demands for improved standards of employment. In other territories, particularly in Africa, the value of improving the labour supply in numbers and efficiency and the reaction of employment conditions on general welfare emphasised the need for a sustained labour policy backed by adequate Government machinery.

It is perhaps this question of the machinery of supervision which received most attention throughout the dependent territories. There seemed to be agreement that past insufficiencies in the governmental control of the development of labour problems had left a difficult legacy. The liquidation of the resulting situation was a preoccupation both of the British and central authorities and of the majority of the local colonial Governments.

The Secretary of State's circular of August 1937 had emphasised the desirability of setting up a labour organisation of whole-time labour officers in all territories where there is a substantial wage-earning community. Such organisations were already in existence in Ceylon, Kenya, Malaya, Malta and the Solomon Islands. In April 1938, the Secretary of State was able to announce that labour departments had also been established in British Guiana, the Gilbert and Ellice Islands, Hong Kong, Tanganyika and St. Lucia. Since that time action has been pursued.

In Central and Southern Africa interlocking labour organisations have been created in the separate territories for the definition and

supervision of local labour policy and also for the co-ordination of inter-territorial labour movements and the protection of the migrant workers. This development primarily affects Northern and Southern Rhodesia and Nyasaland. It results from the Migrant Labour Agreement between the three territories which came into force on 1 January 1938. There is a standing Committee of representatives of the three administrations to secure co-ordination in labour policy and to report upon problems affecting labour as they arise. The administrations of Northern Rhodesia and Nyasaland each appoint a labour officer for service in Southern Rhodesia, while the last-named administration has appointed ten labour officers for the supervision of conditions in the country and is contemplating the establishment of a special Native labour department. Thirdly, in Nyasaland itself the administration has appointed a Labour Commissioner and in Northern Rhodesia there appear to remain only minor details before the establishment of a labour department consisting of a Labour Commissioner and at least five labour officers. Co-operation in labour matters is also developing between British territories and the Union of South Africa. A representative of the administrations of Basutoland, Bechuanaland and Swaziland is stationed in Johannesburg, where his duties have developed from those of tax collecting to those of a general liaison officer for Natives of the Protectorates at work in the Union. It is intended to make a similar appointment for the benefit of Africans from Northern Rhodesia and Nyasaland.

Elsewhere in Africa labour administration has also been strengthened. In the Mandated Territory of Tanganyika the labour department has been recreated, it being intended that there shall be a chief labour inspector and eight subordinate inspectors. In Kenya, the Employment of Juveniles Committee of 1938 has recommended the appointment of two additional labour inspectors and this recommendation is apparently to be adopted. In Uganda, the 1937-1938 Labour Committee has recommended the appointment of a labour secretary and of a standing Economic and Labour Advisory Committee. In the West African dependencies of the Gold Coast and Nigeria labour officers have been appointed.

In the West Indies and adjacent territories the demand for a strong governmental labour organisation is even more insistent. The Labour Adviser to the Secretary of State for the Colonies has been touring the territories throughout the latter part of the year. The important Commission appointed by the British Government to investigate social and economic conditions in the West Indies, which has also been touring during the same period, appears to be paying particular attention to the problem of up-to-date methods of labour administration. In Trinidad the services have been obtained of an officer from the British Ministry of Labour to act as Industrial Adviser. In the Bahamas, Barbados, British Guiana and Jamaica, as well as Trinidad, the formation of permanent labour departments appears to be an urgent preoccupation of

the administrations. In the meantime, machinery for conciliation and arbitration in cases of labour disputes is being rapidly developed and a number of *ad hoc* enquiries have been held to solve immediate problems.

Mention should also be made of the establishment of a labour department in Mauritius with six labour inspectors and the decision to appoint a labour officer in Hong Kong.

The adoption of labour legislation has also been accelerated. The measures taken may be said to fall into two groups. There is first the repeal of laws which are no longer applicable to modern conditions, notably the abolition of penal sanctions in Barbados, British Honduras, the Leeward Islands, Trinidad and the Windward Islands. The second group consists of a number of laws, largely based on International Labour Conventions, adopted with a view to meeting more modern labour conditions.

Of these latter, mention may be made of laws limiting the age of admission to industrial employment to 12 years in Barbados and Somaliland, to 15 years in Aden and to 16 years in Uganda; limiting the age of admission to employment at sea to 12 years in Barbados, and to 14 years in Aden, Somaliland and Tanganyika; and limiting the age of admission to employment as trimmers or stokers to 18 years in Somaliland and Tanganyika. In British Guiana, Grenada, St. Lucia and St. Vincent laws for the protection of women and children, on the statute books since 1933 and 1934, have been brought into force. It appears that legislation fixing the minimum age for industrial employment at from between 12 and 16 years is now in force in 41 British dependencies and legislation fixing the minimum age for employment at sea at from 12 to 14 years in 31 dependencies. Nevertheless, in December 1938 the Secretary of State for the Colonies declared in the House of Commons that he did not consider the present situation as regards minimum age legislation in the British colonies to be satisfactory and that he had recently addressed a despatch to all colonial Governments on the subject.

Workmen's compensation laws have been enacted since the 1937-38 issue of the *Year-Book* in the Falkland Islands, Jamaica, the Leeward Islands and Trengganu. Workmen's compensation is under consideration in the West Indian dependencies of Barbados, St. Lucia and St. Vincent, in the African territories of the Gambia, Gold Coast, Kenya, Nigeria, Nyasaland, Sierra Leone, Tanganyika, Uganda and Zanzibar, and in Fiji and Kelantan.

Legislation providing machinery for the fixing of minimum wages has been passed in Barbados, Jamaica, Leeward Islands, North Borneo and Somaliland. During the period under review, minimum wages have been prescribed for various classes of workers in the Bahamas, Gilbert and Ellice Islands, Grenada, Malta, St. Lucia, St. Vincent and Trinidad.

The Recruiting of Indigenous Workers Convention, 1936 (No. 50), has been generally examined with a view to deciding whether local laws require amendment. Amending laws have been adopted or

drafted in British Honduras, Jamaica, Kenya, Nyasaland and Southern Rhodesia.

Lastly, and possibly most important of all, action is being continued for the purpose of securing a place for trade union activities in the social structure of the colonies. During the last part of 1937 and in 1938 trade union laws were adopted in Mauritius, Nigeria and Uganda and an amending law, increasing the privileges of trade unions, in Jamaica. It may be added that trade union activity greatly increased during the year in the West Indies and to some extent in connection with certain forms of employment in East and West Africa.

This general picture of labour developments requires to be filled in by indications of some of the details in different parts of the colonial Empire.

In Africa, trade conditions, though not unfavourable, declined from the high levels reached in 1937. In West Africa, exports from Sierra Leone fell from £2,635,000 for the first 11 months of 1937 to £2,191,000 for the corresponding months of 1938, while imports fell from £1,693,000 to £1,357,000. In the Gold Coast, owing to a fall in cocoa prices and following disagreements between the African farmers and the European buyers, exports for the first nine months of 1938 totalled £9,776,000 as compared with £13,236,000 in 1937, while the fall in imports was more considerable, the 1938 figure for the first nine months of the year being £5,545,000 as compared with £14,434,000 for the first nine months of 1937. In East Africa, exports from Tanganyika decreased by 26.9 per cent. and imports by 36.4 per cent. during the first nine months of 1938. In Uganda, the decrease was 21.5 per cent. for exports and 13.5 per cent. for imports for the first ten months of the year. In Kenya, trade figures also fell, though to a less extent.

The demand for African labour continued, however, unabated. In those parts influenced by migrations to South Africa the labour shortage was a constant preoccupation. Southern Rhodesia in particular was affected. African employment on mines was consistently below the peak figure of 94,000 in 1937. By October 1938 the African labour force had fallen to 83,000, although mining production maintained, and even slightly increased, its output. On European farms there was a general complaint of labour shortage. The cause was usually held to be the labour competition of the Union of South Africa. Improved labour conditions and means of communication, as well as the establishment of a Native labour department, appear to be the remedies contemplated by the Government. Parallel to this, in Northern Rhodesia and Nyasaland the drain of migrant labour continued. It would seem that the administrations, in the hope of gaining closer control over labour movements and of providing some protection for the migrant workers, are favouring organised recruiting operations. With the Transvaal Chamber of Mines, for example, the Nyasaland administration has entered into an agreement for the recruiting of 8,500 Africans. The mining industry is to provide free transporta-

tion, employment is to be limited to two years and deferred pay is to be compulsory.

A number of enquiries were completed during the year. The monumental survey undertaken under the direction of Lord Hailey into African conditions south of the Equator was published and received much attention in Great Britain. In regard to labour conditions in British Africa the facts outlined in the survey stressed the importance of improved labour organisation and of more developed social services, particularly for the urbanised African.

In the Mandated Territory of Tanganyika, the report of the Native Labour Committee was published. Recommendations were made for the further regulation of recruiting, the amelioration of travelling conditions for migrant workers, the improvement of health precautions, the better regulation of the employment of children and young persons, and the re-establishment of the Labour Department.

In Uganda, a similar Committee reported. Its proposals are to the same general effect, although more detailed and more drastic.

In Kenya, the Employment of Juveniles Committee made a number of recommendations such as raising the minimum age for industrial employment to 14 years and for employment generally to 12 years, the abolition of penal sanctions for young persons under 16 years and increased supervision of the conditions of child employment.

From Northern Rhodesia came two important reports, one of a general character by Sir Alan Pim and the other on the labour question by Major Orde Browne. In both cases emphasis is laid on the necessity of improved services for the urban worker and his family and once again the question of the governmental control of labour policy and of conditions of employment is kept in prominence. A third Commission, on closer co-operation between the Rhodesias and Nyasaland, has not yet submitted its report. It is likely, however, that it will contain considerations relating to the regulation of social conditions in the territories concerned. In the House of Commons on 15 February 1939 the Secretary of State for the Colonies explained the action contemplated in Northern Rhodesia as a result of these enquiries. The social services are to be greatly expanded in the next five years as part of a general programme of development. It is intended in this period to spend some £500,000 on public works. In addition, comprehensive schemes of water development and soil conservation are to be considered. The recommendations in Major Orde Browne's report have been taken into account in the preparation of the five-year plan.

In Nyasaland, the consequences of the labour emigration were once again stressed in a report by Sir Robert Bell.

In West Africa, the most important report published was that on the cocoa industry in the Gold Coast and Nigeria. Chiefly concerned with the relations between African farmers and European buyers, the report also contains valuable information on the

problems, so far largely ignored, of the relations between African employers and African workers. It is recommended that these problems be further explored by the new labour organisations.

As indicated above, in the West Indies the year was one of wide social unrest. In Trinidad, an improved spirit of conciliation has shown signs of development. The latest example, and perhaps test, of this is an award issued on 21 January 1939 of an arbitration tribunal for the settlement of matters in dispute between employers and workers in the oil fields. A retrospective increase of one cent per hour has been awarded as from 1 February 1938, and a further increase granted of one cent from 1 February 1939. Provision is also made for the extra payment of overtime after the completion of an 8-hour day or on holidays, and for annual leave with pay of one week. A test of longer duration will be the operation of a five-year plan of development providing for the improvement of workers' housing, roads, irrigation and public health. In Jamaica there have been strikes accompanied by acts of violence. On 19 January 1939, however, an agreement was reached between sugar employers and workers, which, based on co-operation between constituted trade unions and the manufacturers' association, appears to promise the development of industrial conciliation. In British Guiana as yet the outlook is less favourable, labour disputes rather than labour conciliation being the chief feature of events up to the beginning of 1939.

The whole situation in the West Indies will probably be reviewed when the report is received of the Commission appointed by the British Government to investigate the economic and social situation of these territories. The Commission was appointed in July 1938 under the chairmanship of Lord Moyne. After hearing evidence in London, it proceeded to the West Indies in October. Its enquiries appear to have been directed to cover the whole field of economic and social life.

One of the economic causes of troubles in the West Indies is the position of the sugar-cane industry. The largest sugar colony outside the West Indies, Mauritius, also continued during the period under review to have its share of unrest. The Commission appointed to enquire into the causes of the labour disturbances of 1937 reported on 30 March 1938. Measures since taken by the Government to give effect to some of the recommendations of the Commission include the establishment of the Labour Department and the adoption of the Industrial Association Ordinance establishing machinery for the settlement of labour disputes. Wages in the sugar industry have been increased and a Commission has been appointed to investigate the possibility of improving the rates of payment to small planters. Nevertheless, during the year there were a number of strikes, both among the dockers and among the estate labourers.

Of the other British dependencies, attention may be limited to Ceylon and Malaya.

In Ceylon, with unemployment among the Ceylonese population,

the demand for the restriction of Indian immigration has become vocal. It would seem that steps are being taken to increase the proportion of Ceylonese labourers employed on estates. In 1938 recruiting agencies were opened in various centres in order to provide tea and rubber estates with local labour from neighbouring villages. During the initial stages the cost of recruiting is met from Government funds. Once the experimental stage is passed, the cost will be borne by the industry.

In Malaya, as a result of drastic reductions in the export quotas for rubber and tin, a large number of workers on plantations and mines were discharged. In May 1938, moreover, the wages of Indian estate labour, which from 1 April 1937 had been increased to the rates in force before 1930, were again reduced by 10 per cent. As a result, the Government of India decided to prohibit as from 15 June all assisted emigration to Malaya, while it urged upon the Malayan Government the desirability of repatriating free of cost all labourers who were without employment or who were unwilling to work at reduced wages. The decision of the Government of India regarding emigration affected the assisted emigrants only. It was, however, urged that it was also necessary to control unassisted emigrants, since if surplus labour flowed into Malaya, whether assisted or unassisted, the plantation owners would be able to impose further cuts in wages. As a result, the Government of India obtained the adoption of an amendment to the Indian Emigration Act, whereby the Government was empowered to prohibit unassisted emigration of unskilled Indian labour as well as assisted emigration. This amendment was adopted in September and shortly afterwards the Indian Government made use of its new powers and prohibited unassisted emigration to Malaya. The complete suspension of emigration has resulted in a dearth of labour. It appears that an official delegation was to be sent to India in January 1939 to negotiate a settlement.

France. — On the whole, business conditions were somewhat less favourable in 1938 than in 1937. The situation is, however, fairly satisfactory in most colonial territories and even the figures for trade are often substantially higher than they were in the previous year. The figures for exports to and imports from France illustrate the strengthening of the commercial ties between the colonies and the home country.

The two main problems as regards indigenous labour are rational recruitment and distribution on the one hand and the raising of efficiency on the other.

The problem of distribution arises from the fact that the more densely populated areas and the areas of employment are not always the same; labour must often be brought from the one to the other. This difficulty has always had to be faced in Africa, where population is comparatively scarce, but it has become more acute owing to the increase in the number of European undertakings and the concurrent development of indigenous peasant farming. The notion of private property is spreading among the inhabitants

and many indigenous undertakings are now competing for labour with Europeans. In some colonies, it is thought that the only reasonable solution of the problem lies in the limitation of European concessions; this measure has already been introduced in the Cameroons under French Mandate by an Order dated 25 March 1937.

The problem of the labour supply claims attention in nearly all the African colonies. In French West Africa, the labour shortage, which was acute in 1937, became less so in 1938; but a serious labour shortage is being felt in the higher territory, where an extensive irrigation scheme is being carried out. In this territory 10,300 African settlers are at present working on land that is already irrigated. In November 1937, a committee was appointed to study on the spot the practicability of employing North African workers in the Niger Valley. In French Equatorial Africa the existing labour supply is sufficient to meet the needs of the forestry undertakings (10,000 workers), the mining companies (2 to 3,000), and the plantations, but, as an important circular issued by the Governor-General of this colony on 1 September 1938 points out, "the problem will become acute as soon as European settlement has developed". In the Cameroons under French Mandate, since the cession of new land has been suspended, difficulties in obtaining labour have ceased for the time being. In Togoland under French Mandate, although European undertakings have not so far experienced any difficulty in obtaining workers, the administration is already considering the problem of recruitment and stated its views on the subject in a circular of 1 May 1938 concerning the placing of labour: according to this circular, territorial administrators should act as intermediaries between commerce, private industry, public service, and labour. In Madagascar, the labour supply is causing anxiety chiefly to the agricultural undertakings on the east coast; the economic and financial delegations have discussed the matter at recent sessions, and so has the Chamber of Commerce of Antananarivo. The administration of the colony is considering the introduction of workers from Tonking; and this brings out another aspect of the labour distribution problem, the inter-colonial aspect.

For some time it has been felt that, since Africa is under-populated and the Asiatic colonies over-populated, labour from the latter might be used to make up for the shortage in the former. The Minister for the Colonies recently invited the Governors-General of Madagascar and French West Africa, which are the two territories where the labour shortage is most serious, to study the practicability of importing Asiatic labour. Under a Decree of 8 November 1938 a mission was appointed to study conditions in French West Africa, Madagascar, New Caledonia, and the New Hebrides and to ascertain whether the migration of workers from Indo-China to those territories is possible. In the case of Madagascar, the administration is considering: (1) the settlement of a number of Annamite peasant families in villages built for them, with due regard for their customs, on land that is at present uninhabited and would be prepared for such immigration; (2) the recruitment of workers for European

undertakings so as to supplement the labour available in the colony. For the time being there is no question of large-scale immigration, but simply of an experiment the results of which would serve as a basis for future decisions; only a hundred families, averaging five persons each, would be involved.

There is another colony in which immigration is an urgent problem, French Guiana, where agriculture is hard-hit by the labour shortage. Negotiations were undertaken with the authorities of Brazil, Dutch Guiana, Morocco, and the Indo-Chinese Union with a view to the immigration of workers. These negotiations, however, were not successful as regards the first two countries and the administration is now trying to organise Berber and Annamite immigration, particularly the latter. The local administration asked heads of undertakings to state how many immigrants they could employ and, in the light of the replies received during the last months of 1938, it was decided that the first batch should consist of at least 200.

A second series of problems are those connected with the endeavour to improve the efficiency of indigenous labour. Such improvement will take many years and two different aspects have to be considered, since the labour to be improved may be either that of peasants and craftsmen or of wage earners employed either by European or by indigenous undertakings. These two aspects are dealt with in turn below.

The information given above as to the difficulty, common to most African territories, of obtaining labour is significant of the extent to which independent peasant farming has developed among the inhabitants. Colonial administrations have two principal means of helping to create a peasantry: education and credit.

In the light of the conclusive experiments made in French West Africa, it is now held in the French African Colonies that the purpose of colonial education should be to prepare the inhabitants for peasant farming. During 1938, efforts along these lines were particularly noticeable in Madagascar, where farm schools were opened for the purpose of training the sons of both indigenous and European farmers, and in the Cameroons, where the administration is trying to give a rural character to the schools by promoting school co-operative societies with fields and school farms.

The steps taken to provide credit are no less important. In all the French Colonies, peasants are being given valuable assistance in the form of agricultural credit. The most recent measures were those introduced in Togoland by a Decree of 25 September 1937. In French Equatorial Africa the agricultural credit fund has, since it was first set up, granted loans up to a total of 5 million francs. The funds in Madagascar have likewise placed large sums at the disposal of co-operative societies, joint marketing organisations and farmers' associations. In the Antilles the turnover of the agricultural credit funds amounts to several million francs. In the French Establishments in India there is an agricultural fund at Pondicherry, with a branch at Karikal. In Indo-China agricultural

credit, which was at first almost exclusively a State institution, is, under the influence of the administration, becoming more and more co-operative; measures are being taken through the co-operative producing societies to improve agricultural produce and a propaganda section was recently set up by the co-operative agricultural credit office to promote co-operation among the peasants.

Co-operation is steadily spreading in the African colonies; this is noticeable in the remarkable achievements of the indigenous provident societies, which help to provide the necessary organisation for production and play a part in every branch of agricultural and pastoral activity. These societies, which have existed for a fairly long time in French West Africa, have proved to be of such assistance to the peasantry that since 1937 they have been introduced in French Equatorial Africa and in Togoland and the Cameroons under French mandate. In French Equatorial Africa 27 societies are already in operation and 6 more are being set up; in the Cameroons the aggregate budget of the societies amounted in 1938 to more than 4 million francs. Provident societies are no less active in northern Africa. In Algeria they were developed during 1938 with a view to the assistance of craftsmen as well as peasants. In Morocco the administration has extended the functions of the provident societies to cover education and the promotion of agricultural knowledge.

The French colonial administration is endeavouring to promote the development of craftsmanship among the inhabitants as well as that of peasant farming. Reference will only be made here to recent measures. In Tunisia a Decree was issued by the Bey on 17 October 1938 protecting French and Tunisian craftsmen against competition by foreign craftsmen, while an Order of 27 October 1938 provided that a special register should be kept of craftsmen whose occupational qualifications were established. In Morocco attempts have been made to revive the corporations by appointing master craftsmen who are to be responsible for improving the occupational skill of the craftsmen in towns; the institution of craftsmen's co-operative societies was authorised in a Dahir of 18 June 1938. In French Equatorial Africa a vocational school is to be opened shortly at Brazzaville. In French West Africa an information and vocational guidance centre has been opened at Bamako. In Indo-China, the Arts School of Hanoi is being reorganised as an arts and crafts school, while the administration is working out a scheme for the grant of loans to craftsmen. In Syria and the Lebanon under French mandate an enquiry was carried out into old and new industries and it was concluded that craftsmen ought to be protected and the crafts reorganised.

The policy of the administration with regard to indigenous wage earners is that working conditions should be such as to ensure the maximum output with the minimum of effort. Some working conditions depend largely on the employer, for instance all conditions making for stability of employment and for mechanisation,

which, in extreme cases, reduces the worker's task to supervision. The chief responsibility, however, lies with the administration, which should compel heads of undertakings to adopt certain minimum standards for the employment of wage earners: that is the purpose of protective labour laws.

Several colonies already have labour codes which are applicable both to workers employed under contract and to non-contract workers. Such codes embody the legal provisions that have been promulgated, as the occasion arose, at intervals during the last 20 years. They are to be found in Indo-China, the French Establishments in India and French Somaliland. The *Year-Book 1937-38* announced the promulgation by Decree of a similar code for the Cameroons under French mandate; the Decree was enforced in the Cameroons by an Order issued in 1938, regulations for the administration of the labour code being issued in an Order dated 15 September of the same year. A modern labour code was also instituted in Madagascar by a Decree of 7 April 1938. The main headings of this enactment which, as will be seen, contains all the essential provisions for labour protection, are the following: eight-hour day, weekly rest, protection of women and children, minimum age of 14 for admission to employment, regulation of recruitment and contracts, minimum wages, medical service and safety, workmen's compensation, annual holidays with pay, organisation of labour offices and inspectorates, conciliation and arbitration. Similar Decrees are being drafted for French West Africa and French Equatorial Africa: they will apply both to European and to indigenous wage earners and are at present under consideration by the legislation section of the Higher Council for French Colonies.

Reference may be made in the same connection to the legislative reform that is taking place in the older colonies, where social conditions are more similar to those of the home country: Réunion, Martinique, Guadeloupe, French Guiana and New Caledonia. Here certain provisions of the metropolitan Labour Code had been made applicable by previous enactments; now the legislative improvements introduced in the Labour Code during recent years have also been extended to these colonies by Decree, due allowance being made for local conditions. Some provisions of Book I of the metropolitan Labour Code were made applicable in Martinique by a Decree of 31 October 1938 and then in Guadeloupe, Réunion, French Guiana and New Caledonia (Decree of 22 December 1938). Chapter 1 of Book IV (Probiviral Councils) was made applicable to Guadeloupe by a Decree of 30 December 1938 and certain provisions of Book II to Réunion, Martinique, Guadeloupe, French Guiana and New Caledonia (Decree of 2 March 1938).

Throughout this process of codification, various local regulations were adjusted to modern economic conditions, while further progress was made with the elaboration of the social laws whose purpose it was to extend to the colonies the metropolitan provisions of 20, 21 and 24 June 1936 concerning annual holidays with pay, the 40-hour week and collective agreements. Although social

unrest was noticeable in some territories—for instance, there were strikes in French West Africa, riots in Pondicherry, the threat of a civil servants' strike in Réunion and incidents in Indo-China—this was only sporadic, and in general relations between employers and workers were conciliatory: in Indo-China the number of strikes fell from 267 in 1936-37 to 37 in 1937-38.

In Algeria the scope of social laws and regulations was extended in important respects: the 40-hour week was introduced and then made more flexible for a number of industrial and commercial undertakings; there was an increase in the number of collective agreements; the metropolitan Decree of 20 April 1938 concerning conciliation and arbitration was extended to this territory, as was the Act of 20 June 1936 concerning annual holidays with pay for workers and salaried employees in agriculture; and average standard wages were fixed for agricultural workers.

In Tunisia the provisions concerning the 40-hour week, holidays with pay and collective agreements were made applicable to a large number of industrial and commercial undertakings; further, the wages and working hours of craftsmen and wage earners in some of the traditional corporations were regulated by a special procedure.

In Morocco the scope of the provisions concerning hours of work, the weekly rest and minimum wages was extended; further, three important Dahir's were issued: that of 9 March 1938 concerning the delivery of an identity card to Moroccan workers and salaried employees, that of 24 June 1938 making it a punishable offence for Moroccans to join trade unions and that of 13 July 1938 concerning collective agreements and giving the supervisory authority and the Secretary-General of the Protectorate the right to deal with working conditions for Moroccan workers and to arbitrate if necessary.

Most of the colonial territories forming part of French West Africa have introduced an 8-hour day. Orders to fix minimum wages are regularly promulgated in all French colonies. Workmen's compensation legislation has come into force in French West Africa and is to be supplemented in Indo-China by Decrees that are at present being drafted. In Indo-China, large and middle-sized undertakings have had no difficulty in applying the 8-hour day but they have had to increase their staffs and train new workers. Nor has any difficulty been experienced in instituting a weekly rest in industry; all workers are entitled to holidays with pay and minimum wages. In New Caledonia various collective agreements have been published in the Official Journal and work on board ship is regulated by two Orders of 4 February 1938. At Réunion and in the French Establishments in India Orders have been issued fixing hours of work and regulating the application of holidays with pay in several industries. The labour inspectorate set up in French Guinea in December 1937, besides seeing to the application of social laws and the settlement of collective disputes, carried out an enquiry into conditions of work

and unemployment: 13 Administrative Orders applying the Decrees of 1925 and 1937 concerning liability for occupational accidents were approved by the ministerial departments concerned and will shortly be published. In Martinique, the labour inspectorate was chiefly concerned with the application of the 40-hour week and of holidays with pay; administrative regulations to apply the Decree of 23 May 1937 concerning agricultural accidents were drafted and sent to the Department for consideration. Social legislation is also being systematically enforced in Guadeloupe: the 40-hour week was extended to various industries, provision was made for the grant of holidays with pay and some collective agreements were concluded. In the Mandated Territories of Syria and the Lebanon several Bills were tabled in the Lebanon Chamber of Deputies (to introduce workmen's compensation) and the Syrian Chamber (to introduce maximum hours of work, minimum wages, holidays with pay); the proposed legislation was, however, opposed by local business interests on the grounds that it was unduly influenced by western legislation, was to be enforced too quickly or was premature. Finally, it may be added that in Madagascar the trade unions regulations instituted by a Decree of 19 March 1938 were amended by a Decree of 1 August 1938 and three draft Decrees conferring the right of association on French, foreign and indigenous wage earners in Indo-China are at present under consideration by the Minister for the Colonies.

Substantial progress was made with the application of International Labour Conventions in French colonies; the Decree of 12 August 1937 which promulgated the Forced Labour Convention, 1930 (No. 29), and was mentioned in the *Year-Book 1937-38*, was enforced by Administrative Orders in all the French colonies concerned; in most of them, the local laws and regulations that had been enacted under the Decree of 21 August 1930 were held to ensure the application of the Convention, but in some cases adjustment was necessary, more especially in French West Africa, where a new scheme for portorage and penal labour was instituted by two Orders of 28 September 1938; conditions of public compulsory labour were laid down in New Caledonia by an Order of 4 February 1938. Although, in view of a reservation made by the French Government, it is held that the Convention does not affect the system of labour dues (*prestations*), a tendency is noticeable, more especially in French West Africa, to reorganise the system on the lines of the Convention. Finally, the three Decrees of 28 December 1938 extending the provisions of the Night Work (Women) Convention, 1919 (No. 4), the Night Work (Young Persons) Convention, 1919 (No. 6), and the White Lead (Painting) Convention, 1921 (No. 13) to several French colonies were enforced by Administrative Orders in the colonies concerned.

Netherlands. — Owing to the business depression which began to be felt towards the middle of 1937 and continued in 1938, the satisfactory economic and financial conditions which prevailed early in 1937 could not be maintained in the Netherlands Indies.

The price of export produce fell appreciably and the balance of trade for the first ten months of the year was much less favourable than that for the corresponding period of the previous year. The population felt the effects of the depression, particularly in the Outer Provinces, where it is actively engaged in raising crops for the world market. In Java and Madura, on the other hand, where the indigenous economic system has very largely remained a closed one, the situation seems to have been comparatively favourable. This is largely due to the fact that crops were plentiful while the price of rice rose. The situation also improved owing to the increase in the wages paid to labour on European plantations, particularly in the sugar industry.

Nevertheless, owing to the extremely dense and rapidly growing population, economic conditions in Java and Madura remain unstable. The Government is trying to remedy this by actively promoting emigration and industrialisation. Land has been prepared for settlement not only in Southern Sumatra but also in Borneo and Celebes, while several thousand Javanese families were again helped in 1938 to settle in the Outer Provinces. Further progress is being made in industrialisation. Owing to the development of communications and to the education of producers, small indigenous industries are competing more and more successfully with the import trade. The same applies to middle-sized and large-scale industry. As regards the latter, reference may be made to the establishment in Batavia of a Bat'a factory employing 1,000 workers and to the rapid development of the textile factories. The Government is trying to improve the situation of Javanese peasants by systematically relieving them of their burden of debt; new laws have been enacted against usury and moneylending.

The new depression does not seem to have made conditions in the labour market much worse. It was feared at first that the International Rubber Regulation Committee's decisions to restrict rubber exports severely would make the dismissal of workers necessary on a large scale in the Outer Provinces and that thousands of workers would have to return to Java. Since, however, the new rubber agreement which came into force on 1 January 1939 does not restrict replanting and permits of a 5 per cent. increase in 1939 and 1940 of the area under plantation, the undertakings have been able to keep in employment workers who would otherwise have become superfluous. On the East Coast of Sumatra, which is the most important rubber planting area of the Outer Provinces, the number of workers brought from Java exceeded that of the workers who went home by 11,000.

Further progress was made with the abolition of forced labour. In nearly all the Outer Provinces the number of days' work required and the number of days spent on the more trying work, namely, building and carrying out big repairs on roads, were reduced. A credit of 400,000 florins was inserted in the budget to meet the financial consequences of these reductions. In future there will be no restriction on the right of individuals liable for labour dues

(*heerendiensten*) to commute forced labour. Consequently, the heads of the Provincial labour departments will no longer be entitled to limit the possibilities of commutation as they were able to do hitherto when the supply of voluntary labour proved inadequate.

Labour laws and regulations are still being improved and their scope is being extended. The Regulations, on which the Governor-General and the Volksraad had been unable to agree, concerning conditions of employment for overseers on plantations, were finally promulgated by Royal Decree and came into force throughout the colony on 1 July 1938¹. At the same date, the corresponding Regulations of 1921 applicable in Northern Sumatra (*Assistenten regeling*) were abrogated. Early in 1939 a serious omission in the social legislation of the Netherlands Indies was repaired by the adoption of regulations concerning workmen's compensation for wage earners of all races. As regards non-European workers, the Government is preparing an Order to confer more effective protection on workers from abroad who are employed in the Outer Provinces as "free" workers, that is, without being liable to penal sanctions for breach of contract. The Government is also contemplating the issue of an Order concerning conditions of work in small indigenous and Chinese workshops. Such an achievement would be of the greatest significance, since it would be the first serious attempt to regulate labour problems in indigenous undertakings.

In Curaçao the Regulations of 1937 concerning compensation for industrial accidents² came into force on 1 July 1938; a special Service for Social Affairs was instituted, more especially to study the practicability of applying International Labour Conventions in the colony.

Portugal. — During the year under review the Portuguese Government continued its constructive policy and proceeded further along the lines laid down in the Colonial Act of 1930, the main features of which were described in previous editions of the *Year-Book*.

The outstanding events of a general character were the visit of the President of the Republic and the Minister of the Colonies to the possessions of San Tomé and Príncipe and of Angola; the Exhibition and Fair held in the last mentioned Colony and the Congress of Tropical Medicine which met at Lourenço Marques from 8 to 14 September 1938.

As regards Angola, the Portuguese Government issued a Decree on 16 August 1938 providing for a large-scale development scheme which will start this year and will be similar to that now being carried out in Mozambique³. A special fund amounting to 117,000 contos (£1,068,181) was set up for the purpose.

Although the price of some kinds of Colonial produce, especially coffee, again fell and the exports from Mozambique dwindled, the

¹ Cf. *I.L.O. Year-Book 1936-37*, p. 541.

² Cf. *I.L.O. Year-Book 1937-38*, p. 575.

³ *Ibid.*, p. 577.

economic situation of the Portuguese Colonies may on the whole be considered as favourable, and there are many signs of development. Angola is even enjoying a period of prosperity, as may be seen from its favourable balance of trade and the way in which its exports are increasing. The volume of imports fell from 81,526 tons in 1932 to 77,048 tons in 1937, but their value increased from 191,499 to 240,886 contos during the same period, while the volume of exports rose from 123,133 to 252,411 tons and their value from 199,877 contos to 343,773 contos.

Among the various forms of assistance given to the inhabitants and the measures taken to develop agriculture and stockbreeding in all overseas territories, reference may be made among others to the recruitment of agricultural experts for the Cape Verde Islands, the appointment of a technical agricultural council in Portuguese Guinea (Order of 8 December 1938), the institution of a zootechnical station at Chubela (Mozambique) and the promotion, in Angola and Mozambique, of cotton planting, the output of which in 1937 covered 36.61 per cent. of the Portuguese imports (as against 8 per cent. in 1932).

Both in Angola (Order of 10 December 1938 and Legislative Order of 31 December 1938) and in Mozambique (Legislative Order of 23 November 1938) special measures were taken to protect the interests of African cotton planters. Progress is being made with the application of corporative principles to economic activities in the other Portuguese Colonies, more especially Mozambique and the Cape Verde Islands, where this has been done for various branches of production, such as cereals, tobacco, cattle and meat, etc.

As regards medical and sanitary assistance, the Government's interest in the protection of the inhabitants is noticeable in the action taken by the authorities and the amounts spent in the various Colonies; these amounts are equal to 10 per cent. or more of the budget receipts. On the strength of the results achieved in Angola, the Government appointed a mission to study and prevent sleeping sickness in Mozambique.

Union of South Africa. — The demand for Native labour continued to be a dominant factor in South Africa. In January 1939 a total of 316,822 Natives were in the employment of the gold mines affiliated to the Transvaal Chamber of Mines and, with insistent demands for labour by European farmers, large scale schemes of public works in progress, notably on road improvements and the continued expansion of industries in urban areas, it appears that the number of Natives in employment at any one time is not less than 1,250,000. This labour force is hardly sufficient for the needs of South African production. It is anticipated that the labour requirements of the gold mines will increase by some 50,000 in the near future while the Native labour supply for European agriculture is already well below requirements.

Solutions contemplated include increased immigration, the better distribution of available supplies and the better utilisation of labour.

The Transvaal Chamber of Mines has entered into an agreement with the Nyasaland Administration permitting the annual recruiting of 8,500 workers from Nyasaland. The tropical Native labour force on the gold mines, which numbered 3,292 on 31 December 1936 and 10,438 on 31 December 1937, reached the figure of 15,889 by 30 November 1938. On 31 October 1938, 63,971 Natives from the British Protectorates were in gold mining employment in labour districts as compared with 53,454 a year previously. A number of Natives from Nyasaland and the Rhodesias also entered the Union clandestinely. A conference between representatives of the administrations concerned was held in September 1938 to examine the resulting situation. It does not appear, however, that the Union Government is able to take effective measures to put a stop to a labour movement which serves to meet some of the needs of South African employment.

As regards the distribution of labour the Natives in urban areas have been enumerated in order to ascertain whether there is any surplus of labour. It would seem that the larger municipalities at least, in view of their expanding requirements, are unable to recognise that any appreciable surplus exists. In the case of agriculture a Farm Labour Commission appointed towards the end of 1937 spent the greater part of the year in pursuing its enquiries. Its report was transmitted to the Government at the end of 1938 but has not yet been published. In the meantime certain areas have been proclaimed under the Native Land and Trust Act. The period of service of labour tenants has in some cases been extended to six months.

The better utilisation of labour is linked up with a number of tentative measures for the further promotion of Native welfare. On the mines and in the larger municipalities the improvement of housing, medical attention and social service generally is advancing. On the gold mines the death rates from disease per thousand per annum were as follows for the 12 months ending 31 October 1938 as compared with the calendar year 1937: Union Natives, 4.07 as compared with 4.86; British Protectorate Natives, 6.22 as compared with 8.17; Portuguese Natives, 8.48 as compared with 11.38; Tropical Natives, 10.56 as compared with 17.46.

In the Native territories of the Union the extension of hospital accommodation and the training of Native medical assistants and agricultural demonstrators are in part aspects of attempts made to develop a healthier and more efficient population. The accounts of the investigations of the Farm Labour Commission suggest that, as remedies for the farm labour shortage, attention may be paid to better housing and social conditions on the farms and a better economy in the supply of labour by such measures has improved facilities for the placing of farm labour.

Among the urbanised African workers the development of trade union organisations may also be interpreted in part as an attempt to modernise conditions of employment. At the beginning of 1939 some 16 Native trade unions were functioning on the Witwaters-

rand, and a total of some 30 throughout the Union. The Minister of Labour in a speech on 10 January 1939 said that it had become apparent that the Native workers in industry were groping towards a system of organisation which would place them in a position somewhat similar to that of the urban trade unionists. He alluded to the fact that Native trade unions cannot be registered under the Industrial Conciliation Act and said that the question of conferring some form of non-statutory recognition on Native workers' organisations was under consideration.

INTERNATIONAL REGULATION¹

Ratification and Approval of Conventions and Recommendations adopted by the International Labour Conference

Convention No. 29: Forced Labour, 1930

Ratified by *New Zealand* (29 March 1938).

Ratification recommended to Parliament in *Argentina* (22 September 1938) and *Colombia* (1 August 1938).

Draft Decree in preparation in *Ecuador* by National Institute of Social Welfare for approval of Convention.

Convention No. 50: Recruiting of Indigenous Workers, 1936

Ratified by *Japan* (8 September 1938).

Approval by *Swiss* Federal Assembly (29 March 1938) of Federal Council's report recommending against ratification (of no interest to Switzerland).

Ratification recommended to Parliament in *Argentina* (22 September 1938), *Colombia* (1 August 1938) and *Great Britain* (May 1938).

Submission to Second Chamber of *Netherlands* States General (16 January 1939) of Bill reserving to the Crown the right to ratify. Under this Bill ratification would be accompanied, in accordance with Article 25 of Convention, by declaration that Convention would not apply to Surinam or Curaçao and that its application to Netherlands Indies would include certain modifications.

Proposal by *Finnish* Government to Chamber of Representatives (2 September 1938) to take no action on Convention, which does not directly concern Finland.

Statement by *Egyptian* Minister of Foreign Affairs that his Government does not intend to ratify, since Egypt has no colonies and the system of recruiting workers is based on freedom of contract.

Recommendation No. 46: Elimination of Recruiting, 1936

Other Information

Parliament informed by *British* Government (May 1938) that it intended to approve the Recommendation.

Proposal by *Finnish* Government to Chamber of Representatives (2 September 1938) to take no action on Recommendation, which does not directly concern Finland.

Submission to Congress in *Argentina* (22 September 1938) by message of Executive.

¹ The information given here relates only to the period 16 March 1938-15 March 1939. See the table at the end of the volume for the general situation as regards Conventions Nos. 29 and 50.

APPENDIX



I. — List of States Members of the International Labour Organisation

Afghanistan	Egypt	New Zealand
Albania	Estonia	Norway
United States of America	Ethiopia	Panama
Argentina	Finland	Peru
Australia	France	Poland
Belgium	Greece	Portugal
Bolivia	Haiti	Rumania
Brazil	Hungary	Salvador
British Empire	India	Siam
Bulgaria	Iran	Union of South Africa
Canada	Iraq	Spain
Chile	Ireland	Sweden
China	Italy ¹	Switzerland
Colombia	Japan ²	Turkey
Cuba	Latvia	Union of Soviet Socialist Republics
Czecho-Slovakia	Liberia	Uruguay
Denmark	Lithuania	Venezuela
Dominican Republic	Luxemburg	Yugoslavia
Ecuador	Mexico	
	Netherlands	

Note. — The Republics of Costa Rica, Guatemala and Honduras have been omitted from the list. These States ceased to be Members of the League of Nations after giving notice of withdrawal and they have not declared their intention of retaining membership of the International Labour Organisation. Although no authority appears competent to declare, in the absence of any formal declaration on the part of the Governments of Costa Rica, Guatemala and Honduras, that these States have ceased legally to belong to the International Labour Organisation, their participation in the work of the Organisation may at any rate be considered as having ceased to be effective.

On 24 February 1935 Paraguay gave notice of its intention to withdraw from the League of Nations (Article 1, paragraph 3 of the Covenant), the withdrawal to take effect on 24 February 1937. The Assembly of the League of Nations in 1937 examined the position of Paraguay with regard to the League of Nations without reaching any definite conclusion.

II. — List of Permanent Delegates accredited to the International Labour Office and to the League of Nations

Afghanistan: Mr. Abdul Hamid Aziz, Permanent Delegate.

United States of America: Mr. Carter Goodrich, Labor Commissioner³, Member of the Governing Body of the International Labour Office.

Argentina: Mr. C. A. Pardo, Chief of the Permanent Office, of the Argentine Republic.

Bulgaria: Mr. D. Karadjoff, Minister Plenipotentiary.

Canada: Mr. H. Hume Wrong, Permanent Delegate, member of the Governing Body of the International Labour Office.

¹ On 15 December 1937 Italy notified the International Labour Office of its withdrawal from the International Labour Organisation.

² On 2 November 1938 Japan notified the International Labour Office of its withdrawal from the International Labour Organisation.

³ Accredited exclusively to the International Labour Office.

- Chile*: Mr. F. Garcia Oldini, Minister Plenipotentiary¹, member of the Governing Body of the International Labour Office.
- China*: Mr. Hoo Chi-Tsai, Minister Plenipotentiary, Director of the Permanent Office of the Chinese Delegation².
- Colombia*: Mr. L. Cano, Minister Plenipotentiary.
- Cuba*: Mr. G. de Blanck, Minister Plenipotentiary.
- Denmark*: Mr. W. Borberg, Minister Plenipotentiary.
- Ecuador*: Mr. A. J. Quevedo, Minister Plenipotentiary.
- Egypt*: Mr. M. M. Hammad, acting Chargé d'affaires.
- Finland*: Mr. R. Holsti, Minister Plenipotentiary.
- Greece*: Mr. S. Polychroniadès, Minister Plenipotentiary.
- Hungary*: Mr. Béla de Szentdvány acting Consul General.
- Iran*: Mr. Rahmat Atabeki, acting Chargé d'affaires.
- Ireland*: Mr. F. T. Cremins, Permanent Delegate, deputy member of the Governing Body of the International Labour Office.
- Latvia*: Mr. J. Feldmans, Minister Plenipotentiary.
- Lithuania*: Mr. J. Savickis, Minister Plenipotentiary.
- Mexico*: Mr. I. Fabela, Minister Plenipotentiary, member of the Governing Body of the International Labour Office.
- Norway*: Mr. E. O. Maseng, Permanent Delegate.
- Peru*: Mr. P. Ugarteche, Permanent Delegate¹.
- Poland*: Mr. T. Komarnicki, Minister Plenipotentiary, member of the Governing Body of the International Labour Office.
- Portugal*: Mr. R. Ayres de Magalhães, Chargé d'affaires.
- Rumania*: Mr. A. Guranesco, Minister Plenipotentiary.
- Union of South Africa*: Mr. H. T. Andrews, Permanent Delegate.
- Turkey*: Mr. Necmeddin Sadak, Minister Plenipotentiary.
- Uruguay*: Mr. V. Benavides, Minister Plenipotentiary¹.
- Yugoslavia*: Mr. I. Soubotitch, Minister Plenipotentiary.

III. — Distribution of the Fifty-seven Ratifications Registered from 16 March 1938 to 15 March 1939

A. — BY CONVENTIONS

- Hours of Work (Industry), 1919 (No. 1)*: New Zealand.
- Unemployment, 1919 (No. 2)*: New Zealand.
- Placing of Seamen, 1920 (No. 9)*: Denmark, New Zealand.
- Right of Association (Agriculture), 1921 (No. 11)*: New Zealand.
- Workmen's Compensation (Agriculture), 1921 (No. 12)*: New Zealand.
- Weekly Rest (Industry), 1921 (No. 14)*: New Zealand.
- Medical Examination of Young Persons (Sea), 1921 (No. 16)*: Denmark.
- Workmen's Compensation (Accidents), 1925 (No. 17)*: New Zealand.

¹ Accredited exclusively to the International Labour Office.

² Mr. Li Ping Heng, member of the Governing Body, at present resident in Geneva, maintains relations between his Government and the Office.

- Workmen's Compensation (Occupational Diseases), 1925 (No. 18)*: 'Iraq.
Inspection of Emigrants, 1926 (No. 21): New Zealand.
Seamen's Articles of Agreement, 1926 (No. 22): Canada, New Zealand.
Minimum Wage-Fixing Machinery, 1928 (No. 26): New Zealand.
Marking of Weight (Packages Transported by Vessels), 1929 (No. 27): Canada.
Forced Labour, 1930 (No. 29): New Zealand.
Hours of Work (Commerce and Offices), 1930 (No. 30): New Zealand.
Protection against Accidents (Dockers) (Revised), 1932 (No. 32): New Zealand, Sweden.
Night Work (Women) (Revised), 1934 (No. 41): 'Iraq, New Zealand.
Workmen's Compensation (Occupational Diseases) (Revised), 1934 (No. 42): New Zealand.
Sheet-Glass Works, 1934 (No. 43): Czecho-Slovakia.
Unemployment Provision, 1934 (No. 44): New Zealand.
Underground Work (Women), 1935 (No. 45): Brazil, Hungary, India, New Zealand, Turkey.
Forty-Hour Week, 1935 (No. 47): New Zealand.
Maintenance of Migrants' Pension Rights, 1935 (No. 48): Netherlands, Poland.
Reduction of Hours of Work (Glass-Bottle Works), 1935 (No. 49): Czecho-Slovakia, New Zealand.
Recruiting of Indigenous Workers, 1936 (No. 50): Japan.
Reduction of Hours of Work (Public Works), 1936 (No. 51): New Zealand.
Holidays with Pay, 1936 (No. 52): Brazil.
Officers' Competency Certificates, 1936 (No. 53): Belgium, Brazil, Denmark, Estonia, New Zealand, United States.
Holidays with Pay (Sea), 1936 (No. 54): Belgium, United States.
Shipowners' Liability (Sick and Injured Seamen), 1936 (No. 55): Belgium, United States.
Hours of Work and Manning (Sea), 1936 (No. 57): Australia, Belgium, Sweden¹, United States.
Minimum Age (Sea) (Revised), 1936 (No. 58): Belgium, Brazil, Sweden, United States.
Minimum Age (Industry) (Revised), 1937 (No. 59): Norway.
Reduction of Hours of Work (Textiles), 1937 (No. 61): New Zealand.

B. — BY COUNTRIES

Australia	1	'Iraq	2
Belgium	5	Japan	1
Brazil	4	Netherlands	1
Canada	2	New Zealand	22
Czecho-Slovakia	2	Norway	1
Denmark	3	Poland	1
Estonia	1	Sweden	3
Hungary	1	Turkey	1
India	1	United States	5

¹ Conditionally.

IV. — Representation at the Conference and Composition of Delegations

Session	Number of States represented by complete delegations	Number of States represented by one or more Government delegates only	Number of States represented by incomplete delegations composed otherwise	Total number of States represented
First, 1919	24	14	2	40
Second (Maritime), 1920	16	7	4	27
Third, 1921	25	14	0	39
Fourth, 1922	20	17	2	39
Fifth, 1923	23	16	3	42
Sixth, 1924	24	14	2	40
Seventh, 1925	29	13	4	46
Eighth, 1926	28	8	3	39
Ninth (Maritime), 1926	27	8	3	38
Tenth, 1927	32	8	3	43
Eleventh, 1928	35	8	3	46
Twelfth, 1929	35	13	2	50
Thirteenth (Maritime), 1929	22	9	3	34
Fourteenth, 1930	33	16	2	51
Fifteenth, 1931	29	17	3	49
Sixteenth, 1932	30	15	4	49
Seventeenth, 1933	33	11	5	49
Eighteenth, 1934	27	20	2	49
Nineteenth, 1935	32	16	4	52
Twentieth, 1936	32	15	4	51
Twenty-first and Twenty-second (Maritime), 1936	18	11	4	33
Twenty-third, 1937	37	14	2	53
Twenty-fourth, 1938	33	16	1	50

V. — Committees

I. COMPOSITION OF A NEWLY SET UP COMMITTEE

A. Committee consisting of Members of the Governing Body

15. Emergency Committee

Government Group: The Chairman of the Governing Body; United States of America; France; Great Britain (substitutes: China, Mexico).

Employers' Group: The Employers' Vice-Chairman, Sir John Forbes Watson (substitutes: Mr. Lambert-Ribot; Mr. Tzaut).

Workers' Group: The Workers' Vice-Chairman, Mr. Jouhaux (substitutes: Mr. Hallsworth; Mr. Schürch).

II. CHANGES IN THE COMPOSITION OF THE VARIOUS COMMITTEES

C. *Mixed Committees composed of Members of the Governing Body and of Experts or Representatives of other Institutions*

Committee	Former member	New member
Correspondence Committee on Accident Prevention	<i>Experts:</i> Mr. Bilbrough (South Africa) Mr. H. Kresta (Czecho-Slovak) Mr. H. J. Scholte (Netherlands) Mr. Kitaoka (Japanese)	Mr. Edmund Steinberg (South Africa) Mr. Bernard Novotný (Czecho-Slovak) Mr. Winkel (Netherlands) —
	<i>Honorary member:</i> Mr. Alfred Tzaut (Swiss)	—
Mixed Advisory Agricultural Committee	<i>Representatives of the Governing Body:</i> <i>Workers' Group:</i> Substitute: Mr. Jensen	—
Permanent Agricultural Committee	<i>Representatives of the Governing Body:</i> <i>Workers' Group:</i> Substitute: Mr. Jensen	—
	<i>Representatives of agricultural employers' organisations:</i> Mr. G. Mullie (Belgian) (substitute)	Mr. G. Mullie (Belgian) (Regular member)
	<i>Representatives of agricultural workers' organisations:</i> Mr. Hiemstra (Netherlands) Mr. Parsal (French) (substitute)	Mr. J. Hilgenga (Netherlands) Mr. Parsal (French) (Regular member)
	<i>Other agricultural experts:</i> <i>Asia:</i> Mr. Eiichi Sakata (Japanese)	—
	— —	<i>Experts appointed ad hoc:</i> Mr. A. Bayat (Iranian) Mr. P. Starcs (Latvian)

Committee	Former member	New member
Correspondence Committee on Social Insurance	—	<i>Experts:</i> Mr. Henri Hatlák (Czecho-Slovak)
	Dr. Kretschmer (Austrian)	—
	—	Dr. Nikolas Mrvoch (Yugoslav)
	—	Miss Eleanor Lansing Dulles (United States of America)
	—	Mr. Enrique Santiago Ribera (Spanish)
	—	Mr. Juan Sagristá Cabrá (Spanish)
	Canon Eeckhout (Belgian)	Mr. Emile Attout (Belgian)
	Mr. Clodoveu d'Oliveira (Brazilian)	Mr. C. Q. Pinto de Moura (Brazilian)
	—	Mr. Waldyr Niemeyer (Brazilian)
	—	Mr. Paulo Pereira de Camara (Brazilian)
	—	Dr. Edgardo Rebagliati (Peruvian)
	—	Dr. Luis A. Ugarte (Peruvian)
	Mr. A. W. Neville (British)	Mr. C. R. Kerwood (British)
	Mr. Tsunezo Nagese (Japanese)	—
	Mr. Gen Shimizu (Japanese)	—
Advisory Committee on Salaried Employees	<i>Experts:</i>	
	Mr. Fritz Horand (Swiss)	Mr. Rudolf Baumann (Swiss)
	Mr. Bunji Suzuki (Japanese)	One seat vacant
	Mr. Lundgren (Swedish)	Mr. Capocci (French)
Correspondence Committee on Industrial Hygiene	<i>Experts:</i>	
	Mr. Desvaux (French)	Mr. Aubin (French)
	Dr. Antonio Oller Martinez (Spanish)	Dr. Augustin Mari Guinert (Spanish)
	Professor Kettle (British)	Dr. Earl J. King (British)
	Dr. Kabrehl (Czecho-Slovak)	Dr. Joseph Čančík (Czecho-Slovak)
	Dr. Brezina (Austrian)	—
	Dr. Jinnosuke Hoshiai (Japanese)	—
	Dr. Bogo Koinuma (Japanese)	—

Committee	Former member	New member
Correspondence Committee on Industrial Hygiene (<i>cont.</i>)	Dr. Seiji Onishi (Japanese)	—
	Dr. Teruoka (Japanese)	—
	Dr. Chajes (German)	—
Committee of Experts on Native Labour	<i>Experts:</i>	
	Mr. Schrieke (Netherlands)	—
	Mr. Deladrier (Belgian) Mr. Nobumi Ito (Japanese)	Dr. Mottoulle (Belgian) —
Advisory Committee on Professional Workers	<i>Representatives of the Governing Body:</i>	
	<i>Workers' Group:</i>	
	Substitute:	
	Mr. Yonekubo	—
	<i>Representatives of the International Committee on International Co-operation:</i>	
	Mr. Ostertag (Swiss)	Mr. Bénigne Mentha (Swiss)
Committee on Recreation	—	<i>International Confederation of Professional and Intellectual Workers:</i> Mr. F. Cornelissen (substitute)
	<i>Representatives of professional workers from overseas countries:</i> Mr. Tamon Mayeda (Japanese)	One seat vacant
	<i>Representatives of the Governing Body:</i>	
	<i>Government Group:</i> Mr. Kitaoka	One seat vacant
	—	<i>Representatives of official organisations:</i> Mr. A. Janne (Belgian)
	—	Dr. Gortvay (Hungarian)
Committee on Recreation	Mr. Iwahara (Japanese)	—
	—	<i>Representatives of workers' education centres:</i> Mr. P. J. S. Serrarens (Netherlands)
	Mr. Nagaoka (Japanese)	—

Committee	Former member	New member
Committee on Recreation (<i>cont.</i>)	<p style="text-align: center;">—</p> <p style="text-align: center;">—</p> <p><i>Broadcasting:</i> Mr. Obi (Japanese)</p> <p><i>Representatives of employers' organisations:</i> Mr. Gamo (Japanese)</p> <p><i>Miscellaneous:</i> Mr. Kemball Cook (British) Mr. Sumiya (Japanese)</p>	<p><i>Representatives of organisations of a general nature:</i> <i>Recreation centres:</i> Mr. Valter Aman (Swedish) Mr. Johannes Sperling (Danish)</p> <p style="text-align: center;">—</p> <p style="text-align: center;">—</p> <p style="text-align: center;">—</p>
Joint Maritime Commission	<p><i>Regular members:</i> <i>Shipowners' Group:</i> Mr. Perosio Mr. Furukawa Mr. Valstar</p> <p><i>Seamen's Group:</i> Mr. Yonekubo</p>	<p>Mr. A. L. W. MacCallum One seat vacant Mr. Van der Vorm</p> <p style="text-align: center;">One seat vacant</p>
Migration Committee	<p><i>Representatives of the Governing Body:</i> <i>Employers' Group:</i> Substitute: Mr. Szydlowski</p> <p><i>Workers' Group:</i> Substitute: Mr. Yonekubo</p>	<p style="text-align: center;">—</p> <p style="text-align: center;">—</p>
Correspondence Committee on Migration	<p><i>Experts:</i> Mr. Kuijiro Hayashi (Japanese)</p>	<p style="text-align: center;">—</p>
Advisory Committee on Management	<p><i>Experts:</i> Mr. Mauro (Italian)</p>	<p>Mr. Richard Lloyd Roberts (British)</p>
Technical Committee on Glass Works	<p><i>Representatives of the Governing Body:</i> <i>Government Group:</i> Substitute: Mr. Kitaoka</p> <p><i>Experts:</i> Mr. Desvaux (French)</p>	<p style="text-align: center;">—</p> <p>Mr. Hermès Baret (French)</p>

D. *Committees of Experts*

Committee	Former member	New member
Committee of Experts on the Application of Conventions	Mr. Erich (Finnish)	One seat vacant
	Mr. Yoshisaka (Japanese)	One seat vacant
Correspondence Committee on Unemployment Insurance and Placing	Mr. Masami Nakata (Japanese)	—
	Mr. Nicholson (British)	Mr. P. Y. Blundun (British)
	—	Mr. Raico Ochanoff (Bulgarian)
Committee of Experts on the Rights of Performers as regards Broadcasting, etc.	—	Mr. Romain Coolus
Correspondence Committee on Women's Work	Miss J. E. Cieremans (Netherlands)	—
	Miss Pravabati Das-Gupta (Indian)	—
	Miss Regina Garcia (Spanish)	—
	Mr. Hochstrasser (Swiss)	—
	Miss Ellen Johnson (Swedish)	—
	Mrs. Klara Kalnin (Latvian)	—
	Mrs. Betty Karpiskova (Czecho-Slovak)	—
	Miss Anna Kethly (Hungarian)	—
	Mrs. Betsy Kjelzberg (Norwegian)	—
	Mrs. Kurs-Olesk (Estonian)	—
	Mrs. Julie Léonet (Belgian)	—
	Miss Edith Lindblom (Swedish)	—
	Miss Bertha Lutz (Brazilian)	—
	Miss Martha Mundt (German)	—
	Mr. Olsen (Danish)	—
	Miss May Oung (Indian)	—
	Mrs. Olga de Paiva Meira (Brazilian)	—
	Miss Hansi P. Pollak (South Africa)	—
	Mr. Tom Shaw (British)	—
	Miss Martha Silverhjelm (Swedish)	—
Mrs. Vajkai (Hungarian)	—	
Mr. Seiji Onishi (Japanese)	—	

Committee	Former member	New member	
Correspondence Committee on Women's Work (<i>cont.</i>)	Mrs. Setzuko Tanino (Japanese)	—	
	Miss May Holman (Australian)	—	
	Mrs. Avril de Sainte-Croix (French)	—	
	—	Miss Aaslang Aasland (Norwegian)	
	—	Miss E. J. Black (British)	
	—	Miss Chung Chao Chin (Chinese)	
	—	Mr. Ericksen (Danish)	
	—	Mrs. A. Fontaine-Burguet (Belgian)	
	—	Miss Theresa Havaut (Belgian)	
	—	Miss Marie Heinen (Netherlands)	
	—	Miss Mathilde Huici (Spanish)	
	—	Miss Fanny Jensen (Danish)	
	—	Miss H. de Jongh (Belgian)	
	—	Miss E. Leissen (Hungarian)	
	—	Miss Lieu Hen Djia (Chinese)	
	—	Miss Anne Loughlin (British)	
	Committee of Experts on Safety in Coal Mines	—	Miss Margaret Mackintosh (Canadian)
		—	Miss Luisa Martinez (Venezuelan)
Committee of Statistical Experts	—	Mrs. P. Pikčilingienė (Lithuanian)	
	Mr. Galliot (French)	Dr. Me Jung Ting (Chinese)	
Committee of Statistical Experts	—	Miss Irene Kovačo (Hungarian)	
	Mr. Takeo Hasegawa (Japanese)	Mr. Radi Abou Seif Radi (Egyptian)	
Committee of Statistical Experts	—	Mr. Czeslaw Jakobkiewicz (Polish), substitute for Mr. Aleksander Stein	
	—	Mr. Le Sueur (French)	
Committee of Statistical Experts	—	—	
	—	Dr. Jules de Konkoly Thege (Hungarian)	

VI. — Statistics of the International Trade Union Movement

Table I, relating to international federations of trade unions, gives their names, addresses and memberships as on 1 January 1938 and as on 1 January 1939.

The signs, of which an explanation is given below, indicate their respective tendencies.

Table II, relating to international workers' federations of crafts and industries, gives their names, addresses and memberships as on 1 January 1938 and as on 1 January 1939.

The signs mentioned in the foregoing paragraph indicate their respective tendencies.

Table III gives the names, addresses and memberships of national federations of trade unions.

The signs mentioned above indicate, in the case of each national federation, the international federation to which it is affiliated, or the programme and policy to which the national federation conforms.

This table also gives the available figures concerning the memberships of certain organisations which, although not affiliated to the national federation below which they are mentioned, conform to the programme and policy of that federation. These organisations are classified as "non-affiliated organisations". The figures concerning non-affiliated organisations do not, however, represent the total membership of all existing trade unions in the respective countries which are not affiliated to national federations.

In various instances, and more particularly in regard to extra-European countries, the tables give only the name and address of certain organisations. This applies to those organisations from whom it has been impossible to obtain information concerning their membership, etc. It is thought, nevertheless, that a useful purpose will be served by including these organisations, since information from various sources points to their existence at the time when the statistics were compiled.

In the following tables the statistical information concerning memberships has been supplied by the organisations concerned or extracted from publications or documents of the trade union movement or of public authorities. The International Labour Office cannot assume any responsibility for the accuracy of these figures.

EXPLANATION OF THE SIGNS

- ‡ International Federation of Trade Unions, Paris ("free" tendency).
- † International Confederation of Christian Trade Unions, Utrecht (Christian tendency).
- + International Federation of Non-Political Independent Trade Unions, Utrecht. ("neutral" tendency).
- § Red International of Labour Unions, Moscow (communist tendency).
- † International Working Men's Association, Paris (anarcho-syndicalist tendency).
- State Trade Unionism (Organisations established under the auspices of the State).
- * Other tendencies and miscellaneous.

I. — NAME, ADDRESS, MEMBERSHIP, AND TENDENCY OF INTERNATIONAL TRADE UNION FEDERATIONS

Tendency (explana- tion of signs v. p. 401)	Name and address	Total membership 1 January		Number of countries 1 January	
		1938	1939	1938	1939
#	International Fédération of Trade Unions, 9, Av. d'Orsay, Paris (7)	19,425,568	21,138,500	26	25
#	Int. Fed. of Christian Trade Unions, 10, Drift, Utrecht (Nether- lands)	1,387,234	1,213,877	9	7
§	Red International of Labour Unions, 12, Solianka, Moscow . . .	?	?	?	?
†	Int. Working Men's Association, 4, Square Jean-Falck, Paris. .	10,500,000	10,200,000	23	22
+	Int. Fed. of Non-Political Independent Trade Unions, 138, Fred. Hendrikstraat, Utrecht (Netherlands)	262,234	257,820	9	6
*	Pan-American Federation of Labor, A.F.o.L. Bldg., Washington, D.C.	4,500,000	4,300,000	15	11
#	Latin-American Workers' Confederation, 74, Madero, Mexico, D.F.	— ¹	?	— ¹	?

¹ Established in September 1938.

II. — NAME, ADDRESS, MEMBERSHIP, AND TENDENCY OF THE INTERNATIONAL FEDERATIONS
 OF CRAFTS AND INDUSTRIES (INTERNATIONAL TRADE SECRETARIATS)

 The letters A—Y refer to the list of industries given in the introduction to the *Year-Book of Labour Statistics*

Tendency (explana- tion of signs v. p. 401)	Name and address	Membership 1 January		Number of countries 1 January	
		1938	1939	1938	1939
#	A Landworkers' Federation: International, Post Box 373, Copenhagen-V.	261,580	262,400	14	15
#	Agricultural Workers' Trade Unions: Int. Fed. of Christian, 18, Zaanenstr., Haarlem (Netherlands)	42,530	?	1	1
#	B Miners' International Federation, 50, Russell Square, London W.C.1.	1,280,500	1,469,500	13	14
#	Miners' Trade Unions: Int. Fed. of Christian, 10, rue des Bateliers, Strasbourg	51,954	49,200	8	6
#	C Metal Workers' Federation: International, 61, Monbijoustr., Berne	1,830,669	1,916,713	16	16
#	Metal Workers' Trade Unions: Int. Fed. of Christian, 9, Koningslaan, Utrecht (Netherlands)	154,674	132,189	10	8
#	D Stone Workers: Int. Secretariat of, 31, Seebahnstr., Zurich	46,911	48,534	8	8
#	Pottery Workers: Int. Fed. of	67,659	—	4	—
#	E/F Building and Woodworkers: Int. Fed. of, 40, Vondelstraat, Amsterdam	1,427,898	1,500,000	24	25
#	Building and Woodworkers: Int. Fed. of Christian, 22, Kr. N. Gracht, Utrecht (Netherlands)	130,160	125,000	5	4

II. — NAME, ADDRESS, MEMBERSHIP, AND TENDENCY OF THE INTERNATIONAL FEDERATIONS OF CRAFTS AND INDUSTRIES (INTERNATIONAL TRADE SECRETARIATS) (continued)

Tendency (explanation of signs V. P. 401)	Name and address	Membership 1 January		Number of countries 1 January	
		1938	1939	1938	1939
#	E Painters' Federation: International, 10, Tesselschadestr., Amsterdam W.	43,820	38,100	11	7
#	G Typographers' Secretariat: International, 36, Länggasstr., Berne	166,445	165,000	23	23
#	Lithographers and Kindred Trades: Int. Fed. of, 1, Stadhouderslaan, Amstelveen, Amsterdam	35,594	35,000	15	15
#	Bookbinders and Kindred Trades: Int. Fed. of, 15, Ny Kongensgade, Copenhagen	56,578	54,300	12	12
#	Graphical Trades: Int. Fed. of Trade Unions of Christian Workers in the, 30, Bosb. Toussaintstr., Amsterdam	?	17,605	?	4
#	H Textile Workers' Associations: Int. Fed. of, Transport House, Smith Square, London SW. 1.	765,404	667,990	15	14
#	Textile Workers' Trade Unions: Int. Fed. of Christian, 43, Boothstr., Utrecht (Netherlands)	130,400	116,000	5	4
#	I Clothing Workers' Federation: Intern., 80, Reguliersgracht, Amsterdam	680,820	642,310	17	17
#	Hatters: Int. Fed. of, 67, rue Turbigo, Paris (3)	18,642	15,100	7	7
#	I/J Boot and Shoe Operatives and Leather Workers' Federation: International 90, Bedford Square, London W. C. 1.	500,000	500,000	45	45

	Food and Drink Workers: Int. Union of, 12, Rotherstr., Zurich	302,261	250,000	21	15
†	Food and Drink Trades: Int. Fed. of Trade Unions of Christian Workers in the, 10, Drift, Utrecht (Netherlands)	18,000	14,000	4	3
†	Tobacco Workers: Int. Fed. of, 19, H. C. Orstedsvvej, Copenhagen-V.	46,679	42,659	9	9
†	Tobacco Workers: Int. Fed. of Christian, 14, Past. Peterstr., Eindhoven (Netherlands)	18,818	14,546	6	3
†	N/O Transport Workers' Federation: Intern., 64, Vondelstraat, Amsterdam	1,993,074	1,996,702	32	29
†	N Railwaymen's and Tramwaymen's Trade Unions: Int. Fed. of Christian, 18, Westerstraat, Utrecht (Netherlands)	117,492	105,033	7	7
*	O Mercantile Marine Officers' Association: Int., 34, Courte rue neuve, Antwerp	45,976	46,270	13	12
*	P Radiotelegraphists: Int. Fed. of, 8, Cort Adeliersgade, Copenhagen	8,600 ¹	7,600 ¹	18	17
†	Postal, Telegraph and Telephone International, 70, Neubrückstr., Berne	190,100	202,000	17	16
†	Post Office, Telegraph and Telephone Workers' Trade Unions: Int. Fed. of Christian, Vaals (Netherlands)	36,000	?	6	?
†	Q/R Employees in Public and Civil Services: Int. Fed. of, 10, rue de Solferino, Paris (?)	814,411	830,000	13	13
†	Public Services: Int. Fed. of Christian Organisations of the Staff of, 109, Nationalestr., Antwerp	52,125	53,000	7	6
*	Police Federation: International, Marckolsheim (France)	39,083	40,418	6	6
†	T Hotel, Restaurant and Bar Workers: Int. Union of, 20, Barnhusgatan, Stockholm	28,587	31,970	5	5

¹ This figure is included in the membership total of the Int. Mercantile Marine Officers' Association, to which this organisation is affiliated.

II. — NAME, ADDRESS, MEMBERSHIP, AND TENDENCY OF THE INTERNATIONAL FEDERATIONS OF CRAFTS AND INDUSTRIES (INTERNATIONAL TRADE SECRETARIATS) (concluded)

Tendency (explanation of signs v. p. 404)	Name and address	Membership 1 January		Number of countries 1 January	
		1938	1939	1938	1939
*	Hotel and Restaurant Employees: Int. Geneva Association of, 27, Selnaustr., Zurich	23,500	17,500	19	15
†	Hairdressers: Int. Union of, 21, Parkallé, Klædebo, Copenhagen	27,443	28,576	8	8
†	V Teachers' International, 8, Av. Mathurin-Moreau, Paris (19)	?	1,600,000	?	19
*	Teachers' Associations: Int. Fed. of, 2, rue de Montpensier, Paris (4)	600,790	540,590	32	23
†	Teachers' Int. Trade Secretariat, 63, r. Lieutenant Liedel, Anderlecht-Brussels	145,000	225,000	8	7
†	X Diamond Workers: Universal Alliance of, 68, Av. Plantin-Moretus, Antwerp	16,678	18,000	3	4
†	Y Factory Workers: Int. Fed. of General, Postbus 5075, Amsterdam Z.	653,914	546,000	15	14
†	Y/N Factory and Transport Workers' Trade Unions: Int. Fed. of Christian, 289, Ruijswijkstraatweg, The Hague	127,584	123,184	8	7
†	Y Enginemen and Firemen: Int. Fed. of	30,000	23,700	3	5
†	Employees: Int. Fed. of Commercial, Clerical and Technical, 9, Pampus Potterstr., Amsterdam Z.	876,737	900,000	17	18
†	Employees' Trade Unions: Int. Fed. of Christian, 28, Pl. St. Georges, Paris	200,000	?	?	?
*	Employees: Int. Fed. of Neutral Organisations, 24, rue Maréchal Foch, Strasbourg	281,000	272,000	10	9

III. — NATIONAL TRADE UNION FEDERATIONS
(The figures given in parentheses indicate the number of female members)

A. — European Countries

Tendency (explanation of signs V. p. 401)	Country, name and address	Total membership 1 January		Number of organisations 1 January	
		1938	1939	1938	1939
	<i>Belgium</i>				
†	Confédération générale du travail de Belgique, 8, rue Jos. Stevens, Brussels	572,224	581,951	23	24
†	Non-affiliated organisations	2,775	3,325	1	2
*	Confédération des Syndicats chrétiens de Belgique, 18, av. de la Renaissance, Brussels	319,065	344,618	17	18
*	Centrale générale des Syndicats libéraux de Belgique, 65 b, bd. Albert, Ghent	52,555 (4,524)	56,999 (4,344)	—	—
	<i>Bulgaria</i>				
*	Blgarski rabotnicheski sayuz, 8, ul. Positano, Sofia	152,000 (57,000)	162,000 (58,000)	18	18
	<i>Czecho-Slovakia</i> ¹				
†	Společná ústředna, Odborové sdružení československé, Prague	748,712 ² (144,682)	—	74 ²	—
*	Československá obec dělnická, Prague	365,919 (55,930)	—	63	—
*	Republikánské ústředí zaměstnanecké, Prague	244,395 (37,320)	—	37	—
*	Ústředna průmyslových svazů odborových, Prague	136,204 (27,908)	—	11	—
*	Exekutiva veřejných zaměstnanců ³ , Prague	137,068 ³ (43,909)	—	135 ³	—
†	Říšská odborová rada křesťanských odborových organizací v Československu, Erno	137,692 ⁴ (36,133)	—	60 ⁴	—

¹ Figures supplied by the National Statistical Office (Reports Nos. 104-107, 1938). As a result of the political changes these organisations have ceased to function.

² These figures include the Zentralgewerkschaftskommission des Deutschen Gewerkschaftsbundes, Reichenberg, which comprised 206,474 members grouped in 17 organisations.

³ The Central Executive Committee of Public Employees (Exekutiva veřejných zaměstnanců) embraced the three organisations: Středoslovenský svaz, Vysokoslovenský svaz, and Verband der deutschen Staatsangestelltenvereinigungen in der Čsl. Republik. The membership figures of these three organisations are included in that of the Exekutiva veřejných zaměstnanců.

⁴ These figures include the Verband der christl. Gewerkschaften für das Gebiet des Československischen Staates, Zwittau, which comprised 45,982 members grouped in 12 organisations.

III. — NATIONAL TRADE UNION FEDERATIONS (continued)
A. — European Countries (continued)

Tendency (explana- tion of signs v. p. 401)	Country, name and address	Total membership 1 January		Number of organisations 1 January	
		1938	1939	1938	1939
	<i>Czecho-Slovakia (continued)</i>				
+	Odborové ústředí "Čsl. svaz úřednických a zřízeneckých organizací", Prague	72,833 (40,304)	—	49	—
*	Gesamtverband der deutschen Angestellten-Gewerkschaften, Aussig	56,580 (8,265)	—	5	—
*	Národní sdružení odborových organizací, Prague	71,459 (46,484)	—	12	—
*	Reichsvereinigung der deutschen Gewerkschaften, Prague	60,818 (41,960)	—	9	—
†	Československá říšská všeodborová komise křesťansko-sociální, Brno	37,485 (6,054)	—	10	—
†	Sdružení slovenských odborových organizací, Žilina	43,028 (2,559)	—	5	—
*	"Střed" ústředna odborových organizací soukromého úřednictva a obchodního pomociectva, Prague	19,313 (2,369)	—	9	—
+	Středoškolský svaz, 4, Římská, Vinohrady, Prague-Král.	19,238 ¹ (736)	—	22 ¹	—
+	Vysokoškolský svaz, Prague	12,901 ¹ (1,096)	—	38 ¹	—
*	Bund deutscher Gewerkschaften, Tetschen	19,181	—	1	—
+	Verband der deutschen Staatsangestellten-Vereinigungen in der Čsl. Rep., Aussig	(3,832) 6,676 ¹ (392)	—	15 ¹	—
*	Československá obec zaměstnanecká, odborová ústředna svazů, odborů a organizací zaměstnaneckých v ČSR., Prague	3,817 (1,444)	—	5	—
*	Organisations not affiliated to any centre	232,586 (32,586)	—	22 ⁴	—
†	<i>Denmark</i> De samvirkende Fagforbund i Danmark, 12, Rosenorns-Allé, Copenhagen	451,629 (75,523)	470,217 (81,364)	68	68
	Non-affiliated organisations	39,429 (8,373)	39,120	15	14

‡	Eestimaa Töölisühingute Kesklit, Pärnu Mnt., 41-2, Tallinn	14,000 (3,000)	16,000 (3,500)	46	48
	{ Non-affiliated organisations	1,000	—	?	—
#	<i>Finland</i> Suomen Ammatihdistysten Keskusliitto, 5, Paasivuorenkatu, Helsinki	64,384 (15,669)	70,248 (16,353)	19	19
#	<i>France</i> Confédération générale du travail, 211, rue Lafayette, Paris (Xe) Confédération française des travailleurs chrétiens, 28, place Saint- Georges, Paris (IXe)	5,340,000 487,539 (112,000)	3,500,000 488,000 (112,000)	?	12,137 ² 2,384
+	Union fédérale des employés de France, 15, rue Bertin-Poirée, Paris (1er)	70,000	80,000	?	120
	<i>Great Britain</i> { Trades Union Congress, Transport House, Smith Square, London, SW.1	4,460,617 (528,402)	4,750,000 (550,000)	215	216
#	{ Non-affiliated organisations	208,860 (45,831)	222,303 (51,529)	3	3
#	{ Scottish Trades Union Congress, 33, Elmbank Crescent, Glas- gow	365,962 ³ (57,047)	389,064 ³ (58,000)	68	68
	{ Non-affiliated organisations	35,000	35,000	?	?
*	<i>Greece</i> Geniki Synomospondia ton Ergaton tis Ellados, 43 B, rue Notara, Piræus	272,100 (49,820)	356,240 64,560	1,028 2	? 2
#	<i>Hungary</i> { Magyarországi Munkásegyletek Szövetsége (Szakszervezeti Tanács), 24-28, Nagyatádi Szabó-ucca, Budapest	108,504 (13,644)	113,695 (15,086)	35	34
¶	{ Non-affiliated organisation	900	900	1	1
	{ Keresztényszocialista Országos Szakegyletek Szövetsége, 61, József ucca, Budapest	?	?	32	?
#	<i>Ireland</i> Irish Trade Union Congress, 32, Nassau Street, Dublin	246,105	255,000	49	49

¹ The Central Executive Committee of Public Employees (Exekutiva veřejných zaměstnanců) embraced the three organisations: Sřtedoškovský svaz, Vysokoškovský svaz, and Verband der deutschen Staatsangestelltenvereinigungen in der Csl. Republik. The membership figures of these three organisations are included in that of the Exekutiva veřejných zaměstnanců.

² 45 Federations of industries, 92 Departmental unions, 12,000 professional unions.

³ Of which 337,460 (1938) and approximately 350,000 (1939) are included in the membership figures of the British Trades Union Congress General Council, London.

III. — NATIONAL TRADE UNION FEDERATIONS (continued)
 A. — European Countries (continued)

Tendency (explanation of signs v. p. 401)	Country, name and address	Total membership 1 January		Number of organisations 1 January	
		1938	1939	1938	1939
	<i>Italy</i>				
o	Confederazione Fascista dei lavoratori dell'industria, Via Boncompagni, 19, Rome	2,639,663	3,097,403	—	—
o	Confederazione Fascista dei lavoratori dell'agricoltura, 101, Piazza S. Bernardo, Rome	2,693,981	3,768,904	—	—
o	Confederazione Fascista dei lavoratori del commercio, 6, Via Lucullo, Rome	474,323	?	—	—
o	Confederazione Fascista dei lavoratori delle aziende del credito e delle assicurazioni, 366, Piazza Colonna, Rome	93,500	?	—	—
o	<i>Latvia</i> Latvijas darba kamera, 13, Janvāra iela, 3, Rīga	71,958	83,933	48	48
†	<i>Luxembourg</i> Commission syndicale de Luxembourg, 134, bd de la Pétrusse, Luxembourg	12,962	14,000 (500)	11	10
†	Confédération chrétienne luxembourgeoise du Travail, 7, rue Bourbon, Luxembourg	8,875 (120)	8,819	7	7
	<i>Netherlands</i>				
†	Nederlands Verbond van Vakverenigingen, 224, Amstel, Amsterdam	296,011 (14,500)	309,232 (15,173)	30	29
†	R. K. Werkliedenverbond in Nederland, Drift 10, Utrecht	194,655 (7,373)	200,185 (8,606)	29	29
	Non-affiliated organisations	25,000	?	16	16
†	Christelijk Nationaal Vakverbond in Nederland, 43, Stadhouderslaan, Utrecht	114,469 (2,604)	115,120 (2,701)	22	23
	Non-affiliated organisations	13,394	14,000	14	14
	Nederlandse Vakcentrale, 42, J. Luykenstr., Amsterdam	45,719 (3,432)	46,370 (3,500)	31	31
+	Non-affiliated organisations	14,176	11,200	3	3
†	Nederlands Syndicalistis Vakverbond, 17, Joos de Moorstr., Amsterdam	2,236 (447)	1,800	8	9
*	Nationaal Arbeids Secretariaat 17 Riederendestraat Amsterdam	14,246	10,862	9	9

#	<i>Norway</i> Arbeidernes Faglige Landsorganisasjon i Norge, Folkets Hus, Oslo	323,156	340,031 (57,717)	38	34
#	<i>Poland</i> Związek Stowarzyszeń Zawodowych w Polsce, 20, Czerwonego Krzyża, Warsaw	350,000	393,882 (43,466)	25	24
#	Centrala Zjednoczenia Klasowych Związków Zawodowych, 39/44, Ul. Ogrodowa, Warsaw	114,020	35,338	28	?
#	Związek Związków Zawodowych, 2, Fredry, Warsaw	73,000 (13,000)	60,000	11	?
†	Zjednoczenie Zawodowe Polskie, 10, Ul. Działynskich, Poznań	175,986 (3,837)	183,948	18	?
†	Chrześcijańskie Zjednoczenie Zawodowe, 5, Sniadeckich, Warsaw	102,480	109,560	26	26
†	Zjednoczenie Zawodowe "Praca Polska", 30, Złota, Warsaw	75,400	90,000	23	?
†	Unja Związków Zawodowych Pracowników Umysłowych, 91, Ul. Marszałkowska, Warsaw	100,350 ¹	105,000	28	30
*	Zjednoczenie Polskich Związków Zawodowych, 10, Matejki, Warsaw	92,000 (15 p. c.)	220,016 (14,000)	24	28
*	Zjednoczenie Zawodowe "Praca", 31, Główna, Łódź	16,000	10,126	?	?
#	<i>Rumania</i> Confederatia Generala a Muncii din România, 7, Str. Vincentiu Babes, Bucharest VI	60,000	60,000 (10,000)	?	12
#	<i>Spain</i> ² Unión General de Trabajadores de España	1,904,569	? ²	43	? ²
†	Confederación Nacional de Sindicatos Católicos de Obreros	? ²	? ²	? ²	? ²
†	Solidaridad de Trabajadores Vascos de Euzkadi	? ²	? ²	? ²	? ²
†	Confederación Nacional del Trabajo	? ²	? ²	? ²	? ²
#	<i>Sweden</i> Landsorganisationen i Sverige, 18, Barnhusgatan, Stockholm	840,234 (125,067)	905,723 (135,919)	41	45
+	Non-affiliated organisations	17,000	18,754	11	8
+	De Anställdas Centralorganisation, 32, Skeppsbron, Stockholm	46,637 (10,000)	50,334	19	18
†	Non-affiliated organisations Sveriges Arbetares Centralorganisation, 17, Klara Västra Kyrkogata, Stockholm	2,300	2,500	2	2
†		31,247	30,552 (558)	?	689

¹ Total comprising unemployed and retired members, youth organisations, etc.

² No information available owing to the political situation. These organisations ceased to function at the beginning of 1939.

III. — NATIONAL TRADE UNION FEDERATIONS (continued)

A. — European Countries (concluded)

Tendency (explanation of SIGNS V. P. 401)	Country, name and address	Total membership 1 January		Number of organisations 1 January	
		1938	1939	1938	1939
	<i>Switzerland</i>				
#	Schweizerischer Gewerkschaftsbund, 61, Monbijoustr., Berne .	222,381 (22,933)	227,830 (22,184)	16	17
#	Föderativverband des Personals öffentlicher Verwaltungen und Betriebe, 19, Effingerstr., Berne	74,193 ¹ (2,000)	74,200 ¹ (2,000)	10	10
¶	Christlichnationaler Gewerkschaftsbund der Schweiz, 15, Webergasse, Saint Gallen	38,435 (9,637)	40,045 (9,651)	12	13
¶	Schweiz. Verband evangelischer Arbeiter und Angestellter, 29, Höhenring, Zurich-Seebach	13,200 (3,075)	13,050 (2,700)	—	—
+	Landesverband Freier Schweizer Arbeiter, 28, Oberer Graben, Saint Gallen	8,500	8,500 (800)	6	6
*	Vereinigung Schweizerischer Angestelltenverbände, 185, Uetlibergstr., Zurich	61,353 (10,058)	60,153 (9,896)	8	8
	<i>U.S.S.R.</i>				
§	Vsesojuzny Centralny Sovjet Professionalnykh Sojuzov, 12, Solianka, Moscow	22,559,400	23,800,000	165	168
	<i>Yugoslavia</i>				
#	Ujedinjeni radnicki sindikalni savez Jugoslavije, Knjevinje Zorke ul. br. 19, Belgrade	55,814	54,200	35	?
¶	Non-affiliated organisations	10,729	10,500	2	2
*	Jugoslovenska strokovna zveza, 22, Miklosiceva c., Ljubljana (2,333)	7,014	6,820 (2,740)	4	4
*	Hrvatski radnicki savez, 7, Frankopanska ul., Zagreb	79,611 (15,436)	—	—	?
*	Narodna strokovna zveza, 22, Miklosiceva, Ljubljana	6,216 (532)	—	53	53
*	Jugoslovenski radnicki savez "Jugoras", 37, Kralja Milutina, Belgrade	?	?	?	?

B. — *Extra-European Countries*

<i>Algeria</i>						
†	Union des syndicats confédérés du Département d'Alger, 2, rue des Tanneurs — 7, rue d'Isly, Algiers	60,000 ² (5,000)	60,000 ² (4,000)	150	140	
†	Union départementale des syndicats confédérés de l'Oranie, 18, rue Paixhans, Oran	23,700 ² (1,200)	26,900 ² (1,800)	?	134	
†	Union des syndicats de travailleurs du Département de Constantine, Maison de l'Ouvrier, av. du Japon, Constantine	13,000 ²	15,400 ²	100	142	
†	Union nord-africaine des syndicats chrétiens, 6, rue Tirman, Algiers	10,500 (3,500)	17,285 (5,500)	65	78	
	<i>Argentina</i>					
†	Confederación General del Trabajo, 2880, Independencia, Buenos Aires	289,393 ³	263,040	?	49	
†	Federación de Asociaciones Católicas de Empleadas, 1272, Sarmento, Buenos Aires	17,500	19,000	24	24	
*	Unión Sindical Argentina 1277, Almirante Brown, Buenos Aires	32,411 ³	32,000 ³	?	?	
*	Organisations not affiliated to any centre	89,319 ³	68,000 ³	—	62	
	<i>Australia</i>					
†	Australasian Council of Trade Unions, Trades Hall, Melbourne	600,000	?	?	?	
*	Australian Workers' Union, Box 3897 TT, G.P.O. Sydney N.S.W.	90,079 (5,295)	99,043 (6,281)	—	—	
	<i>Bolivia</i>					
*	Federación Obrera del Trabajo, 370, Chuquisaca, La Paz	?	?	?	?	
*	Confederación Sindical de Trabajadores de Bolivia, 595, Ecuador La Paz	70,000	?	213	?	
	<i>Brazil</i>					
†	União Geral dos Trabalhadores do Brasil, 121, Senador Pompeu, Rio de Janeiro	12,642	?	16	?	
*	União Geral dos Sindicatos de Empregados do Distrito Federal, 50, Rua de Carioca, Rio de Janeiro	?	?	?	?	

¹ Of which approximately 67,200 are included in the membership figures of the Schweizerischer Gewerkschaftsbund

² Included in the membership figures of the Confédération générale du Travail, Paris.

³ Statistics published by the Departamento Nacional del Trabajo, Buenos Aires.

III. — NATIONAL TRADE UNION FEDERATIONS (continued)
 B. — *Extra-European Countries* (continued)

Tendency (explana- tion of signs V. P. 401)	Name and address	Total membership 1 January		Number of organisations 1 January	
		1938	1939	1938	1939
	<i>Canada</i>				
#	{ The Trades and Labour Congress of Canada, 172, McLaren Street, Ottawa, Ont.	134,986	210,378 ¹	1,765	1,895
#	{ Non-affiliated organisations	30,000	25,000	4	4
#	{ The Canadian Federation of Labour, 126, Sparks Street, Ottawa (2,000)	52,622 (2,000)	52,000 (500)	261	261
#	{ The All-Canadian Congress of Labour, 230, Laurier Avenue W., Ottawa	33,000	31,459	267	288
#	{ Confédération des Travailleurs Catholiques du Canada, 19, rue Caron, Québec	54,000 (6,000)	47,000 (4,000)	225	215
#	<i>Ceylon</i> All-Ceylon Trade Union Congress, 27, Canal Row, Fort, Colombo	14,500 (700)	?	12	?
*	<i>Chile</i> Confederación Nacional de Trabajadores de Chile, 468, San Antonio, Santiago de Chile	?	?	?	?
†	{ Confederación General del Trabajo, Casilla 6018, Santiago de Chile	?	?	?	?
*	{ Industrial Unions ²	69,113	?	316	?
*	{ Craft Unions ³	47,265	?	496	?
*	<i>China</i> { Industrial Unions	93,691	?	89	?
	{ Craft Unions	539,314	?	777	?
	{ "Special" Unions ³	76,037	?	10	?

* <i>Colombia</i>	Confederación Sindical de Colombia, Apartado 1805, Bogotá . . .	?	100,000	?	?
# <i>Cuba</i>	Confederación de Trabajadores de Cuba, 671, San Lazaro (altos), La Habana	— ⁴	400,000	— ⁴	?
* <i>Ecuador</i>	Unión Sindical de Trabajadores, Calle Coronel 2200 y León, Guayaquil	?	?	?	?
* <i>Ecuador</i>	Confederación Obrera del Guayas, Guayaquil	?	?	?	?
* <i>Ecuador</i>	Confederación General de Trabajadores, Guayaquil	?	25,000	?	?
# <i>India</i>	National Trades Union Federation, Servants of India Society's Home, Bombay ⁴	151,336	155,336	63	63
# <i>India</i>	All-India Trade Union Congress, Servants of India Society's Home, Bombay ⁴	103,050	275,900	98	162
* <i>Japan</i>	Nihon Rodo Kumiai Kaigi (Japanese Trade Union Congress), Mita-shikoku machi 6, 2 chome, Shiba-ku, Tokyo	258,410 (2,515)	140,000	10	8
* <i>Japan</i>	Kokoku Kaini Domei ⁵ (Imperial Seamen's League), 26, 3 chome, Kaigan-dori, Kobe	— ⁵	120,000	— ⁵	2
* <i>Japan</i>	Aikoku Rodo Kumiai Zenkoku Konwa-kai (National Ass. of Patriotic Trade Unions), Kyobashi-ku, Tokyo	80,000	80,000	?	?
* <i>Japan</i>	Other organisations of various tendencies	120,000	?	4	?
# <i>Kenya</i> (East Africa)	The Labour Trade Union of East Africa, P.O. Box 1207, Nairobi	2,746	2,902	—	—
# <i>Mexico</i>	Confederación de Trabajadores de Mexico, 74, Madero, Mexico City	945,913	1,241,303	?	48
* <i>Mexico</i>	Confederación General de Trabajadores, 8, Independencia, Mexico City	?	?	?	?

1 Including 50,000 unemployed and other non-paying members.

2 Registered with the Inspección General del Trabajo, Santiago.

3 Unions governed by regulations other than the Trade Union Act (Railway Unions, Postal Unions, Seamen's Unions, etc.).

4 Established in January 1939.

5 Formed by the seamen's unions which withdrew from the Japanese Trade Union Congress in the course of 1938.

III. — NATIONAL TRADE UNION FEDERATIONS (concluded)

B. — *Extra-European Countries* (concluded)

Tendency (explanation of signs v. p. 401)	Country, name and address	Total membership 1 January		Number of organisations 1 January	
		1938	1939	1938	1939
*	Confederación Regional Obrera Mexicana 1, 60, Rep. de Cuba, Mexico, D.F.	?	?	?	?
*	Confederación Regional Obrera Mexicana ¹ , Tacuba 50, Mexico, D.F.	—	?	—	?
#	<i>Morocco</i> Union des Syndicats confédérés du Maroc, Bourse du Travail, Casablanca	24,000 ² (3,000)	17,000 ² (2,500)	103	97
#	<i>New Zealand</i> New Zealand Federation of Labour, 31, Trades Hall, Wellington C. 2 { Non-affiliated organisations	163,402 30,000	175,679 (21,200) 30,000	271 ?	238 ?
*	<i>Nicaragua</i> Obrerismo Organizado de Nicaragua, Oficina 3a, Avenida S.E. No. 216, Managua	?	3,000	?	?
#	<i>Palestine</i> General Federation of Jewish Labour in Eretz-Israel, P.O. Box 303, Tel-Aviv	100,497 (44,352)	108,040 (49,744)	3 national fed. 38 local organ.	
*	<i>Panama</i> Federación Obrera de la Rep. Panama, Panama	?	?	?	?
*	<i>Paraguay</i> Confederación de Trabajadores de Paraguay, 53, Estrella, Asunción	59,490	?	38	?

* <i>Porto Rico</i> Federación Libre de los Trabajadores de Puerto Rico, Box 270, San Juan	?	?	?	?	?
* <i>Salvador</i> Confederación de Obreros de El Salvador, San Salvador	?	?	?	?	?
† <i>Tunisia</i> Union départementale des Syndicats de Tunisie, 9, rue de Grèce, Tunis	38,000 ² (8,000)	39,000 ² (6,000)	?	?	197
† <i>Union of South Africa</i> South African Trades and Labour Council, 26, Trades Hall, Kerk Street, Johannesburg	21,058	22,182 (2,059)	45	49	49
† Cape Federation of Labour Unions, Trades Hall, Labour Offices, Corporation Street, Cape Town	17,833 (5,650)	17,833 (5,650)	22	26	26
† <i>United States of America</i> American Federation of Labor, A.F.o.L. Building, Washington, D.C.	3,468,885	3,727,412	104	102	102
† Congress of Industrial Organizations, 1106, Connecticut Ave., N.W. Washington, D.C.	4,000,000 ³	3,787,877	38 ³	42	42
* <i>Uruguay</i> Unión Sindical Uruguaya, 1180, Rio Negro, Montevideo	1,250	?	3	?	?
* Federación Obrera Regional Uruguaya, 1361, Calle Yi, Monte- video	300	?	4	?	?
* Other organisations and autonomous trade unions	20,500	?	33	?	?
* <i>Venezuela</i> Federación Obrera de Venezuela, Norte 10, No. 7-7, Caracas	3,711	?	24	?	?
* Confederación Venezolana del Trabajo, P.O. Box 1501, Caracas	?	?	?	?	?

¹ Two centres of the same name are in existence; they are distinguished by the names of the streets in which their respective offices are located.

² Included in the membership figures of the Confédération générale du Travail, Paris.

³ *United Mine Workers' Journal*, Washington, D.C., 1 May 1938, pp. 3 and 4.



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