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L-110

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
Civil Affairs Section
APO 500

9 December 1950

FOR THE CIVIL INFORMATION OFFICER:

Recognition copy: Pamphlet, How to Settle Problems of Union and Management Rights, delivered by Mr. Val Burati
Prepared by: Labor Administration Bureau, Labor Ministry
Published: November 1950

Translation:

TYTLE: How to Settle Problems of Union and Management Rights.1....
Full text of Mr. Val Burati's speech concerning the Conclusion of a Labor Agreement.

Introduction by the Bureau

This pamphlet contains the full text of an address delivered before a round-table discussion on management-labor problems at the Labor Education Center, Tokyo, on October 26, by Mr. Val Byrati, Chief, ESS Labor Relations Branch, CIE, GHQ, SCAP.

In his speech Mr. Burati explains how to settle differences of opinion between labor and management concerning problems of Union and Management Rights which are improtant in concluding a labor agreement.

Imada
Please translate

Mr. Domanowski keeps an English copy of this pamplet. Translation is unnecessary.

昭和二十五年十一月

人事権問題はこうして解決する

——労働協約締結促進に関するプラッテイ氏講演の全貌——

労働省労政局

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このパンフレットは、去る十月二十六日、東京丸の内のエデュケーション・センターで催された総司令部労働課とわが國労使代表の懇談会の席上ブラッテイ氏によつて行われた講演の全貌である、ブラッテイ氏はこの講演で労働協約締結上最大の問題点である人事問題に関し労使の見解をいかに一致させるかについて極めて具体的な方法を述べたのであつて、頗る示唆に富んでいるので、関係者の参考に供する次第である。

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How to settle the issues of personnel right.

人事権問題はこうして解決する

ヴァレリー・ブラッテイ

今日こゝで話そうとすることは、人事権の問題であるが、法律的観点からではなく極く現実的な面から見ての話であります。

そして人事権の問題を今の日本の労使間に存在している困難な問題としてどういうふうに解決してゆくかということについて考えて見たいと思います。

先ず最初にこの問題をそれぞれの部門に分けて考えてみたいと思います。

まず問題になるはの理由ある解雇、事業の縮少による人員整理又は事業が栄えた爲の人員増加、そして昇格、轉勤、格下、財政々策、生産政策、販賣政策、工場の配置とその設立計画、それから或る工場に於いてどれだけの人員を必要とするかなどということについての人事権の一部であります。日本において労使間に最も激しい紛争の起きるのは、この問題に関してであ

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ります。そして労使双方がこれらの問題に関連して相手方に対してどういう関係をとるべきかということを問題にするのであります。

問題となる二つの点

労使関係の点からみてこの中で特に重要なものは昇格と轉勤の問題それから解雇及び雇入の問題であります。組合が組織されていない工場においては経営者が全く独自の判断でその権利を行使することに対するたった一つの制限は、労働組合法、労働基準法などであり、労働組合のない処ではこれらの法律の許す範囲内で経営者は解雇、昇進、轉勤等についてそれが適当であるなしに拘らず欲するまゝに自由に行うことが出來るのであります。

しかし一度労働者が組織致しますと、組合としては当然なすべきこととして團体交渉をし労働協約を求めて参ります。そうすると先程の解雇などの問題に他の團体が関與することになり、ここに問題が生じてくるのであります。勿論労働組合の存在價値はその組合員が正しい取扱いを経営者から受けることを要求するところにあり、その点から組合としては当然人事の問題に関して組合の立場から一つの権限とか組合側の影響力等を要求するわけであります。極く大さつぱに考えて、過去五年間にわれわれ労働課が観察したところによると、日本におい

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てはこの問題について二つの考方にわかれております。

先ず第一にそれらの昇進、格下、解雇、雇入等の点については経営者は全く自らの責任で行う権利をもつ考方であります。

もう一つの考方はこれらの問題のどれについても組合側の同意がなければ出来ないという考方であります。

そこでこれらの問題の労働協約の中にどういう方法で書き入れるかということについて話してみたいと思います。まづ百五十年から二百年にわたるアメリカの労働運動の経験に基いて、一般的にいうとアメリカではこれらについてどちらも完全な権限をもつていないという状態にあることをお断わりしておきます。そして日本に於いても今申し上げたような二つの考方の中間にわたる一つの解決策の見つからない限りこの問題は絶対に解決しないと思います。今それらの問題についてアメリカの労働協約がどうなつているかをお話しして、日本で解決策を見出すため参考となるような助言をしたいと思うわけであります。

先程もエーミス課長がいわれたように自分達としてはこれらの問題に関して最善の解決策を見出しているとは主張するのではなく、これから申上げることがこれまでに発見された、たつた一つの解決策であるということを申上げたいのでありまして、日本の労働運動に関係しておる

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方々はこの問題を自分達の観念に従つて自分達の狀況に基いてそれを採り入れて頂きたいと思います。念のために申上げますが、今日お話しすることはアメリカの狀態を簡單に說明するだけで完全無欠な說明ではなく、アメリカでもこの点について問題はありますけれども、大体において一つの落ちついた方向となつているのであります。アメリカの組合の中でそういう問題に関して組合の同意を要求したものは私の知つている範囲では一つもないので、ただ経営者がそれを組合に申出たが組合は拒絶したということは知つております。その組合がどうしてそういう権限を與えられることを拒絶したかということは後で話したいと思いますが、それには非常に現実的な問題があつたからであります。

もう一度話の本筋にもどつて、先づ第一に解雇の問題についてお話いたします。これについては二つに分けられます。一つは懲戒解雇のような理由があつての解雇で、もう一つは事業不振による人員整理の場合の解雇であります。

理由ある解雇の場合について

この「理由ある解雇」とはどういうものかというと、例を挙げると第一に職場において常に酔つ拂つている、許可なく職場をはなれる、又は賭博にふける、あるいは監督者の言うことを

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聽かない、身体の故障で仕事ができない、機械を壞す、盜みを働く等のことを犯した場合、これらは当然の正当な理由でありますす。それからアメリカでも協約の中に共産党員であることが解雇の理由とされていることはあり得ると思います。私としては未だかつてそういうことを協約の中に入れた事実は知りませんけれども、そういうことをしてはどうかという話が労使間で行われていることは聽いております。アメリカでは組合側は、この理由のある解雇の場合は経営者側が完全な権利を有するということについて同意を與えております。勿論、解雇の理由についてはは労使間の協定ができております。しかしまたこれから話してゆくうちに出てくると思いますが、こういう問題に関しては勿論完全に経営者側にそういう権利があると組合側が同意するとしても、ある労働者の解雇に組合や本人が同意しない場合や、解雇された労働者が差別的取扱であると考えた場合は、経営者側が一方的に解雇することは出來ないことになつております。勿論一つの協約の條項というものは常に協約の他の條項に関連しているわけで、理由ある解雇の場合の経営者の権利も、協約の他の條項に從つて行使されなければならないのであります。

企業整備による解雇の場合

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そこで一應理由ある解雇の問題についてはこの位にして、次に事業が不振になつた場合の人員整理による解雇、又は事業が盛んになつた場合の人員の増加について話してみたいと思います。

その場合には普通アメリカでは解雇といわないで、一時解雇及び再雇用といいます。それと関連してどの工場にはどれだけの労働者を置く、また工場をどこに設立するか、何を生産するか、いかにして生産するか、販賣のマーケットを何処におくか、或いは財政政策等これらは組合の関知しない経営者の権限であり、これらの事項は苦情処理の対策とはならないと労働協約に定めてあるのが普通です――全部とはいわないが――ですから、その事業をやつてゆく上に何百人いるかまたは二、三人で済ますかということは、全て経営者が決めるのがアメリカでは普通のやり方であります。けれども若し経営者側が或る事業場に極く少数の労働者しか置かない爲、それが労働者にとつて耐えられない労働強化になる場合は、労働組合は自分達の行う労働の量と賃金について経営者と交渉することができるのであります。労働者の数が與えられた仕事をやるには不足であるときは、仕事が過重であるから変更するように要求する権利をもつております。また事業が不振になつて、経営者がどうしても人員を整理しなくてはならないという場合は、どれだけの人員を一時解雇するかということは経営者に属する権限であります

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す。しかしそれについては労使間に一つの問題が起つてくるわけであります。勿論何名を一時解雇するかということは経営者の権限に属することでありますけれども、誰を解雇するか、いかにして一時解雇するかということは労働協約に定められた基準によつてなされるべきであります。

いろいろの形の先任権

私達が日本の労働協約を研究した結果、この一時解雇の点については日本の協約は非常に漠然とした規定しかもつておりません。それで日本でもこの問題についてどういう基準に従つて、どんな手続で一時解雇するか、また再雇傭をするかという一つの方式をはつきり定めておく必要があると思います。例えば、今此処で百人の労働者を一時解雇しなければならないという問題が起つた場合、どういうふうに誰をやるかということになつてまいります。この場合、アメリカや英國では其の仕事に対して一番長い勤続年数をもつている者が一番後に残るという制度、すなわち先任権の制度が廣く行われてをります。勿論私の方ではこれを一方的に皆さんに押しつけるつもりはなく、日本でもこのような制度が採用できるかどうかを考えていただきたいと思うのであります。このやり方も完全なものではなく、それによつて起る不正もあるの

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でありますけれども、そのやり方が今のところわれわれが考え出したただ一つのやり方であります。

この先任権の制度についてもいろいろの形があるわけであります。それについては今日は詳しく入つてゆく時間がないと思いますが、先づ第一のものは極く單純な先任権制度というものであつて、これはたゞ勤続年数だけを考慮するものであります。もう一つは先任権制度に年数の他にいろ〳〵の條件をつけ加えたものであります。この條件として入るものが能率、年令、家族の数、結婚の有無などであります。

アメリカでも勿論先任権に関する條項は協約の中にいろいろの形になつて現われているわけであります。私の読んだもののうちで初期の鉄鋼組合のもつていた協約の中においては、能率の方が主要な度合を占めておりました。然し乍ら多くの場合は條件づきの先任権のうちで、最も主要な要素となつているのは、やはり勤続年数であります。例えば二人の労働者の一人が一時解雇されなければならないということであれば、能率やその他の條件で同等である限り、長い勤続年数を持つ者がその事業に残るわけであります。日本の労使間においても解雇、採用を規制する何らかの制度を作るべきだと思うが、先任権制度を作る場合、今の状況から見ればやはり能率、年令、家族の状況というものを考慮に入れることがよいと思います。

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設くべき仲裁制度

米國ではこうしている―

今こゝで二つの解雇についての説明が了つたので、解雇の問題について他の協約の條項等の関係からみて、結局労使のどちらが決定的な権限をもつているかということについて話を進めてゆきます。

先づ私自身を一つの例として考えてみると、私が懲戒解雇なり、事業不振による一時解雇で辞めさせられる場合、懲戒解雇の方は経営者の一方的な権限で、一時解雇は協約の條項に従つて行われると致します。私も、組合も、これらの解雇に反対です。すると先づ第一の場合、会社は私を非能率であるといい、私は自分が経営者のいうような能率が悪いということに対して反証があると主張致します。第二の場合の事業縮少により解雇された場合、これも労働協約の規定によつて解雇されたとしても私はこれについて決められた先任リストによつて自分の順番でないと主張します。私がそういう苦情があるならば、協約に定められた苦情手続きによつて先づ一番最低の苦情処理機構から苦情を持ち出してゆくことができます。そして私は苦情処理

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手続の最高の段階即ち全國組合と会社の最高幹部とによる解決の段階にゆきます。そして全國組合も私の解雇が不当であると主張するのに、会社側がそれにも賛成しない場合にはどういうことになるでしょうか。

日本の協約の場合その点に関して組合が経営者と話合う権限しか與えられていないところではどうなりますか。正当であろうがなかろうが、経営者が解雇を強行する場合は、いかんともなし得ないのです。反対に組合の同意権をみとめている場合は、正当不当に拘らず、組合はその解雇を妨害するでしょう。もし苦情処理に関する特別規定があれば、解雇された者はその正当性を判定してもらうことができるのです。その場合どういうふうにして解決してゆくかという道がない限り日本の労使関係というものは安定しません。アメリカの場合はそれは最善の方法ではないかも知れないが、一つの解決策として仲裁制度を協約の中においてあります。

私が仲裁制度といった場合は完全に中立的な公平な第三者又はその委員会のようなものをいいます。調停や斡旋のことでもなく、委員会の長が、自己の意見をのべて、その意見に皆を従わせるというものでもありません。人事の問題で紛争をさけるただ一つの方法は仲裁のような制度を設けることであります。

このようにアメリカではそういう一人の仲裁者又は多数から成る仲裁者というものが決めら

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れてあるわけであります。然し日本の労使の方々は常に仲裁というものを理解しないで、その実効をうたがい、仲裁人を受け入れようとしない傾きがあります。しかし、日本の慣行としてもやはり仲裁制度のようなものを作つて、決定が出來ないとか、また或る片方の当事者がその決定を相手方に押しつけるということをさけるべきであります。

日本の労使が仲裁制度をもつた経験がないからこそ尚更仲裁制度を早急に始めるべきであります。

勿論このやり方が先程も申上げているように完全な制度だという訳ではないし、仲裁者といえども、誤つた判断によつて一方に有利な決定が行われる場合があると思います、がそれが現在存在する一番実際的なやり方であります。そしてこの仲裁制度というものは、丁度市民権を保護する裁判所と同じ役目をするものであつて、労働関係についてのそういう裁判的な決定を下す役割を持ちます。こういう仲裁制度というものをはつきり協約の中に書いて労使双方の間に起る経営権云々というような空虚な紛争を出來るだけ解決して頂きたいと思います。

ほしい平和條項

もう一つ私の申上げたいことは、そういう協約が出來たならば、その協約の中にも一つ平和

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條項を置いて協約の期間中は組合の方はサボタージュ、ストライキ等に訴えない。また経営者の方はその期間中はロックアウト、事業の中止をしないことを誓うという條文を入れて欲しいのであります。アメリカでは協約が全部平和條項をもつているというわけではないのですが、大体においてはもつている組合が多いのであります。念のために申上げますけれども、この平和條項というのは協約の有効期間だけであつて、若し協約の期間が切れてその上で尙労使間に協定が結ばれない場合は実力に訴えてもよい訳であります。

規定すべき具体的條項

そして今一應頭の中を白紙に戻して、その頭の中に人事権に關しての協約の規定を書きつけてゆこうと思います。

先づ第一に書くべきことは「事業に関する事項、即ち生産物の種類、生産方法、工場の配置場所と工場の大きさ、そこにどういう機械を据えるか、又事業計画、財政々策、販賣政策、これらはすべて経営者の権限に属するところである」ということをはつきりと書くことであります。これらのことはアメリカで協約の中に拡く行われていることでありまして、またこれが労働課の政策として皆様方に御奨めしている訳であります。

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第二は、人事管理の問題で、労使双方が「理由ある解雇は、この協約の他の條項に反しない限り経営者側に権利があること、又理由ある解雇の範囲は何か」などを協約の中にはつきりきめておくことです。

その次に、事業不振等の一時解雇の場合、その解雇の條項としては「若し事業不振によつて解雇が必要となつた場合は両当事者は協約に定められた規定によつて一時解雇をする」と書きそれに続けてやり方を書く訳であります。それからこれは時々落されることでありますけれども「事業が好轉して再雇傭が必要となつた場合は一時解雇した人達を再雇傭する」。という規定を書きます。その方法は一時解雇した場合のやり方の逆に行うわけであります。

そしてまた以上に述べたやり方によつて解雇された者でも不当な取扱を受けたという苦情をもつている人達は苦情処理機関に持ち出すことができるということを書いておきます。

それからもう一つの協約の中に一定の手続きに従つてきた労使の間に適当な決定が出來ない場合は、それを或る時間を置いて仲裁者の方へもつてゆくという規定をかきます。勿論協約の中に仲裁者をどうしてえらぶかをはつきり定めておくことは必要であります。仲裁者は双方が選定するのが望ましいが一定の時間内に両者の意見が一致しないときは、労働委員会のような機関にえらんでもらうこともよい。又仲裁を下すまでの時期の期限を定めることも必要です。

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或る労働者が自分が懲戒解雇又は人員整理により解雇又は不当に好まない処へ轉勤させられた場合、また困難な仕事であり乍ら、賃金の低い場合、苦情処理機関に苦情の廻されている期間中その従業員の狀態はどういうことになるでせうか。そのことについてはつきりと協約にかいておく必要があります。その場合若しそれが解雇の時はその労働　の狀態は一時停職というこになります。その解決の結果として労働者に有利な判決が下つた場合は勤続年限、賃金等はもとのまゝ復活される訳であります。また若しそれが轉勤の場合は一應苦情があつても労働者はその轉勤を受け入るべきで、最後の決定が労働者に有利になつた場合はまたもとの職場に復帰できるわけであります。

本日は人事権の問題について話しておりましたので、仲裁制度も人事権にからんで話しましたが、勿論仲裁制度が人事権についてだけ起るものではなく、協約の有効期間中におこるあらゆる紛争について設けたいものであります。又本日の話は劇的なインスピレーションを起すようなものではありませんでしたが、現実的な問題でありますので、常に大切な問題であると思います。

おわり

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昭和二十五年十一月

人事権問題はこうして解決する

——労働協約締結促進に関する ブラッテイ氏講演の全貌——

労働省労政局

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このパンフレットは、去る十月二十六日、東京丸の内のエデュケーション・センターで催された総司令部労働課とわが國労使代表の懇談会の席上プラッテイ氏によつて行われた講演の全貌である、プラッテイ氏はこの講演で労働協約締結上最大の問題点である人事問題に関し労使の見解をいかに一致させるかについて極めて具体的な方法を述べたのであつて、頗る示唆に富んでいるので、関係者の参考に供する次第である。

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人事權問題はこうして解決する

ヴァレリー・ブラッティ

今日こゝで話そうとすることは、人事權の問題であるが、法律的觀点からではなく極く現実的な面から見ての話であります。

そして人事權の問題を今の日本の労使間に存在している困難な問題としてどういうふうに解決してゆくかということについて考えて見たいと思います。

先ず最初にこの問題をそれぞれの部門に分けて考えてみたいと思います。

まず問題になるはの理由ある解雇、事業の縮少による人員整理又は事業が栄えた爲の人員増加、そして昇格、轉勤、格下、財政々策、生産政策、販賣政策、工場の配置とその設立計画、それから或る工場に於いてどれだけの人員を必要とするかなどということについての人事權の一部であります。日本において労使間に最も激しい紛争の起きるのは、この問題に関してであ

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ります。そして労使双方がこれらの問題に関連して相手方に対してどういう関係をとるべきかということを問題にするのであります。

問題となる二つの点

労使関係の点からみてこの中で特に重要なものは昇格と轉勤の問題それから解雇及び雇入の問題であります。組合が組織されていない工場においては経営者が全く独自の判断でその権利を行使することに対するたつた一つの制限は、労働組合法、労働基準法などであり、労働組合のない処ではこれらの法律の許す範囲内で経営者は解雇、昇進、轉勤等についてそれが適当であるなしに拘らず欲するまゝに自由に行うことが出来るのであります。

しかし一度労働者が組合を組織致しますと、組合としては当然なすべきこととして團体交渉をし労働協約を求めて参ります。そうすると先程の解雇などの問題に他の團体が関與することになり、ここに問題が生じてくるのであります。勿論労働組合の存在價値はその組合員が正しい取扱いを経営者から受けることを要求するところにあり、その点から組合としては当然人事の問題に関して組合の立場から一つの権限とか組合側の影響力等を要求するわけであります。極く大ざつぱに考えて、過去五年間にわれわれ労働課が観察したところによると、日本におい

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てはこの問題について二つの考方にわかれております。

先ず第一にそれらの昇進、格下、解雇、雇入等の点については経営者は全く自らの責任で行う権利をもつ考方であります。

もう一つの考方はこれらの問題のどれについても組合側の同意がなければ出來ないという考方であります。

そこでこれらの問題の労働協約の中にどういう方法で書き入れるかということについて話してみたいと思います。まづ百五十年から二百年にわたるアメリカの労働運動の経験に基いて、一般的にいうとアメリカではこれらについてどちらも完全な権限をもつていないという状態にあることをお断わりしておきます。そして日本に於いても今申し上げたような二つの考方の中間にわたる一つの解決策の見つからない限りこの問題は絶対に解決しないと思います。今それらの問題についてアメリカの労働協約がどうなつているかをお話しして、日本で解決策を見出すため参考となるような助言をしたいと思うわけであります。

先程もエーミス課長がいわれたように自分達としてはこれらの問題に関して最善の解決策を見出していると主張するのではなく、これから申上げることがこれまでに発見された、たつた一つの解決策であるということを申上げたいのでありまして、日本の労働運動に関係しておる

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方々はこの問題を自分達の観念に従つて自分達の狀況に基いてそれを採り入れて頂きたいと思います。念のために申上げますが、今日お話しすることはアメリカの狀態を簡單に說明するだけで完全無欠な說明ではなく、アメリカでもこの点について問題はありますけれども、大体において一つの落ちついた方向となつているのであります。アメリカの組合の中でそういう問題に関して組合の同意を要求したものは私の知つている範囲では一つもないので、ただ経営者がそれを組合に申出たが組合は拒絶したということは知つております。その組合がどうしてそういう権限を與えられることを拒絶したかということは後で話したいと思いますが、それには非常に現実的な問題があつたからであります。

もう一度話の本筋にもどつて、先づ第一に解雇の問題についてお話いたします。これについては二つに分けられます。一つは懲戒解雇のような理由があつての解雇で、もう一つは事業不振による人員整理の場合の解雇であります。

理由ある解雇の場合について

この「理由ある解雇」とはどういうものかというと、例を挙げると第一に職場において常に酔つ拂つている、許可なく職場をはなれる、又は賭博にふける、あるいは監督者の言うことを

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聽かない、身体の故障で仕事ができない、機械を壞す、盜みを働く等のことを犯した場合、これらは当然の正当な理由であります。それからアメリカでも協約の中に共産党員であることが解雇の理由とされていることはあり得ると思います。私としては未だかつてそういうことを協約の中に入れた事実は知りませんけれども、そういうことをしてはどうかという話が労使間で行われていることは聽いております。アメリカでは組合側は、この理由のある解雇の場合は経営者側が完全な権利を有するということについて同意を與えております。勿論、解雇の理由については労使間の協定ができております。しかしまたこれから話してゆくうちに出てくると思いますが、こういう問題に関しては勿論完全に経営者側にそういう権利があると組合側が同意するとしても、ある労働者の解雇に組合や本人が同意しない場合や、解雇された労働者が差別的取扱であると考えた場合は、経営者側が一方的に解雇することは出來ないことになつております。勿論一つの協約の條項というものは常に協約の他の條項に関連しているわけで、理由ある解雇の場合の経営者の権利も、協約の他の條項に從つて行使されなければならないのであります。

企業整備による解雇の場合

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そこで一應理由ある解雇の問題についてはこの位にして、次に事業が不振になつた場合の人員整理による解雇、又は事業が盛んになつた場合の人員の増加について話してみたいと思います。

その場合には普通アメリカでは解雇といわないで、一時解雇及び再雇用といいます。それと関連してどの工場にはどれだけの労働者を置く、また工場をどこに設立するか、何を生産するか、いかにして生産するか、販賣のマーケットを何処におくか、或いは財政政策等これらは組合の関知しない経営者の権限であり、これらの事項は苦情処理の対策とはならないと労働協約に定めてあるのが普通です——全部とはいわないが——ですから、その事業をやつてゆく上に何百人いるかまたは二、三人で済ますかということは、全て経営者が決めるのがアメリカでは普通のやり方であります。けれども若し経営者側が或る事業場に極く少数の労働者しか置かない爲、それが労働者にとつて耐えられない労働強化になる場合は、労働組合は自分達の行う労働の量と賃金について経営者と交渉することができるのであります。労働者の数が與えられた仕事をやるには不足であるときは、仕事が過重であるから変更するように要求する権利をもつております。また事業が不振になつて、経営者がどうしても人員を整理しなくてはならないという場合は、どれだけの人員を一時解雇するかということは経営者に属する権限でありま

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す。しかしそれについては労使間に一つの問題が起つてくるわけであります。勿論何名を一時解雇するかということは経営者の権限に属することでありますけれども、誰を解雇するか、いかにして一時解雇するかということは労働協約に定められた基準によつてなされるべきであります。

いろいろの形の先任権

私達が日本の労働協約を研究した結果、この一時解雇の点については日本の協約は非常に漠然とした規定しかもつておりません。それで日本でもこの問題についてどういう基準に従つて、どんな手続で一時解雇するか、また再雇傭をするかという一つの方式をはつきり定めておく必要があると思います。例えば、今此処で百人の労働者を一時解雇しなければならないという問題が起つた場合、どういうふうに誰をやるかということになつてまいります。この場合、アメリカや英國では其の仕事に対して一番長い勤続年数をもつている者が一番後に残るという制度、すなわち先任権の制度が廣く行われてをります。勿論私の方ではこれを一方的に皆さんに押しつけるつもりはなく、日本でもこのような制度が採用できるかどうかを考えていただきたいと思うのであります。このやり方も完全なものではなく、それによつて起る不正もあるのであります。

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であ りますけれども、そのやり方が今のところわれわれが考え出しただ一つのやり方であります。

この先任権の制度についてもいろいろの形があるわけであります。それについては今日は詳しく入つてゆく時間がないと思いますが、先づ第一のものは極く單純な先任権制度というものであつて、これはたゞ勤続年数だけを考慮するものであります。もう一つは先任権制度に年数の他にいろ〳〵の條件をつけ加えたものであります。この條件として入るものが能率、年令、家族の数、結婚の有無などであります。

アメリカでも勿論先任権に関する條項は協約の中にいろいろの形になつて現われているわけであります。私の読んだもののうちで初期の鉄鋼組合のもつていた協約の中においては、能率の方が主要な度合を占めておりました。然し乍ら多くの場合は條件づきの先任権のうちで、最も主要な要素となつているのは、やはり勤続年数であります。例えば二人の労働者の一人が一時解雇されなければならないということであれば、能率やその他の條件で同等である限り、長い勤続年数を持つ者がその事業に残るわけであります。日本の労使間においても解雇、採用を規制する何らかの制度を作るべきだと思うが、先任権制度を作る場合、今の狀況から見ればやはり能率、年令、家族の狀況というものを考慮に入れることがよいと思います。

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設くべき仲裁制度

米國ではこうしている―

今こゝで二つの解雇についての説明が了つたので、解雇の問題について他の協約の條項等の関係からみて、結局労使のどちらが決定的な権限をもつているかということについて話を進めてゆきます。

先づ私自身を一つの例として考えてみると、私が懲戒解雇なり、事業不振による一時解雇で辞めさせられる場合、懲戒解雇の方は経営者の一方的な権限で、一時解雇は協約の條項に従つて行われると致します。私も、組合も、これらの解雇に反対です。すると先づ第一の場合、会社は私を非能率であるといい、私は自分が経営者のいうような能率が悪いということに対して反証があると主張致します。第二の場合の事業縮少により解雇された場合、これも労働協約の規定によつて解雇されたとしても私はこれについて決められた先任リストによつて自分の順番でないと主張します。私がそういう苦情があるならば、協約に定められた苦情手続きによつて先づ一番最低の苦情処理機構から苦情を持ち出してゆくことができます。そして私は苦情処理

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手続の最高の段階即ち全國組合と会社の最高幹部とによる解決の段階にゆきます。そして全國組合も私の解雇が不当であると主張するのに、会社側がそれにも賛成しない場合にはどういうことになるでしょうか。

日本の協約の場合その点に関して組合が経営者と話合う権限しか與えられていないところではどうなりますか。正当であろうがなかろうが、経営者が解雇を強行する場合は、いかんともなし得ないのです。反対に組合の同意権をみとめている場合は、正当不当に拘らず、組合はその解雇を妨害するでしょう。もし苦情処理に関する特別規定があれば、解雇された者はその正当性を判定してもらうことができるのです。その場合どういうふうにして解決してゆくかという道がない限り日本の労使関係というものは安定しません。アメリカの場合はそれは最善の方法ではないかも知れないが、一つの解決策として仲裁制度を協約の中においてあります。

私が仲裁制度といつた場合は完全に中立的な公平な第三者又はその委員会のようなものをいいます。調停や斡旋のことでもなく、委員会の長が、自己の意見をのべて、その意見に皆を従わせるというものでもありません。人事の問題で紛争をさけるただ一つの方法は仲裁のような制度を設けることであります。

このようにアメリカではそういう一人の仲裁者又は多数から成る仲裁者というものが決めら

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れてあるわけであります。然し日本の労使の方々は常に仲裁というものを理解しないで、その実効をうたがい、仲裁人を受け入れようとしない傾きがあります。しかし、日本の慣行としてもやはり仲裁制度のようなものを作つて、決定が出來ないとか、また或る片方の當事者がその決定を相手方に押しつけるということをさけるべきであります。

日本の労使が仲裁制度をもつた経験がないからこそ尚更仲裁制度を早急に始めるべきであります。

勿論このやり方が先程も申上げているように完全な制度だという訳ではないし、仲裁者といえども誤つた判断によつて一方に有利な決定が行われる場合があると思います、がそれが現在存在する一番実際的なやり方であります。そしてこの仲裁制度というものは、丁度市民権を保護する裁判所と同じ役目をするものであつて、労働関係についてのそういう裁判的な決定を下す役割を持ちます。こういう仲裁制度というものをはつきり協約の中に書いて労使双方の間に起る経営権云々というような空虚な紛争を出來るだけ解決して頂きたいと思います。

ほしい平和條項

もう一つ私の申上げたいことは、そういう協約が出來たならば、その協約の中にも一つ平和

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條項を置いて協約の期間中は組合の方はサボタージュ、ストライキ等に訴えない。また経営者の方はその期間中はロックアウト、事業の中止をしないことを誓うという條文を入れて欲しいのであります。アメリカでは協約が全部平和條項をもつているというわけではないのですが、大体において協約をもつている組合が多いのであります。念のために申上げますけれども、この平和條項というのは協約の有効期間だけであつて、若し協約の期間が切れてその上で尚労使間に協定が結ばれない場合は実力に訴えてもよい訳であります。

規定すべき具体的條項

そして今一應頭の中を白紙に戻して、その頭の中に人事権に關しての協約の規定を書きつけてゆこうと思います。

先づ第一に書くべきことは「事業に関する事項、即ち生産物の種類、生産方法、工場の配置場所と工場の大きさ、そこにどういう機械を据えるか、又事業計画、財政々策、販賣政策、これらはすべて経営者の権限に属するところである」ということをはつきりと書くことでありまして、またこれが労働課の政策として皆様方に御奨めしている訳であります。

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第二は、人事管理の問題で、労使双方が「理由ある解雇は、この協約の他の條項に反しない限り経営者側に権利があること、又理由ある解雇の範囲は何か」などを協約の中にはつきりきめておくことです。

その次に、事業不振等の一時解雇の場合、その解雇の條項としては「若し事業不振によつて解雇が必要となつた場合は両当事者は協約に定められた規定によつて一時解雇をする」と書きそれに続けてやり方を書く訳であります。それからこれは時々落されることでありますけれども「事業が好轉して再雇傭が必要となつた場合は一時解雇した人達を再雇傭する」。という規定を書きます。その方法は一時解雇した場合のやり方の逆に行うわけであります。

そしてまた以上に述べたやり方によつて解雇された者でも不当な取扱を受けたという苦情をもつている人達は苦情処理機関に持ち出すことができるということを書いておきます。

それからもう一つの協約の中に一定の手続きに従つてきた労使の間に適当な決定が出來ない場合は、それを或る時間を置いて仲裁者の方へもつてゆくという規定をかきます。勿論協約の中に仲裁者をどうしてえらぶかをはつきり定めておくことは必要であります。仲裁者は双方が選定するのが望ましいが一定の時間内に両者の意見が一致しないときは、労働委員会のような機関にえらんでもらうこともよい。又仲裁を下すまでの時期の期限を定めることも必要です。

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或る労働者が自分が懲戒解雇又は人員整理により解雇又は不当に好まない処へ轉勤させられた場合、また困難な仕事であり乍ら、賃金の低い場合、苦情処理機関に苦情の廻されている期間中その従業員の狀態はどういうことになるでせうか。そのことについてはつきりと協約にかいておく必要があります。その場合若しそれが解雇の時はその労働　の狀態は一時停職ということになります。その解決の結果として労働者に有利な判決が下つた場合は勤続年限、賃金等はもとのまゝ復活される訳であります。また若しそれが轉勤の場合は一應苦情があつても労働者はその轉勤を受け入るべきで、最後の決定が労働者に有利になつた場合はまたもとの職場に復帰できるわけであります。

本日は人事権の問題について話しておりましたので、仲裁制度も人事権にからんで話しましたが、勿論仲裁制度が人事権についてだけ起るものではなく、協約の有効期間中におこるあらゆる紛争について設けたいものであります。又本日の話は劇的なインスピレーションを起すようなものではありませんでしたが、現実的な問題でありますので、常に大切な問題であると思います。

おわり

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CHUGOKU
INFORMATION
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Labor

L-110

Periodical Publications in Each Prefecture.

Labor Policy Bureau.

Notes: **In the column of "Name of Publication" or "Compiled by";**

LPO: Labor Policy Office (local)

LPS: Labor Policy Section (prefectural)

PLRC: Prefectural Labor Relations Commission

In the column of 'Frequency';

M: Monthly

F: Fortnightly

W: Weekly

10: Every 10 days (3 times a month)

Q: Quarterly (every 3 months)

In the column of 'Sent to';

L: Labor

M: Management

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DECLASSIFIED E.O. 12065 SECTION 3-402/NNDS NO.

Name of Publication	Compiled by	Frequency	Purpose	Sent to	Copies
Hokkaido					
Labor Policy Report	Asahi-kawa LPO	10	Material for education	Union	250
Labor Report	Kitami LPO	M	Education of workers and employers.	L.M.	1,000
Tokachi Labor	Obihiro LPO	F	Promotion of management-labor cooperation	L.M.	1,000
Labor Review	Hokkaido LPS	M	Development of democratic unions	L.M.	5,000
Ishikari Labor Policy	Sapporo LPO	F			
Prefectural administration Information	Hokkaido Administrative Research Unit				
Monthly Labor Education	Hokkaido LPS	M			
Labor Policy Report	Nayoro LPO	M	Promotion of union's educational activities	Union	250
Aomori					
Ro-en	Goshogahara LPO	M	Dissemination of labor education	L.M.	100
Aomori Ro-yu	Aomori LPS & PLRC	M	Direction of labor union development	L.M.	1,500

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Aomori Labor Standards	Aomori Labor Standards Law Dissemination Association	F			
Shinro (Our Way)	Kita-Tsugaru-gun Labor Education Committee				
Iwate					
Iwate Labor	Iwate Pref. Labor Problems Research Institute	F	Publicity & enlightenment concerning labor affairs.	L.M.	1,000
PLRC Prompt Report.	PLRC	10			
Iwate Labor Weekly					
Labor Policy Report.	Morioka LPO	M	Enlightenment and publicity of labor movement.	Union	2,000
South Prefecture Labor Report	Ichinoseki LPO	M	Promotion of labor education	L.M.	200
Labor Policy Report.	Ninohe LPO				
Sakari Labor Policy Report.	Sakari LPO				
Miyagi					
Rodo Miyagi	Miyagi LPS	M	Information & comments of Labor affairs	L.M.	1,350
Miyagi Labor Review.	"	M			

Labor Affairs in Miyagi	Miyagi LPS				
Monthly Labor Policy.	"	M		Union	1,000
Haguruma (gear) (Wall-paper)	Ogawara LPO	M	Labor-management cooperation	L.M.	40
Prefectural Labor Bulletin	Kesennuma LPO	10			
Akita					
Akita Rodo	Labor Affairs Institute	M	Promotion of independent labor movement.	L.M.	1,000
Yokote Monthly Labor	Yokote LPO	M	Enlightenment of labor movement.	Union	1,000
Monthly Labor Education	Akita LPS	M	Reference for labor education activities.	Labor Policy personnel	20
Akita Labor News	Akita LPO	M	Promotion of sound labor agreement.	L.M.	300
Yamagata					
Yamagata Labor Report	Yamagata LPS	M	Explanation of labor affairs & presentation of material.	L.M.	2,000
Labor Policy Report.	Sakata LPO	F	Dissemination of labor affairs.	Union	
Labor Education News.	Shinjo LPO	M	Material for labor education	Union	100
Yamagata Labor Policy.	Yamagata LPO	M	Explanation of labor affairs, presentation of material and dissemination of policy.	L.M.	1,000

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Yamagata Labor Affairs	Yamagata LPS	10			
Okitama Labor News	Yonezawa LPO	M	Dissemination of labor education	L.M.	1,000
Shinjo Monthly Labor Policy	Shinjo LPO		Concise explanation of labor affairs	L.M.	1.000
Shinjo Labor	"	M			
Shonai Labor	Sakata LPO	M	Dissemination of press comment & labor affairs within the jurisdictional area	L.M.	900
Fukushima					
Sukagawa Labor Policy Report	Sukagawa LPO	M	Promotion of Labor Education	Union	50
Labor Policy News	"	M			
Gunro Tembo (Koriyama Labor Review)	Koriyama LPO	M	Dissemination of Labor Policy	L.M.	100
Labor Policy News	Kitakata LPO	M		Union	
Labor Review	Fukushima LPS	M			
Ibaragi					
Labor Policy Weekly	Ibaragi LPS	W	Information of labor affairs & education of Labor Policy Personnel	L.M. & Labor Policy personnel	40
Ibaragi Labor Review	PLRC	M	Publicity of labor affairs	L.M.	1.500
Tsuchiura LPO Report	Tsuchiura LPO	M	Dissemination of Labor Policy	L.M.	120

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Ryugasaki LPO Report	Ryugasaki LPO	M	Promotion of Labor Education	Union	30
Hitachi Labor Policy Report	Hitachi LPO	M	Enlightenment of labor and management	L.M.	200
Monthly Labor	Shimodate LPO	M	Promotion of Labor Education	L.M.	150
Tochigi					
Tochigi Labor Review	Tochigi LPS PIRC	M	Information of labor affairs	Union	2,000
Gunma					
Monthly Labor Policy	Annaka LPO	M	Labor education	L.M.	60
Kiryu District Labor Affairs	Kiryu LPO	F	Labor education	L.M.	300
Nakanojo Union Report	Nakanojo LPO	F			
Labor Report.	Takasaki LPO	F	Right direction of labor movement	L.M.	3,000
Labor Policy Bureau	Tatebayashi LPO	F			
F.L.N. (Fujioka Labor News)	Fujioka LPO	F	Enlightenment of labor movement	L.M.	150
Genjo (Present Situation)	Maebashi LPO	F	Information of labor affairs	L.M.	300
Labor Review	Isezaki LPO	F	Promotion of labor education	Union	188
Labor Report	Kiryu LPO	F			

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Labor Policy Report	Maebashi LPO	F	Information of labor affairs and education of labor and management	L.M.	300
Rodo Gunma	Gunma LPS	M		L.M.	2,500
Labor Policy News	"	M	Sound labor movement	L.M.	1,500
Tokyo					
Rokumi-no tomo (Friend of labor union)	Tokyo Labor Bureau	F			
Labor Bureau News	"	W			
Labor Education	Tokyo LPS	M	Education of labor policy personnel	Labor Policy personnel	120
Adachi Labor Policy News	Adachi LPO	M	Dissemination of labor education & publicity of labor affairs	L.M.	600
Kanagawa					1,500
Rodo Kanagawa	Kanagawa LPS	M	Promotion of labor education		
Atsugi Labor Times	Atsugi LPO	M	Explanation of labor problems	L.M.	100
Labor Policy	Kanagawa LPS				
Saitama					4,000
Rodo Saitama	Saitama LPS	M	Enlightenment of labor affairs	L.M.	
Labor Club	"	Q			

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Chiba					
Chiba Labor Policy News	Chiba LPS	Q	Enlightenment and education	L.M.	1,000
Chiba Labor Report	PLRC	Q	Comment on PLRC activities	L.M.	2,000
Choshi at Work	Choshi LFO	Q	Education of labor and management	L.M.	500
Niigata					
Niigata Labor Policy News	Ryotsu LFO		Sound labor movement	L.M.	200
Niigata Labor Affairs	Niigata LPS	M	Effective operation of labor policy	L.M.	2,000
Niigata PLRC Report	PLRC	M			
Toyama					
Uozu Labor Policy	Uozu LFO				
Monthly Labor	Toyama LPS				
Toyama Labor Report	PLRC				
Ishikawa					
Ishikawa Labor Affairs					
Ishikawa Labor Report	Ishikawa LPS	M	Development of democratic labor union	Union	1,200
Monthly Labor Affairs	"	M	Publicity of labor affairs	Agencies concerned	50

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Fukui					
Fukui Rodo	Fukui LPS	10			
Yamanashi					
Yamanashi Rodo	Yamanashi LPS	M	Information of Labor affairs	Union	800
Kumiai Orai (Union Information)	Kofu LPO	M	Accurate news and information	Union	300
Nagano					
Labor Review	PIRC	M			
Labor Digest	Nagano LPS	M			
Gifu					
Gifu Labor Review	Gifu LPS	M	Material of labor affairs	L.M.	1,000
Gifu Labor Affairs	"	M			
Labor Policy Section Information	"	M			
Shizuoka					
Monthly Labor	Shizuoka LPS	M	Publicity of labor affairs and presentation of information		
Aichi					
Okazaki LPO Report	Okazaki LPO	M	Promotion of labor education	Union	70
Labor Policy Report	Koromo LPO	M	Promotion of labor unions	L.M.	50

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Toyohashi Labor Report	Toyohashi LPO	M	Coordination between LPO & Unions	Union	
Tsushima LPO Report	Tsushima LPO	M	Presentation of material of labor affairs	Union	70
Aichi PLRC Monthly Bulletin	PLRC	M			
Nishimaki LPO Report	Nishimaki LPO	M			
Mie					
Mie Labor News	Mie LPS	M	Comment of labor affairs and labor statistics	L.M.	1,000
Shiga					
Labor Report	Shiga LPS	W			
Shiga PLRC Report	PLRC				
R&K. News	Labor Affairs Research Association				
Shiga Rodo	Shiga LPS	M	Promotion of labor education	L.M.	700
Kyoto					
Kyoto Labor News	Kyoto LPS	F	Comment of labor laws, publicity of labor affairs and other information concerning labor	L.M.	10,000
Labor Policy Monthly Report	Minoyama LPO	M	Coordination between LPO and Unions	Union	1,000

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Osaka					
Osaka Labor Review	Osaka LPS	W	Information of labor arrairs	Union	500
Monthly Labor	"	M	Dissemination of labor affairs and development of democratic union	L.M.	3,000
Hyogo					
Hyogo Labor Review	Labor Statistics Institute (Prefectural Established)	M	Promotion of sound labor movement	L.M.	3,000
Kakogawa Labor Information	Kakogawa LPO	M	Development of sound labor movement	L.M.	500
Nara					
Nara Labor Review	Nara LPS	M	Explanation of labor affairs and introduction of other materials	Union	1,500
Wall-papers	"				
Wakayama					
Wakayama Labor Review	Wakayama LPS	M	Presentation of labor affairs & materials, and enlightenment of labor movement	L.M.	2,000
Tottori					
Labor Review	Tottori LPS	M			
Rodo Tottori	"	M	Information of labor affairs & promotion of good labor-management relationship	L.M.	2,000

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Shimane					
Shimane LPS Information	Shimane LPS	F	Presentation of Labor affairs	Agencies concerned	20
Shimane Labor Review	Shimane LPS	F	Development of sound unions	L.M.	2,000
Outlook of Labor Policy	"	M			
Ro-sei (Voice of Labor)	Izumo LPO	M	Labor education and Dissemination of labor affairs	Union	100
Ro-to (Tower of Labor)	Hamada LPO	F		Union	100
Matsue LPO Information	Matsue LPO	F	Coordination between union in the jurisdictional area	Union	
Okayama					
Okayama Rodo	Okayama LPS	M			
Hiroshima					
Labor Education Series	Hiroshima LPS	M	Development of unions	L.M.	1,000
Mihara Labor News	Mihara Labor News Editorial Office	F	Dissemination of labor policy and labor education	L.M.	400
Rodo Hiroshima	Hiroshima LPS	M	Promotion of sound unions	L.M.	1,500
Labor Study Information	Hiroshima Labor Affairs Institute	M	Introduction of study of labor problems	L.M.	300
Labor Policy Report	Takehara LPO	M			
Labor weekly	Hiroshima LPS	W			

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Yamaguchi					
Outlook of Labor Affairs	PLRC	M	Reference for business of personnel concerned with labor and enlightenment of labor movement	Union	100
Labor Policy	Shimonoseki LPO				
LPS Information	Yamaguchi LPS				
Yamaguchi Labor Review	PLRC	M	Sound labor movement and comment on PLRC activities	L.M.	2,500
Tokushima					
Union	Tokushima LPO	M	Information of labor affairs	Union	200
Koshi					
Koshi PLRC Report	PLRC	M	Promotion of educational unit's activities of union	Union	1,000
Koryo Labor Review	Suzuki LPO	M	Promotion of union's educational activities	L.M.	1,000
Handbook for Union Leaders	Nakamura LPO	F	Material for education of union leaders	Union	50
Aki Rodo	Aki LPO	M	Promotion of sound labor unions	Union	80
K.L.A Suzuki Union Federation Report	Suzuki LPO				
Nakamura Labor Policy News	Nakamura LPO				

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Kochi Labor Policy Report.	Kochi LPO		Promotion of unions educational activities	Union	300
Labor Education News		M			
Suzaki LPO News	Suzaki LPO		Information of labor affairs		
Kagawa					
Kagawa labor Review	Kagawa LPS	M	Information of labor affairs & education of labor and management	L.M.	3,000
Kagawa labor prompt report	Kagawa LPS		Information of labor affairs & education of labor and management	L.M.	
Labor in Kagawa	Kagawa LPS	M	Dissemination of labor education	Union	1,000
				L.M.	400
Mitoyo Labor Information	Mitoyo Labor Institute	M			
Ehime					
Ehime Labor Monthly	Ehime LPS	M	Education and enlightenment concerning labor	L.M.	2,000
Ehime Labor Review	"				
Fukuoka					
Fukuoka Labor Review	Fukuoka LPS	M	Publicity and enlightenment	L.M.	2,000
Omuda Labor Policy News	Omuda LPO	M	Promotion of sound unions	L.M.	150

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Labor in Kurume	Kurume LPO	M	Promotion of worker's knowledge	Union	200
Sei-ko (blue rainbow)	Yahata LPO	M			
Saga					
Saga Labor Review	Saga LPS	F	Sound labor unions	L.M.	3,000
Nagasaki					
Nagasaki Labor News	Nagasaki LPS	F	Information of labor affairs in Pref. and introduction of other material	Union	1,000
Kumamoto					
Amakusa Labor News	Amakusa LPO	M	Information of labor affairs	Union	50
Labor	Kumamoto LPS	M			
Labor in Kumamoto	Kumamoto LPS	M			
Oita					
Oita Labor Review	Oita LPS	M	Sound unions	Union	100
Oita Labor Affairs	"	F	Information of labor affairs	Agencies concerned	30
Nakatsu Labor Review	Nakatsu LPO	10	Comment and information of labor affairs	L.M.	100
Labor	Oita LPS	F			
Miyazaki					
Monthly Labor	Miyazaki LPS	M	Dissemination of labor education	L.M.	1,500

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Kagoshima					
Kagoshima Labor Report	Kagoshima LPS	10	Actual situation of labor relations	Labor Policy personnel	60
Kagoshima Labor Review	"	M	Dissemination of labor policy	Union	1,000
Kaseda Labor Police News	Kaseda LPO	M	Promotion of labor education and introduction of other materials	Union	60

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Labor/HRK

L-14-G-1
Chugoku

CHUGOKU
DEC 19 1950

INFORMATION:

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O.D._____ 7 Dec 1950

L-110

MEMO FOR: Chief, Labor Relations and Education Branch

SUBJECT: Field Trip Report - Nagoya, Wakayama, Okayama and Saga. 19-30 November 1950

1. Educational conferences with the labor education directors of the unions were held in the cities of Nagoya, Wakayama, Okayama and Saga for their respective areas of Tokai-Hokuriku, Kinki, Chugoku-Shikoku and Kyushu. Attendance ranged from 132 in Okayama to 220 in Nagoya, with a total of 620 (plus) for the four conferences. Labor Policy Section officials showed considerable interest in the conference though it was intended primarily for the union education directors. They appreciated this opportunity to learn more about the educational program intended for the rank and file, and to acquire the demonstrated techniques of using the educational materials.

2. In discussions and demonstrations on the subject of conducting a union meeting there is still undue emphasis on the chairman's functions as an "operator" and on the expediting of the committee reports and completion of unfinished business. Discussions on these matters are democratically opened to the members. But the subject of new business and "good and welfare" items are inadequately dealt with. There is no help given the rank and file members in how they can introduce and deal with new items of business. This officer and the Labor Ministry representatives have regularly made supplementary remarks on this. Action is being taken to supplement the earlier education materials got out by the Labor Ministry on this point. The new educational materials being received by the LPS and the unions stresses this matter.

3. Preference is regularly voiced by the Labor Policy Section officials for more film strips and kamishibai. The reason given is that these are adaptable to a greater variety of circumstances and the projector problem and its manipulation has been simpler for these. It is obvious from their aversion to the records and turnover tables that they have not acquired the technique of using them and the difficulty of getting a projector plus the better hall needed has dampened their enthusiasm for the movies except for mass meetings. Movie projectors will become more of a bottleneck as the number of films available increase. Everywhere, help is requested of the Labor Ministry in satisfying this need. This branch is co-operating with the branches of CI&E also concerned in this matter to solve this problem.

4. In the more progressive communities like Aichi and Okayama, considerable interest is taken in reproducing the samples of materials sent by the Labor Ministry some of the turnover tables and especially the pamphlets. But in the remote prefectures like Wakayama and Saga, little or no materials are reproduced except odd pamphlets and leaflets.

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Contacts now being made with LPS officials are intended, in part, to stimulate reproduction of such materials.

5. The Labor Ministry Weekly is still regarded as too stiff and unapproachable by the simple folk as in Saga. Two areas requested that instead of ignoring complex issues until long after they are current and then giving them analytical treatment in the Labor Education Monthly, that the matter be treated in a general way in the Labor Weekly while they are current. Preference was indicated in three of the four regions for the type of labor hour radio programs used in the recent Gompers series. This was put on in the form of simple narration. Objection was made to the drama style on the ground that the listeners seldom know what the dramatists were driving at. The attention of the producers of this program are called to these criticisms.

6. More educational materials were requested on labor agreement clauses and techniques of negotiation. Seniority principle and practices is a theme frequently suggested for educational materials. Much work has been done on educational materials on these subjects, especially in the form of turn over tables, press releases amd phonograph records.

7. In commenting on general impressions obtained of summer labor schools, the prefectures voiced were for more lectures on labor laws, collective bargaining and wage principles and arbitration principles and proceedings. Suggestions were frequently made that a winter labor school would be much appreciated and better attended. Everywhere, there was a demand for an extension of the school and for the practical subjects such as collective agreements, labor law, and arbitration for lecture themes.

8. While the conferences must be regarded as successful in that they presented much appreciated and useful material, there is room for considerable improvement. There was a tendency to miss these opportunities to publicize or make known the educational materials. At Okayama and Wakayama the labor policy section officials did not see this opportunity at all for their kits as a whole. Moreover, too much time was taken up in one long lecture after another until the attendants were worn out. Three 45-minute lectures followed by guided discussion would be better appreciated. There should be at least one demonstration at each conference on the model fashion of making use of the educational material in educational programs. This matter has been discussed with the Labor Education Section of the Labor Ministry.

C. G. Robertson

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L-14-G-2
GHUGOKU
DEC 18 1950
INFORMATION:
O.D. 8

Labor

Economic and Scientific Section
Labor Division

1 December 1950

L-110

LABOR EDUCATION MATERIALS PREPARED FOR DISTRIBUTION TO PREFECTURES IN CONJUNCTION WITH THE LABOR MINISTRY'S EDUCATION PROGRAM

Turnover Tables:

Subject	Type	Number
Collective Bargaining	Colored	320
	Black and White	700
Union Finances	Black and White	1,000
How to Hold a Union Meeting	Black and White	1,000
Trade Union Law	Black and White	1,000
Labor Relations Adjustment Law	Black and White	1,000
Grievance Procedure	Black and White	1,000
Provisions of Labor Agreement	Black and White	1,000
Nomination and Election	Black and White	1,000
Organizational Chart of Japanese National Unions	Black and White	300
In Preparation		
Local Union and National Union	Black and White	1,000
Provisions of Union Constitutions	Black and White	1,000
Duties of a Shop Steward	Black and White	1,000
Contract Negotiation Procedures	Black and White	1,000
Prepared by CIE		
Animal Farm (satire on Communists)	Colored	2,000
Repatriates from Siberia (satire on labor bosses)	Black and White	2,000

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Recordings:

Subject	Type	Number
Development of Labor in Japan by Hepler	(Set of One)	500
Authority of Rank and File (Side 1) Purpose of Labor Union (Side 2)	(Set of One)	500
Nomination and Election of Union Officials	(Set of Three)	500
Political Activities of Labor Union	(Set of One)	1,000
How to Hold a Union Meeting	(Set of Four)	500
Union Finances	(Set of One)	500
Contract Renewal Clauses	(Set of One)	500
In Preparation		
Seniority	(Set of One)	500
Promotion, Transfer and Discharge	(Set of One)	500

Movies:

Subject	Distributor	No. of Reels Available
Grievance Procedure	Economic Stabilization Board	5
	Labor Ministry	3
	Prefectural Labor Bureau	20
	CIE Prefectural Libraries	105
How to Conduct a Meeting	CIE Prefectural Libraries	105
Parliamentary Procedure	CIE Prefectural Libraries	105
Labor Standards Law	Labor Ministry	1
	CIE Prefectural Libraries	92
Labor Movement in Japan #1 (Development of Labor - 1948)	Labor Ministry	10
Labor Movement in Japan #2 (Development of Labor - 1949)	Labor Ministry	10

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Movies (continued):

Subject	Distributor	No. of Reprints Available
Child Labor	Labor Ministry	1
	CIE Prefectural Libraries	92
In Preparation		
Union Activities - Local and National Unions	Labor Ministry	10
	CIE Prefectural Libraries	92
	Prefectural Labor Bureau	46
Discrimination Against Women	Labor Ministry	2
	CIE Prefectural Libraries	92
Nomination and Election	Labor Ministry	3
	CIE Prefectural Libraries	92
Labor Movement in Japan #3 (Development of Labor - 1950)	Labor Ministry	10

Prepared by Labor Unions

Subject	Union
National Convention	Nat'l Gov't Railway Workers Union
The Electric Workers	Electric Power Industry Workers Union
The Girl Workers	Nat'l Textile Workers Union
The Seamen's Union	All Japan Seamen's Workers Union
Progress of Japan Teachers Union #1	All Japan Teachers Union
The National Union Convention at Nara	Nat'l Gov't Railway Workers Union
The National Union Convention at Kanazawa	Nat'l Gov't Railway Workers Union
Progress of Japan Teachers Union #2	All Japan Teachers Union
"The Whistle Doesn't Stop" (Development of the Nat'l Gov't Railway Workers Union)	Nat'l Gov't Railway Workers Union
Living at Sea	All Japan Seamen's Union

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Movies (continued):

Subject	Union
National Convention at Kotohira	Nat'l Gov't Railway Workers Union
Struggling Tobu Union	Tobu Private Railway Workers Union

Film Strips:

Subject	No. in Set	No. of Reprints Available
History of Labor in Japan	2	350
Financial Activities of the Union	1	350
Trade Union Law	1	350
Welfare Activities of the Union	1	350
Trade Union Activities	1	350
New Trade Union Movement	1	350
Operation and Constitution of a Local Union	1	350
The Way to Settle Grievances	1	350
Federation of Trade Unions	1	350
How to Conduct a Meeting	1	350
Political Activities of a Trade Union	1	350
Educational Activities of a Trade Union	1	350
In Preparation		
Collective Bargaining	1	350
Provisions of a Labor Agreement	1	350
National and Local Union Activities	1	350
Labor Relations Adjustment Law	1	350
Seniority	1	350
Provisions of a Union Constitution	1	350.

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Pamphlets:

Edited by Labor Education Section - Published by Central Labor College, Tokyo.

Lectures on Labor Problems by ESS/LAB #1

Lectures on Labor Problems by ESS/LAB #2

Arbitration of Grievances

Labor Education Activities

History of Labor Movement in the United States and Great Britain

Collective Bargaining Provisions in the U. S. - Discipline, Discharge and Retirement

" " " " " " - Strikes and Lockouts

" " " " " " - Wage Adjustment Plans

" " " " " " - Retirement Allowance Systems

" " " " " " - Union Security Clauses

" " " " " " - Union and Managerial Rights

American Labor and Economy as seen by Europeans

The Organization and Structure of Trade Unions

History of Workers' Education in Great Britain

Collective Bargaining Provisions in the U. S. - Grievance Procedures

History of Labor-Management Relations and Employers' Attitude in U. S.

Practices of Labor-Management Production Committees in Canada

Collective Bargaining Provisions in the U. S. - Promotion, Transfer and Assignment

" " " " " " - Seniority Provisions

Edited by Labor Ministry - Published by the Japan Labor Administration Association

How to Manage a Labor Library

How to Use Kamishibai

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Pamphlets (continued):

Explanation of the Revised Trade Union Law and Labor Adjustment Law

How to Publish the Labor Union Newspaper

Trade Union for Workers - Union Members' Rights and Duties

Trade Union Executive Board Policy Making

Information Activities of Trade Unions

Booklets:

Title	Publisher
Democratic Union Practices and Union Constitutions in the U. S.	Labor Administration Research Assoc.
AFofL and CIO Constitutions	" " " "
Collective Bargaining and Labor Contracts	" " " "
Sample Union Contracts in the U. S.	" " " "
Labor Union Democratic Struggle	" " " "
Labor Education Primer	International Book Publishing Co.
How to Organize a Union	" " " "
Labor Movement History Manual	Central Labor College
Labor Union Structure and Operation	" " "

Leaflets:

Far East Command's 16 Principles

Economic Rehabilitation and Trade Unions

Union Constitution

Functions of the Production Committee

Trade Union Law and Labor Relations Adjustment Law

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 770318

Leaflets (continued):

Your Trade Union - Its Purposes

Settling Grievances in the Shop

Wall Newspapers:

Enforcement of Labor Standards Law

Safety week

Labor Education week

Labor Contracts

Election of Union Officials

Committees in the Trade Union

Democratic Labor Union and Union Constitution

Labor Agreement

Labor and Management Relations

Democratization of Labor Unions

Production, Rehabilitation and Labor Unions

Labor Agreement

Union Constitution

Function of Labor Union Committees

Secret Ballot Elections

Union Officials

Grievance Procedures

National Union and Local Union

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Books:

Title	Author	Publisher
Problems of workers' Education	K. Fubiyashi	Labor Culture Co.
Management and Labor	C. Kaneko	Kogakusha Co.
Explanation of Revised Trade Union Law		Central Labor School
Introduction to Labor Union	S. Nabeyama	Kinro Gihosha
Labor Terminology Dictionary	Y. Ishiwara	Nippon Rodo Co.
International Labor Organization of ICFTU	E. Kato	All Japan Federation of Labor Unions
Present Labor Movement in Japan		Labor Administration Research Assoc.
32nd ILO Convention - Japan Representative's Report	Labor Ministry	Japan Communications Co.
Explanation of the Planned Public Utilities Labor Relations Law	S. Kaku	Juichi Kumi Publishing Co.
Recent Foreign Labor Situation	Labor Ministry	
Explanation Revised Trade Union Law	Labor Ministry	Labor Industry Survey Office
Revised Labor Relations Law and Regulations - Edited by Labor Law Section, Labor Policy Bureau		Labor Administration Research Assoc.
Japan's Labor Union Movement	K. Fujibayashi	Labor Administration Research Assoc.
Recent Labor Agreements Based on a New Trade Union Law	S. Keiti	Social Movement Correspondence Co.
International Confederation of Free Trade Unions		Kokutetsu Labor Union Education Dept.
Labor Annual		Central Labor College
Workers' Education	K. Chiba	Kawaidi Shobo
Collective Bargaining Procedures by Chamberlain		Central Labor College

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GHQ, SCAP
CIVIL INFORMATION AND EDUCATION SECTION

1 November 1950

INTRASECTION MEMORANDUM

L-110

FROM: Economic Affairs Information Officer

THRU: OIC, Policy and Programs Branch

TO: ALL Branches

SUBJECT: Labor Management Themes - December

1. Encourage industries supplying goods and services to Korea to abide strictly by the Labor Standards Act. (The Labor Ministry reports that some employers engaged in meeting special demands for good and services resulting from the Korean war have been lax in observing the Labor Standards Law, claiming that the war emergency and the necessity of increasing productivity relieved them of responsibility in conforming to the labor laws. This contention, the Labor Ministry points out, is unfounded. Firms who supply goods and services for Korea are required to maintain fair labor standards just as are all other industrial concerns. Observance of the Labor Standards Laws, it was further pointed out, is not detrimental to productive efficiency, but on the other hand, fair labor practices can greatly increase productivity).

2. Encourage employers and workers to cooperate with Public Employment Security Offices in eliminating the boss system. (The Labor Ministry reports that despite several years of effort to eliminate the labor boss system, unfair practices in recruiting and exploiting workers still exists. Many labor bosses, representing themselves as employing workers directly, attempt to circumvent the law and obtain illicit profits by acting as go-betweens with employers and laborers. Recently, slave trade practices and illegal collection of fees for the placement of workers have been reported to the Ministry. The Labor Ministry points out that the labor boss system is foudalistic in concept and unsound in principle and should be eliminated).

3. Emphasize that a properly written labor agreement binds labor and management to maintain peaceful relations during the life of the contract and that disputes which arise should be settled peacefully through grievance machinery. The following points should be made:

a. Labor agreements are effective in stabilizing industrial relations and are therefore a protection to labor, management, and the general public.

b. There should be little reason for collective bargaining or for dispute if the original agreement is properly written.

c. Agreements should contain detailed provisions on wages and working conditions, and state in concrete terms the responsibilities of both employers and workers. Employers and workers in other countries have long realized this fact. It is a weakness of the Japanese labor movement that the members of the unions do not have the tradition of expressing their desires in factual terms. This difficulty must be overcome if the union members are to be a part of a free labor movement.

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CHUGOKU

INFORMATION; O.D. 8

L-14-G-1
3 AUG 1950

L-110

GENERAL HEADQUARTERS
Economic and Scientific Section
Labor Division

EHG/af
1 Aug 1950

MEMO TO: Chief, Labor Relations and Education Branch

SUBJECT: Labor Education Activities

1. Labor Ministry Education Program

a. The themes, instructions, reference material and visual aids of the Labor Ministry Education Program for the periods of April, May, June, and July, August, September, were distributed to the prefectural labor offices. Emphasis is placed upon contacting the rank and file members of the unions with a target of 500,000 union members to be reached every month in the 46 prefectures of Japan. Labor Ministry people, prefectural labor office representatives and trade union leaders as well as union education directors, are being utilized to the fullest advantage in carrying out the program. Attached are instructions and themes of the Labor Ministry Education Program for these periods distributed to each prefectural Labor Policy Bureau (Incls 1 and 2).

b. The following detailed themes have been selected:

(1) April - The need and purpose of a national union, the structure and organization of a national union, the affiliation of national unions into a federation, and the international organization of unions from countries combating Communist groups.

(2) May - Labor-management relations, including the use of grievance procedures, production suggestion systems and the use and advantages of the seniority system.

(3) June - Welfare and mutual aid activities of unions, including mutual aid activities, cultural activities, educational activities and consumer cooperatives.

(4) July - August - Collective Bargaining Procedures and Provisions of Labor Agreements.

(5) September - Stabilization of labor-management relations through the use of labor agreements. The organization and function of grievance machinery and the use of peace clauses such as no-strike, no walk-out.

c. The following suggested methods are listed in the instructions:

(1) Labor Education Advisory Committees.

(2) Union Education Programs.

(3) Coordination with various other Governmental agencies (Women's and Minor's Bureau; Education Ministry Bureaus, etc.)

(4) Use of the daily press either through editorials or regular news articles.

(5) National radio hook-ups and local radio station programs featuring labor themes.

(6) Use of public libraries and CI&E libraries (including CI&E film library).

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(7) Use of bulletin boards in government offices, public organizations, railway stations and other public gathering places.

d. To insure dissemination of the materials to the rank and file, the following methods were urged:

(1) Utilization of public facilities such as labor schools, libraries for workers, labor institutes and labor halls.

(2) Holding of education meetings such as lectures; study circulars; round-table conferences; labor education rallies.

(3) The republication of labor education program themes in regular prefectural and private publications.

(4) Utilization of visual aids such as movies, film strips, kamashibai, wall newspapers, turn-over tables, and records at the public meetings or education meetings and to reproduce additional necessary copies of materials for further distribution.

(5) Full utilization of materials distributed by Labor Ministry and those included in the CI&E libraries (including the CI&E film library).

2. Training Course - Bloc Schools for Labor Policy Staffs in all Prefectures.

a. The second annual training courses for Labor Policy officials were held from 10 - 31 May:

District	Holding Place	Date	No. Attended	Prefectures Represented
Kanto	Tokyo	10-12 May	150	Tokyo, Kanagawa, Ibaragi, Tochigi, Gumma, Saitama, Chiba, Yamanashi, Nagano, Shizuoka, Niigata.
Kinki	Kyoto	15-17 May	130	Toyama, Ishikawa, Aichi, Fukui, Gifu, Mie, Shiga, Kyoto, Osaka, Nara, Wakayama, Hyogo.
Chugoku-Shikoku	Takamatsu	17-19 May	75	Tottori, Shimane, Okayama, Hiroshima, Kagawa, Tokushima, Kochi, Ehime, Yamaguchi.
Kyushu	Kumamoto	20-22 May	73	Fukuoka, Saga, Oita, Nagasaki, Kumamoto, Miyazaki, Kagoshima.
Hokkaido-Tohoku	Morioka	29-31 May	72	Hokkaido, Aomori, Iwate, Miyagi, Fukushima, Yamagata, Akita.

b. The first day of these schools featured a summary of labor conditions in Japan at the present time delivered by Labor Ministry officials, and lectures by Labor Division personnel. The second day was devoted to an explanation of labor legislation, provisions of union constitutions, collective bargaining and labor agreements, presented by Labor Ministry representatives. The third day was turned over to a discussion of the organization and purposes of the labor education program and the demonstration and instructions on the use of labor education techniques and materials.

c. Attached is detailed outline for the training course (Incl 3).

3. Field Visits by the staff on Union Education, Union Organization, Structure, and collective bargaining, included the following:

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Memo 1 Aug 50, subj: Labor Education Activities

F. E. WARREN - a. Shipbuilding unions at Nagasaki (2), Okayama, Nagoya, Sasebo, Kobe (2), Shimonoseki, Yokohama, Uraga and Harima.

b. Harbor Workers unions at Tokyo, Kobe, Shimonoseki, Moji, Yokohama, Nagoya, Sasebo and Nagasaki.

c. Seamen's unions at Tokyo.

D. H. BARLOW - a. Coal Mine Unions in Hokkaido region, Kyushu region, Fukushima and Ibaragi.

b. Metal Mine unions in Shizuoka, Fukui, Ishikawa, Gifu and Kyushu region.

c. Express Workers unions in Tokyo and the Kyushu region.

C. ROBERTSON - a. Textile Workers Union - Gifu,, Okayama and Kanto region.

b. Education - Labor Education Meetings in Hokkaido region, Tokai region, Kinki region, Shikoku region, Okayama region and in Tokyo, Kanagawa, Chiba and Saitama.

C. EDGAR - a. Electric Power Workers Union in Kyushu region, Shikoku region and Chugoku region and in Tokyo.

b. Chemical Workers Unions - Kyushu region.

T. SHIGENO - a. Steel and Iron Workers unions in Hokkaido, Iwate, Tokyo, Yokohama, Nagoya, Kobe and Nagasaki.

E. WILSON - a. Communications Workers Union in Tokyo, Osaka and Nagoya.

b. Electric Equipment Workers Unions in Tokyo and Osaka.

4. Summer Labor Schools

The prefectural summer labor school program was inaugurated the week of 3 July. Each prefecture was scheduled to hold a five-day school with a minimum of 100 students being suggested by the Labor Ministry, Labor Education Section. GHQ representatives instructed in the following regions:

Hokkaido and Tohoku	- McNeilly and S. Moss, CAS
Kanto	- C. Edgar
Tokai	- F. Warren
Kyushu	- D. Barlow
Kinki	- B. Lethbridge, CAS
Shikoku	- W. Pederson, CAS
Chugoku	- C. Murray, CAS

28 prefectures will complete their schools in July and 18 in August with the last schools being completed the week ending 19 August. Attached is detailed outline including the curriculum (Incl 4).

5. Union Education Directors Conferences.

The regular monthly conferences of union education directors are continuing with a meeting in Osaka for the Kinki region, drawing 600 union representatives. 350 attended a meeting in Sendai for the Tohoku region and a meeting in Tokyo for the Kanto region drew 60 union representatives who are taking a more active part in these conferences, setting up the agenda for the meetings and participating in and controlling the discussions. A meeting will be held in August in Sapporo for the union education directors in Hokkaido. Future plans call for two regional meetings per month.

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6. Missions and Delegations Abroad

a. The second labor mission to the United States departed from Japan 9 June, composed of Mr. Zenji MORI, Chairman of the Express Workers Union, Mr. Totaro FUJITA, Chairman of the Private Railway Workers Union, Mr. Kaneto TANAKA, former Vice Chairman of the Yawata Steel Workers Local and Mr. Morimitsu KITAMURA, member of the Osaka Labor Relations Commission. The group is scheduled to return to Japan in September.

b. The third mission to the United States will be a labor-management group scheduled to depart early in August. Labor-management representatives were selected from the five basic industries: steel, coal, textiles, chemicals and machinery. Union representatives include Mr. Y. Yamawaki, Chairman of the Kobe Steel Local union and chairman of the Sodomei Steel Workers Federation; Mr. So Oguchi, Vice Chairman of the Silk Reelers Federation; Mr. Keisuke Shibata, member of the Central Executive Committee of the Nippon Chemical Company local union; Mr. Miyozo Mizuno, Vice Chairman of the Sodomei Chemical Workers Federation; and Mr. I. Kaminaga, Vice Chairman of the Metal Mine Workers Union. Mr. K. Matsuzaki, Chief of the Labor Legislation Section of the Labor Ministry is also on the mission.

c. Plans are in progress to send a four-man labor mission to the United Kingdom in October. Selections will be made from the coal, teachers, railroad and harbor workers unions.

7. Turnover Tables

a. The following turnover tables have been distributed (1000 each) to the prefectural labor offices and the unions:

(1) Collective Bargaining.

(2) How to Hold a Union Meeting.

(3) Union Finances.

(4) Trade Union Law.

(5) Labor Relations Adjustment Law.

b. The following will be distributed in August:

(1) Grievance Procedure.

(2) Provisions of a Labor Agreement.

(3) Nominations and Elections of Union Officers.

c. The following will be available in September:

(1) Provisions of a Union Constitution.

(2) Local and National Unions.

d. Also in preparation are: "Duties of a Shop Steward" and "Negotiation Procedures in Collective Bargaining."

e. 2000 copies of the CI&E turnover table "The Animal Farm," a satire on communism, was distributed to the eight Civil Affairs Regions and through the Government Railroad Workers Union for use in the local unions in all 46 prefectures. This is the second in a series of CI&E tables exposing Communist tactics.

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8. Film Strips

Film strips are being prepared, utilizing cartoons, subject material and script of the turnover tables (see above). The turnover tables are for use with small local unions and groups. The same material will be shown on film strips for large groups.

9. Records

a. The following records have been distributed to the prefectural labor offices and are available at all local retail outlets:

Labor in Japan - By Hepler - 500
Purpose of a Union and Authority of the Rank and File - 500
Political Activities of a Union - 1000
Nomination and Election of Union Officers (set of 3 records)-500
How to Hold a Union Meeting (set of 4 records) - 500

b. In preparation are scripts on the following:

Renewal and Re-negotiation of Labor Agreements
Union Finances
Seniority
Transfer and Promotion
Discharge and Layoffs

10. Movies

a. Processing of the film "Grievance Procedure" by CI&E has been completed. 105 reprints (16mm) will be available for distribution to the 46 prefectures in August. 25 prefectures have purchased prints of the film; the Labor Ministry has three and ESB's Coal Bureau has five. Reports which were available up to May, indicated that during April and May 141,000 people saw the film.

b. CI&E has completed "The Labor Standards Law," a two-reel film which will be available for distribution in September. Two other films on "How to Hold a Meeting" and "Parlimentary Procedure" will also be available for distribution through CI&E in September.

c. The script on Labor Ministry's four-reel film "Union Activities" which will show the purposes and functions of a local and national union, will be completed in August and shooting of the film should be in progress late in August.

d. Preparations are under way for a script on "Nominations and Elections," a two-reel film to be made by Labor Ministry for distribution before the end of 1950.

11. Radio Programs

Radio Programs following the Labor Education themes were presented on:

4 April - Technique and Efficiency - A Japanese Asset
11 " - Equal Wages for Men and Women
18 " - Education and Training of the Minor Workers
25 " - Impressions of American Unionism by Labor Delegates

2 May - How the New Constitution Protects the Laborers' Rights
9 " - The Trade Union Production Committee
16 " - The Need for an Autonomy in Dormitory Organization
23 " - Advantages of Trade Unions to the Community
30 " - The Need for Concluding a Good Labor Agreement

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6 June - The Workmen's Compensation Law
13 " - The Public Employment Security Office and Its Functions
20 " - How to Conduct a Union Meeting
27 " - Training Within Industry Program

4 July - National Industrial Safety Program
11 " - The New General Council of Japanese Trade Unions

12. Prefectural Educational Programs - Budgets and Reports

a. Incomplete reports from the 46 prefectures indicate that during February 114,642 persons were contacted in the education program by the prefectural offices and 183,778 were in attendance in the visual aids part of the program. In April the rank and file contacts in the educational program increased to 191,053.

b. The budget available for labor policy and labor education in each prefecture for 1950 fiscal year is attached (Incl 5). A total of ¥669,606,442 was allotted for entire Japan. Additional allotments from the Labor Ministry to the local Labor Policy Offices in the prefectures during the fiscal year 1949-1950 totaled ¥115,280,000. Attached inclosure (Incl 6) shows details provided for each prefecture.

13. Labor Libraries

a. A total of 73,871 books are available in 203 libraries in the 46 prefectures in Japan. Following is a list of prefectural libraries and the number of volumes available:

	Libraries	Books
Hokkaido	13	2,936
Akita	6	3,469
Yamagata	5	2,222
Fukushima	11	1,371
Ibaragi	7	2,961
Tochigi	7	1,790
Gumma	9	4,186
Chiba	7	2,244
Niigata	7	2,309
Toyama	4	1,100
Ishikawa	7	2,743
Yamanashi	3	628
Nagano	10	2,134
Shizuoka	7	4,571
Aichi	1	803
Shiga	5	1,095
Kyoto	6	6,765
Osaka	9	3,336
Hyogo	11	6,251
Nara	4	1,174
Shimane	3	1,111
Okayama	6	805
Hiroshima	9	2,413
Yamaguchi	7	2,061
Kochi	4	1,927
Fukuoka	10	2,768
Saga	1	1,570
Nagasaki	3	926
Kumamoto	6	1,413
Oita	8	2,463
Kagoshima	7	2,326

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GHQ, SCAP
CIVIL INFORMATION AND EDUCATION SECTION

INTRA SECTION MEMORANDUM

1 July 1950

SUBJECT: Themes for Labor-Management - August

L-110

1. Why trade unions should not be controlled or influenced unduly by politicians. (Trade unions are organized primarily to improve working conditions and to raise the economic status of workers through negotiations between labor and management. Trade unions, therefore, should be strictly independent of political domination. This does not mean, however, that trade unions should ignore politics. The study of political problems is a legitimate trade union activity and trade union members should keep informed of legislative developments affecting their interests. Trade unions should not use the strike and collective bargaining as their political weapon and should confine their political action with in the parliamentary framework.)

2. Necessity of promoting democratization of trade unions and eliminating the labor boss system. (The Labor Ministry finds continued evidence in various localities of master - servant relationship between the labor boss and workers, resulting, in some instances, in laborers being unable freely to select their own jobs or being forced into work in defiance of their own free will. Moreover, the labor boss often takes a percentage of his workers' wages. These practices are an infringement of basic human rights of labor guaranteed by the constitution. The Labor Standards Law prohibits exploitation of labor by middlemen. The Employment Security Law also forbids enterprises which intervene in other persons' work. The labor boss system continues to be a serious threat to smooth employer - employee relationship.)

3. Importance of effectively using Japan's abundant supply of both skilled and unskilled labor. (Japan's greatest resource is her abundant supply of skilled and unskilled labor. In the past, however, this resource has not always been used effectively, especially in the case of skilled workers. The training within industry system (TWI) is a valuable aid in training workers to do their jobs efficiently to produce more finished goods, thereby enabling the importation of raw materials that are not available on the islands. Trade with Southeast Asia is especially important and offers a big challenge to Japanese industry.)

4. Necessity of improving factory conditions. (Poor factory conditions often are responsible for bad health, accidents, low productivity, and high costs. Good working conditions for labor benefit both employer and employee. The Labor Standards Law establishes minimum working conditions which employers are required to maintain. Labor and management should be fully informed of the provisions of the Labor Standards Law and labor should insist that the employer abide by the regulations.)

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5. Fuller understanding by employers, labor unions and the public of the Training Within Industry (TWI) Program. (The Training Within Industry system (TWI) enables foremen to acquire techniques which, when passed on to workers under their supervision, can greatly contribute to raising efficiency and production. This system can greatly benefit employers by improving the quantity and quality of goods produced. Improved productivity and efficiency also may enable employers to pay higher wages. Employers desiring TWI assistance are requested to contact the Labor Minister or their prefectural governor.)

6. Elevation of women's status, especially in agrarian areas. (The Constitution and supporting legislation guarantee equal rights for men and women, However, the status of women in Japan, in general, still is lower than that of men, due principally to remaining feudalistic practices. Especially in farm communities do women have an underprivileged status and it is important that their position be raised if the democratization of Japanese life is to be fully realized.)

7. Why a just andfair labor agreement is necessary to maintain peaceful relationships between labor and management, improve working conditions and raise efficiency and productivity. (The main object of a Labor agreement is to improve the conditions of work, to maintain industrial peace, and to increase productivity through mutual cooperation between labor and management. In working out a labor agreement, management and labor should respect each other's rights and stipulate in detail work conditions and other relationships between the contracting parties. Once signed, the agreement should be faithfully observed by both labor and management. The agreement should contain provisions covering grievance machinery, arbitration procedures, and a peace clause stating that there shall be no strikes while the agreement is in effect.)

8. Importance of trade union education programs for members. (A trade union is organized and operated by the union rank and file. Union members, therefore, have the responsibility for making their unions strong and independent. Democratic education carried on by trade unions can be of great value in building good citizenship as well as strong unions. Trade union education programs in the past have placed too much emphasis on abstract ideologies. Labor education should deal with more practical and concrete problems of interest to ordinary union members; for example, how to nominate and select union officers, how to draw up a union charter, how to participate in union meetings, and how to recognize when the chair is acting properly. Union members also should be taught how to recognize a satisfactory labor agreement. Trade unions in Japan should eliminate the mistaken idea that workers had best leave matters concerning trade union affairs entirely in union officers' hands. The rank and file should make it their business to know the details of what is going on in their union. Otherwise, union members may be unable to decide wisely on union matters.)

CHUGOKU

L-14-G-1

INFORMATION:

O.D.

Points of Conducting the Labor Education

Program for Coming Three Months (July--September, 1950)

L-110

I. Policy.

Carrying on the labor education program in detail and by district, we have contributed to the development of healthy and democratic trade union movement. We have designed, in this period according to the recent indications to conduct the education on trade agreement which is regarded as the basis of labor management relations. For the purpose, the emphasis is placed upon that workers can assure the maintenance and improvement of their economical status by the conclusion of appropriate trade agreement and that not only employers can share in the right benefits along with the workers but the stabilization of Japan's economy is promoted by the peaceful management of enterprises resulting from the smooth operation of trade agreement.

II. Educated Theme

"Acceleration of Conclusion of Trade Agreement" shall be the common theme for coming three

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status by the conclusion of appropriate trade agreement and that not only employers can share in the right benefits along with the workers but the stabilization of Japan's economy is promoted by the peaceful management of enterprises resulting from the smooth operation of trade agreement.

II. Educated Theme

"Acceleration of Conclusion of Trade Agreement" shall be the common theme for coming three months and be conducted as follows by month.

In July and August.

The essential, bilateral, and peaceful nature of trade agreement is emphasized together with the guiding points in the "Outline of Acceleration of Conclusion of Trade Agreement" which was already notified.

In September.

The insertion of peace clause and use of grievance machinery is thoroughly publisized, emphasizing especially the peaceful nature of trade agreement.

III. Emphasized Points.

Listed below are the emphasized point concerning the educated theme:

Trade agreements are essential for democratic labor management relations, especially for workers' right.

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2. Trade agreements must be concluded according to the existing social and economic foundation. If trade agreements leave the foundation on account of a certain ideology, they will lose the function as the trade agreement.

3. Trade agreements are bilateral because both labor and management under a trade agreement have duties as well as rights to each other.

4. The thorough information on the point that trade agreements are originally characteristic of peace agreements is most necessary.

5. Both the peaceful nature of trade agreements and workers' right are well secured by the concrete and detailed provisions on wages and other working conditions. These provisions, therefore, are the most principal ones in trade agreements.

The emphasized items in July and August shall be following "Problems concerning conclusion of Trade Agreement" in "Outline of Acceleration of Conclusion of Trade Agreement".

a. The way of thinking toward trade agreement and attitude toward bargaining.
b. Problems with respect to managerial right and the right to work.
c. Scope of members covered and dispute provisions.
d. Union security.
e. Union activities.
f. Peace preserving obligation.
g. Pertaining to effect and term of the agreement.

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The following is the explanation of the emphasized points:

I. July and August.

1. The way of thinking toward labor agreement and attitude toward bargaining.

(1) Give and Take.

The conclusion of labor agreement should be on the basis of "Give and Take" principle, so that the workers can get the benefits of stablilization of working conditions and maintenance of positions for a certain period of time and the employers can obtain the benefits of peace of enterprise by the stability of labor relations. It is against the purport of labor agreement to force others to sign unilaterally favorable agreement and also to hinder smooth conclusion of agreement.

(2) Non-Agreement Idea.

The way of thinking that non-agreement is better than to conclude an agreement binding upon both parties concerned is to distruct democratic labor relations irrespective of workers and employers.

(3) Evasion of Bargaining.

The employers' obligation to comply with collective bargaining includes an obligation to make efforts for the conclusion with faithfulness, therefore if the employers comply with bargaining formally and take an attitude of making conclusion substantially impossible on purpose with malignant will, it is also to be against the obligation of bargaining. The trade union has not any obligation to comply with collective bargaining according to the provisions of laws, but it should be interpreted that the trade union shall bear the same moral obligation.

(4) Bargaining with Federation of Trade Unions.

It should be determined by concrete actual situations whether collective bargaining with national union or other federations is adequate or inadequate, but it is improper not to comply with bargaing with federations without good reasons.

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(5) Standard plan of agreement from upper organization.

Such control of upper organization to lower constituents as to show strong attitude not to give in even a step on the ground of the standard plan of agreement instructed by upper organization and not to recognize any room of compromise in the standard plan of agreement, is to impede unreasonal by conclusion of agreement.

(6) Vested interest.

A favorable term once obtained. It is too narrow-minded insistence to persist in a favorable term once obtained at the next bargaining under the pretext of vested interest through thick and thin, and to bring about non-agreement for itself on the contrary.

2. Problems with respect to the right of Management and the Right to Work.

(1) Controversy on the right of management and the right to work.

Both the co-called right of management and the right to work have never been the rights which are established as legal concept with clearly defined contents. The disputes arising out of conflict between the labor and management as to the scope of the right of management and right to work are in many cases quite fertile because of both the labor and management engaging in the ideological argument having their own idea in mind. Instead of insisting their own such ideological and obstract ideas, it is of an utmost importance for both parties concerned to make effort toward clarifying the right and obligation of them on each practical problems by assuming a business-like attitude toward the solution of the issues.

(2) Social and economic ground.

The social and economic ground is vital to the existence of any labor agreement. Also, under the existing legislations, the right of managment and operation belongs in the last analysis to the management and consequently the extent to which the trade union can participate in the management of concerns is therefore limited within the boundaries of various social and economic system as well as of

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existing legislations. Whether it is by the employer or the union, any attempt designed to forcibly attain their social and economic demands by the conclusion of a mere agreement will undoubtedly endanger the prosperity and existence of the concern in question is the society. The management should, avoiding unnecessary oppression and restriction upon the union, assume more comprehensive attitude toward the sound union movement including attempt toward union's participation in the management as far as the abovementioned restrictions permit.

(3) Report on financial status.

It is unfair for the management to refuse flatly to report to employees or their representatives the financial status of the incorporation when it deemed necessary for the amicable conclusion of the negotiation. At the same time, necessary measures should be taken to prohibit the union from requesting the management to report its financial status without any good reason or from carelessly considering the report made to them by the management with respect to the financial conditions of the incorporation.

(4) Provisions concerning consultation and consent.

Where the provisions stipulated in the agreement with respect to the presentation of matters for debate with both parties concerned and their mutual consent, needless to say, the management shall bear responsibility for negotiating faithfully with the union to arrive at an amicable agreement or to secure a consent of the union. On the other hand, the union should keep in mind the fact that the court held it unlawful for the union to abuse its rights concerning the consultation and mutual consent.

(5) Participation in the personnel management.

The principles referred to in (1) and (2) should be observed in the solution of the problems of union's participation in the personnel management. It would be wise at present for both parties concerned to stipulate workable provisions in detail with respect to the personnel management under which the management will be authorized to effect any change in the position of individual workers and the

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labor can resort to procedures laid down for grievance settlement in case of the management violating such provisions.

(6) Specification of working conditions.

The working conditions shall be stipulated in the agreement at the mutual consent of both parties concerned and it seems to be appropriate to apply to individual workers the stipulated provisions in such a way as mentioned in the preceding paragraph 5.

To stipulate expressly the working conditions in the agreement is also essential to the maintenance of peacefulness of the labor agreement.

3. Scope of membership covered and dispute provisions.

(1) Scope of non-unionist.

The scope of non-unionist insisted by the management goes in some cases beyond the scope difined by Article 4 Item 1 of the Trade Union Law, while the Union isists one which is narrower than statutory scope. Therefore, the both parties should frankly recognize the very purport of the Law and work together open-mindedly in determing the scope of persons representing the employer's interest by taking into account the actual situations.

As to the persons other than those representing employer's interests, it would be theoretically correct to conclude an agreement which provide exceptions in applying its provisions to such persons or which regards such persons as non-participant in labor dispute or exclude them from the application of the Union Shop Clause. (Workers on probation, non-regular member of the staff, temporary. operative, etc.)

(2) Non-participants in dispute.

It is for the purpose of fair play in the dispute and of earlier settlement of the dispute that non-perticipants in the dispute are provided for. It is unjust to enlarge their scope only for the unilateral covenience on part of employer.

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It is narrow-mindedness that trade unions refuse flatly recognizing them as weakening of unions, because there are occasions when non-participants in the dispute are necessary for the earlier settlement of the dispute.

(3) Dispute clauses.

Dispute clauses being so to speak corresponding to the war-time provisions of the International Law, they should not be laid down for the unilateral convenience of any one party. It is rather difficult to reach an agreement upon dispute provisions on the eve of the strike so that it is highly desirable to stipulate in the labor agreement the detailed provisions with repect to the dispute in preparation against any contingency.

4. Union Security.

(1) Union shop.

The choise between the Union Shop System and Open Shop System shall be determined independently by the labor and management taking into account the actual situations.

Such union system as so-called "Loose Union System" is likely to create a source of conflict between the union and management later; so that clearly laid down provisions should be stipulated in the agreement to avoid such conflict.

(2) Restrictions on membership.

It is unfair to stipulate in the agreement that "union member should the employees of the company concerned" in exchange to the inclusion of the Union Shop Clause, since it entails in binding the internal organization of the union to the agreement and it shall be unlawful practice for the employer to force such practice.

(3) Article concerning exclusive bargaining organ.

If the article to the effect that "the Company regards the Union as an exclusive party to bargain collectively" means that the Company will not negotiate collective bargaining with no other union than the Union, it will be regarded as promising of violation of Art. 7 (2)

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of the Trade Union Law except the case where the union security is enforced strictly. Accordingly the Article will be regarded invali or meaningless article.

5. Union Activities.

(1) Freedom of Union Activities.

Freedom of Union activities is followed by duty to esteem the right of others and it doem not mean boundless freedom of activities. Especially the Union activities which conflict with the employer's power for custody of equipments and for maintenance of work order shall not be permitted without approval of the employer.

(2) Political Action.

Prohibition of all kinds of political action by the employer beyond his power of custody of equipments and of maintenance of work order will be regarded as an act exceeding authorized power of the employer and such an act of the employer is sometimes regarded as an act contrary to the provisions of the Constitution and the Labor Standards Law. On the other hand, contious self-control of the Union is recommended in view of the political acti on contain various delicate problems and further the political action of the Union is not the original duty of the Union.

(3) Commissioning of negotiation.

It is an unjust demand that one party places prohibition unilaterally on the other party from commissioning collective bargaining to the third party while making no limit to own party.

(4) Negotiation procedures.

It is desirous that the procedures for collective bargaining shall be provided for in the labor agreement to particulars. The parties concerned, for the purpose of forwarding negotiations in order and peace, must control activities of substructures and must be liable of them for other party. The uncontroled activities of substructure of the Union sometimes afford the employer "fair reason" for rejection of collective bargaining.

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(5) Union full time officer.

On selecting Union full time officer from among the employees of the company, the number of full time officers should be decided on consultation between the company and the union. The selection of the union's full time officers is made freely by the union as a rule within the limit of number decided but in case assumption of the post by the person selected as full time officer from among the employees of the company brings great hindrance to the company's business, it is regarded proper to authorize the company to make protest against the assumption. It is not proper for the company to make interference on the personal selection of the full time officer, oversteping the abovementioned limit. As there are many complicated problems concerning Union's full time officer, selection of the Union full time officer and procedures should be definitely provided for in the agreement.

6. Peace Obligation.

(1) Peace agreement.

The labor agreement set an aim at stabilization of status of workers by deciding definitely the standards of wages and other labor conditions and at the same time it has a nature of peace agreement to secure profits for both the workers and the employer by smooth management of the enterprise and by expelling the causes of trouble to be expected to arise between the workers and the employer. The labor agreement is worthy to be studied by both the workers and the employer under the existing conditions from the historical viewpoint that the labor agreement has been brought about for the purpose of bringing peace in enterprise by preventing meaningless loss of the workers and the employer to be expected to arise from the trouble between the workers and the employer and further preventing danger of common ruin of the enterprise.

(2) Provisions for restricting dispute.

It means to neglect the bilateral nature of agreement that the employers ask to restrict or prohibit the act of dispute

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rejecting the specify the amount of wage and other labor conditions in trade agreement. The provisions for restricting dispute by which union aims to obtain the advantageous conditions instead of sheathing a sword of right of dispute for a certain period. It is a natural trade and does not violate the "right of workers to act collectively" in the Constitution of Japan as often asserted by the unions.

(3) Peace obligation and peace provisions.

That any act of dispute is not made regarding the amendment of provisions in agreement during the term of agreement (relative peace provisions) is the natural obligation to the parties concerned, but it is desirable to specify in the agreement such peace obligation and, if possible, that during the term of agreement no act of dispute is made (absolute peace obligation).

It is necessary to establish peace provisions. On assumption that such provisions are observed, the agreement should contain the detailed provisions of labor conditions and the procedures for settlement of grievance which aim to conduct peacefully grievance and dispute in the term of agreement. In case the act of dispute is restricted or prohibited, it is right that the agreement places some restrictions on exercising power concerning personnel affairs and others.

(4) Settlement of grievance.

The procedures for settlement of grievance are indispensable to enforce the contract effectively and maintain peace. If that the final settlement is made by the arbitration of the third person is not decided, the effectiveness of the settlement of grievance will be mostly lost.

(5) Relation with working regulations.

Even in case labor conditions and others are stipulated in working regulations, it is absolutely necessary for agreement itself that those are also provided for by the agreement. Those stipulated in the agreement should be rather provided for by the working regulations in duplicate.

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7. Pertaining to effect and term of the agreement.

(1) Amendment of the subject of the agreement.

It is very undesirable to recognize one-sidedly the invalidation resulted from the amendment of the subject of the agreement. (For example, "a company, when the union is recognized to have lost its oneness, may annul the agreement")

(2) Proposing the amendment of the agreement and annulment thereof.

Proposing the amendment of the agreement should be made accompanied with the draft of amended agreement and it is required to show the preparation and will to negotiate immediate after the proposal is made.

To manifest the will against automatic prolongation should not be permitted till every possible negotiation is made and does not reach accord. In case, although the proposal of amendment was made verbally in the past and since the both parties have observed the agreement peacefully, its annulment is suddenly proposed by the claim of the Trade Union Law, Art. 15 par. 2, it should be construed to be against the purpose of the provision and that such annulment be not effective.

(3) Negotiation of amendment.

Both labor and capital should make effort not to bring about such situation as non-existory of agreement by opening the negotiation of the agreement of the next term as early as possible in the preparating period.

(4) Term of agreement.

Provision of the term of agreement including automatic renewal and automatic prolongation with a definite termination date is though effective in the present situation for avoiding the situation in which no agreement exist. (Such automatic prolongation with a definite termination date does not violate Art. 15 of the Trade Union Law.)

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The emphasized items in September shall be the following ones.

1. The peaceful nature of trade agreement.
2. Peace preserving obligation and peace clause.
3. Use of grievance machinery.

I. Peaceful Nature of the Labor Agreement.

1. The labor agreement has been developed to stabilize and improve the workers' status by avoiding in order the disputes which are apt to take place every time when they decide the wage, hours and working conditions.
2. As the result of concluding the labor agreement the workers' status and their working conditions may be stabilized during the term of the labor agreement.
3. The employer also can keep and establish the industrial peace within his enterprise for defenite period by the labor agreement.
4. Therefore the labor agreement contributs to the establishment of the peaceful relationship between labor and management.
5. Peace of the enterprise and stabilization of the workers' status may bring the prosperity of the enterprise, by which the foundation can be established for workers to win better working conditions in next labor agreement.
6. General public, too, can evade all disadvantage and inconvinience arising from the labor disputes.
7. Furthermore, stabilization of workers' status and of the enterprise, with industrial peace are the indispensable premise to stabilize and reconstruct the Japanese economy.
8. The labor agreement should have provisions provided reasonably, specifically and in detail so that peaceful nature of the agreement can be secured.
9. If the peaceful nature can not be kept, singifibance of concludin the labor agreement will lost at the larger part.

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II. Peace Preserving Obligation and Peace Clause.

1. According to the above-mentioned peaceful nature of the labor agreement, the parties concerned of the agreement naturally have obligations to maintain the peaceful relations.

2. This obligation to keep peace which is charged on the parties by the conclusion of the agreement is called relative peace preserving obligation, and has following substances;

   a. During the term of the labor agreement, the parties concerned have obligation that they shall neither resort the disputes act for the purpose of abolishing or amending the provisions provided in such agreement nor make their members do such act.

   b. To conclude the labor agreement is the promise to observe the provisions provided in the labor agreement during the term of validity, and dispute act mentioned in (a) means to intend to break thus promise, so it is unfair dispute act.

3. Such relative peace preserving obligation should be duly observed, but it is proper to clasify this duties in the labor agreement as the peace clause.

4. Relative peace preserving obligation does not prohibit other dispute acts than those carried out for the purpose of abolishing or amending the provisions proviced in the agreement.

5. However, absolute obligation to keep peace that they shall never resort dispute act during the term of the agreement can be provided by mutual agreement of both parties.

6. Such absolute peace preserving obligation shall be charge on the parties only when they provide it in the labor agreement specially.

7. It is desirable to provide such absolute obligation to keep peace in the agreement, in order to secure the peaceful nature of it. However, it is necessary for the employer to consider and study thoroughly about wage, hour, working conditions and personal

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rights. Also it is required that actual amount of wages, working conditions and other problems relating to labor relations should be settled and specifically provided in the labor agreement.

8. In order that the peace obligation shall be fulfilled it is desirable not only to provide the wage, hour and working conditions clearly and reasonably but such grievance as to settle the disputes with arbitration as last step which settles them by impartical arbitrator.

9. The following benefits are obtainnable by the clearness of peace preserving obligation in the peace clouse inserted:

a. Whenever the relations of labor and management are stabilized, they can save their powers which are spent in useless disputes.

b. Labor and management can be absorbed in the increase of out-put.

c. Management plan can be secured.

d. Stabilization and prosperity of enterprise can be brought out.

e. Credit of foreign countries to foreign trade and other enterprises in Japan can be increased.

III. Use of grievance machinery.

1. It is necessary to define the grievance procedures in order that trade agreements can be operated effectively.

2. Peaceful nature of trade agreement can be insured and peace observing obligation fulfilled faithfully by the reasonable settlement of grievances.

3. Grievance procedures shall vary from union to union, depending upon the actual situation.

4. Grievances shall be settled in the first step as much as possible and if there is no provision of arbitration for final settlement by an impartial outsider as the highest step, the function of grievance procedures will be lost in large.

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5. Included among the objectives of grievance machinery are the interpretation and application of trade agreement, working rules and company regulations and other indivisual complaints which are enumerated below:

a. Complaints concerning wages.

b. Complaints concerning discharge, promotion and transfer.

c. Complaints to supervisor.

d. Complaints concerning safe and sanitation.

e. Complaints concerning the violation of trade agreement.

f. Others.

IV. Media.

It is necessary to say that the parallel education program shall be thoroughly conducted toward employers and employers organizations as well as to workers and trade unions because of the bilateral nature of trade agreement, acceleration of which is indeed the education theme for this period.

The activities, therefor, shall be developed on the wholewide basis, considering that this program includes not only labor and management but also the general public, especially the student among its objects, and the general enlightening publicity is used as a principal medium beside the individual guidance.

You are desired to study and carry on effectively the concrete media which are most sutiable for the character and contents of the educated theme and for the special conditions in your prefecture, refering to each medium enumerated in the following.

1. Labor Education Advisory Committee.

Open the Labor Education Advisory Committee, where the theme for this duration shall be explained.

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After consulting about the detailed medin, ask the cooperation to develop this program actively, especially request the committee members of both labor and management to lead the organization to which these members belong so that it may voluntary participate in this program and carry on model activities. The labor offices shall be instructed to take the same measures as mentioned above to the District Labor Education Advisory Committee.

2. Direct Labor Education Activities.

The Labor Policy Section, (or the Labor Education Section where it exists) of the prefecture, closely connecting with the various government agencies, (including the Officers Room of the Women's and Minors' Bureau) shall directly conduct the labor education based on this Program to publisize the theme for this period thoroughly according to the following media.

a. Plan and carry on indivisual guidance to both labor and management

b. Include the theme for this period among the curiculum of schools and colleges, especially of summer labor schools to be sponsored by each prefectural government.

c. Plan and open education meetings such as lecture meeting, study-circle, table conference, table-talk and education rally.

Both labor and management shall be encouraged to hold these meetings over and again by setting a temporary council among them.

d. Use enough such facilities and services of labor library, Labor institute and labor hall.

e. Insert the articles dealing with the theme for this period in periodicals or distribute the publications including especially book, pamphlet and leaflet.

f. Use the audio-visual materials such as film, strip, Kamishibai, Wall-newspaper, chart-talk and record at the public facilities or all kinds of education meetings, plan their production and distribute them. Since "Safety Lamp" (film) and "Collective

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Bargaining" (chart talk) are very proper materials, purchase them.

Encourage or help trade unions and schools to purchase these materials.

g. In the effort of planning and conducting the educational activities of above-mentioned each item, the materials which have been already distributed by the Labor Ministry and GHQ, shall be used as effectively as possible. Both "List of CIE Library" (already delivered) and CIE Film Library shall be also utilized.

3. Cooperation in Labor Education programs which are conducted by Trade Unions or Employers Organizations.

The Labor Education programs which are conducted by trade unions or employers organizations shall be encouraged to accept all the points of this program, while they shall be possitively cooperated with the offer of reference materials to explain the theme and the dispatch of officers by the Labor Policy Section so that they can obtain the educational results.

Trade unions shall be informed of that the method through visual aids is most effective, and their education directors shall be trained for using the device according to the necessity.

4. Enlightening Publicity to the Public.

Enlightening publicity shall be given to the public by the use of each kind of machinery or establishment as follows:

a. Reporting machinery.

1) Press.

Urge daily newspapers considered to be effective for the leadership of public opinions to cooperate in this program through the following means, explaining the purpose.

a) Editorial.

Ask commenting of the theme as an editorial on a day properly chosen every month, offering the reference materials for the theme for this period.

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News.

Ask for insertion of news on this program offering the press release of the most possibly detailed schedule including various activities executed by trade unions and employers organizations as well as the education activities under the sponsorship of prefectural Labor Policy Section, Labor Offices and other related agencies.

c) Explanatory article

Making explanatory articles on the theme or enphasized points of the theme described in this program, ask for the insertion as comments of current news.

2) Radio.

Encourage union members and the public to listen the "Labor Hour" over JOAK national network (p.m. 8:00--8:30 Tuesday) in which theme of this program will be broadcast. Each prefectural Information Section will be informed of the broadcast schedule. Those who have a local network station in their prefecture shall request the station to cooperate in the following actions, explaining the purpose of this program.

a) Spot announcement.

Ask for spot announcement concerning this program which is conducted at the interval of broadcastings, offering the manuscripts used for it. It is necessary in the preperation of the manuscripts that simple and powerful sentence shall be chosen among explanations of the theme depending on the local situation. (The models of spot announcement are shown in the back pages.)

b) Lecture or table-talk.

Ask for broadcast of lecture or table-talk planned by prefecture government concerning the theme of this program once every month. From among the prefectural government officers including Governor, Local Labor Relations Committee, Labor

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Education Advisory Committee and representatives of trade unions or employers organizations the appropriate speakers shall be chosen. Encourage the public not only in the jurisdiction but in neighbouring prefectures to listen the broadcast, informing of the planned schedule to their Labor Policy Section.

c) Organ.

Offering the materials to trade union, employers organizations and others ask them to insert the essay or explanation of the purpose or theme of this program in their organs.

3) School and Social education establishments.

Closely connect with Prefectural Education Committee and request its cooperation in the following actions.

a) School.

Ask for instruction on the theme of this program at the special lecture of colleges and the social course of senior or junior high schools. Recommend the lectures and offer the materials when they are required.

b) Library.

Ask libraries for publicity and exhibition of books, charters and photoes concerning the theme of this program to general public. Moreover possitively cooperate to them in receipt, exhibition and production of materials.

c) Public hall.

Ask for opening of lecture meeting, other meeting or exhibit of concerned materials which are concentrated on general public. Furthermore, recommend the lecturers and offer the materials according to the necessity.

4) Other general public facilities.

The following cooperation shall be requested to the quarters concerned.

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a) Theatre and cinema.

Ask for publicity of the theme for this term through Gento or loud speaker in recess, fillers in program or exhibit of the concerned materials in the corridor. In the case, it is required to accomodate them possitively with the offering of manuscripts and exhibited materials. (The models of filler are shown in the following papers.)

b) Station and Stadium.

Ask Kokutetsu and private railway stations, base ball stadium, race truck or cycle race stadium for publicity of this program through loud speaker, poster, wall newspaper or leaflet. In this case the accomodations described in the above paragraph are requested.

c) Bulletin board.

Offering the materials, request Government offices, public organizations and other general bodies to put up on their bulletin board the posters or wall-newspaper showing the theme of this program.

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Spot Auouncement and Fillers.

1. Union members and employers!

Let's establish the pleasant working shop through gaining advantages mutually from the bright and peaceful labor agreement.

2. Union members!

Has your union concluded good agreement?

The labor agreement protects your living and interests.

3. Union members and employers!

The good labor agreement would not be concluded, if you would insist upon your selfish demand. Let's conclude the reasonable agreement by mutual concession respecting each other's interests.

4. Union members and employers!

It is necessary for both parties to discuss about the problems thoroughly so that the good agreement may be concluded. It is disadvantageous for both parties to lack the sincere attitude at the negotiation.

5. Union members and employers!

You have duties to try our best to reach the agreement by thorough discussion at the collective bargaining.

6. Union members and employers!

Let's try to reach the agreement by mutual concession at the collective bargaining.

7. You peoples concerning labor and management!

If you would have no agreement, both of you will be disadvantageous positions. Let's prepare for new agreement, prior to the expiration of the present agreement.

8. Let's conclude the labor agreement, in order to keep the industrial peace, to create the high efficiency and good working conditions.

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9. Union members and employers!

Provisions provided in the agreement must be fulfilled sincerely by both parties. The agreement which you conclude with much troubles has no meaning if you would go on strike or lock-out after concluding the agreement.

10. Union members and employer!

The labor agreement protect your interest and contribute to the prosperity of the enterprise. Let's try to avoid from non-agreement status for even a day.

11. Union members and employer!

If you would be under the circumstance of non-agreement, it will be disadvantageous for you. Let's prepare the negotiation for new agreement, prior to the expiration of the labor agreement.

12. You peoples concerning labor and management.

Let's provide wage, hour, and working conditions in full detail in the labor agreement. If they were not so done, it may cause the disputes afterward.

13. Union members and employers!

Inner affairs of the union should be decided by members themselves. The employer should not be allowed to interfare with qualification and scope of the membership.

14. Union members!

Has your agreement provisions providing procedures of collective bargaining? Let's provide them in full detail so that you can enter the proper negotiation peacefully as occassion calls.

15. Union members and employer!

It is most desirable to agreed upon no-strike or no-lock-out during the term of the agreement. For the purpose it is important to provide all main problems between labor and management in full detail.

16. You people concerning labor and management.

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disputes occur concerning personal affairs, they had better be settled at the grievance machinery.

17. Union members and employers!

In order to prevent from dispute between labor and management, it is important to provide grievance procedures exactly in the labor agreement.

V. Education Materials.

In carry on this program, you are desired to take a step for the effective use of the following materials, some of which were already distributed and others are arranged to be produced and distributed in near future by the Labor Ministry.

Since there are limits to the kind and circulation of these materials, you should strive for producing and using materials as many as possible which are suitable for the special conditions in your prefecture, refering to these materials.

1. Materials covering the whole field of the theme. (Mimeographed)

"Series of Trade Agreement No. 2" (Trade Agreement Material No. 11 Edited by Labor Policy Bureau)

"Series of Trade Agreement No. 3" (Do. No. 23-Arranged to be distributed in near future)

"Obstacles of the Conclusion of Trade Agreements" (Do. No. 18)

"Collection of Minutes on Dispute Surrounding Conclusion of Trade Agreement" (Do. No. 20)

"Collection of Minutes on Dispute Surrounding Conclusion of Trade Agreement" (Do. No. 21)

"Explanation of Problems concerning conclusion of Trade Agreement" (Do. No. 22)

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"Actual Research of Collective Bargaining tendencies for Conclusion of Trade Agreement" (Do. - Arranged to be distributed in near furture)

(Book)

"Collective Bargaining and Trade Agreement" Edited by Labor Policy Bureau, Published by Romu Gyosei Kenkyu-jo.

"Trade Agreement" Written by Koroku Kurokawa. Published by Toyo Shokan "New Guiding Points for drafting Union Constitution and Trade Agreement".

Written by Shingo Kaedw. Published by Labor times.

"Constitution and Agreement Based on the Revised Trade Union Law" Edited by Labor Policy Bureau. Published by Rodo Bunka-sha.

"Practice of Recent Trade Agreements According to the New Labor Laws" Written by Shingo Kaede. Published by Shokai Rodo Tsushin-sha.

"Detailed Explanation of Trade Agreement Based on the Revised Trade Union Law" Edited by Rodo Bunka Kenkyu-jo. Published by Kyoiku Shiryo-sha "Guide to and Examples of Trade Agreement" Edited and published by Labor Bureau, Tokyo Prefectural Government.

"Trade Agreement in USA" 1st and 2nd vol. (Oversea Labor Series) Edited and published by Central Labor college.

"Practice of Trade Agreements in USA". Edited by Labor Policy Bureau, Welfare Ministry. Published by Romu Gyosei Kenkyo-jo.

"Discharge, Discipline and Quits" (Labor Problem Series No. 6)

"Srike and Lock-out" (Do. No. 7)

"Wage Adjustment Plans" (Do. No. 8)

"Dismissal Pay Provisions" (Do. No. 9)

"Union Security" (Do. No. 10)

"Union Rights and Managirial Rights" (Do. No. 11)

"Promotion, Transfer and Assignment" (Do. No. 18)

"Seniority Provisions" (Do. No. 19)

Above series are edited by Labor Policy Bu[illegible]

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(Strip)

"Collective Bargaining and Trade Agreement" Designed by Labor Policy Bureau. Produced by Trade Union Movies Association.

(Chart-talk) -- Produced by Labor Policy Bureau.

"Collective Bargaining"

"Provision of Labor Agreement" (under production).

"Labor Relations Adjustment Law"

"Trade Union Law".

(Wall-newspaper) -- Edited by Labor Policy Bureau.

"Have You a Trade Agreement?" (No. 5 -- Oct. 1948)

"Is your Trade Agreement Observed?" (No. 9 -- Apr. 1949)

2. Materials especially concerning grievance settlement.

(Book)

"Collective Bargaining and Grievance Machinery" Edited by Labor Policy Bureau. Published by Sangyo Rodo Chosa-jo.

"Adjustment of Grievance" (Labor Problem Series No. 3) Edited by Labor Policy Bureau Published by Central Labor College.

"Grievance Procedures" (Labor Problem Series No. 15) Edited and delivered by Labor Policy Bureau.

(Pamphlet)

"It's your Trade Union, No. 3 -- Story of three committees" Edited and delivered by Labor Policy Bureau.

(Film)

"Safety Lamp" Jointly designed by Labor Ministry, ESB. and National Resources Board, Produced by Nippon Eiga-sha.

(Strip)

"Way to Sttle Grievances" Designed by Labor Policy Bureau Produced by Asahi Slide.

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(Chart-talk)

"Grievance Machinery" Produced by Labor Policy Bureau

(under the production)

(Wall-newspaper) Edited by Labor Policy Bureau

"Grievance Machinery" (No. 18 - Dec. 1949)

"Practice of Grievance Settlement"

(Leaflet)

"Let's Settle our Shop Grievances Satisfactorily and in fast".

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Labor Education Activities by Governmental Agencies, Labor Unions and Others

A. Labor Education Activities Performed by the Labor Ministry (for the month of Feb 1950).

1. Labor Education Advisory Commissions.
2. Labor Education Technique Research Meetings.
3. Index of Distributed Labor Education Materials.

B. Other Labor Education Activities (for the month of Jan 1950).

1. Various Meetings Held.

a. List of Various Meetings Held.
b. Labor Education Meetings Held by Prefectural Gov't.
c. Labor Education Meetings Held by Labor Unions.
d. Labor Education Meetings Held by Employers, Political Parties and Other General Organizations.

2. Various Entertaining Programs Carried.
3. Publicities made by Spot Radio Announcement, and etc.
4. Distribution of Labor Educational Materials.

A. Labor Education Activities Performed by the Labor Ministry (for the month of Feb 1950).

1. Labor Education Advisory Commissions.

Meetings of the Labor Advisory Committees of this Ministry, for the month of Feb, were held once of the Employees Committee (on 15 Feb) and then of the Employers Committee (on 16 Feb), both at the Minister's drowing room on following subjects:

Subjects:

a. Pertaining the labor education programs to be carried out during 3 month period starting April 1950.
b. Effective use of labor education materials.
c. Pertaining the commission of members of the Labor Education Council during the year of 1950.
d. Other matters.

Development:

a. Laborer Education Advisory Committee.

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Mr. Chiba, the section chief, took the place of president and proceeded the business.

(1) Matters for report: Mr. Chiba reported a successful meeting of a Labor Education Technique Research group held at Osaka on 30 Jan 1950, and a good fame of the movie film "Anzen-To" which is being shown at various localties.

(2) Education program: Discussions were made following to a plan prepaired by the Labor Ministry and was approved with slight amendment.

Chief opinions shown were as follows:

a. Unification to National Union (main object for Apr program).

It is more benefitial to bargain as a national union, the organization of unions; on the other hand, there are some, like Tanro, who differes from such inclinations. As to form a national union, there actually left a problem of enterprises union other than industrial unions and craft unions.

b. Pertaining the labor and management relations (main object for May program).

Since it seemed necessary to give a political consideration on giving a guidance for the dissolution of management council, it may be better not to go any further than to think how to handle matters exists inside the organizations.

c. Welfair activities (main object for June)

Welfair activity is not a main function of labor unions. There will be a danger for having a contradictory educational effect to whom have lower conscious towards unionism.

(3) Commission of members of Labor Education Council.

With regarding the official start of the "Labor Education Council," the commissioners of this body should also be picked up from local unions besides from national federations. Based on this opinion, the Labor Ministry will work out to make concrete plan.

B. Employers Education Advisory Commission.

Development of this meeting was about same as what was at Laborers Advisory Committee.

Major questions brought out were as follows:

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a. Abolishment of management council will be legitimated according to laws. This council is now a major obstacle for concluding labor agreement. The problem of seniority system is being considered that which may humper the weed out of superannuated employee, and the present condition of working places is rather inclining towards distraction of seniority system.

b. On the occassion of the formal inauguration of Labor Education Advisory Council (Rodo Kyoiku Shingi Kai), you make the recommendation of committeemen according to deliberation council ordinance. Japan Operator League (Nikkeiren) should be the body to make the recommendation. Some committeemen shall represent the minor and medium size enterprises, and the Nikkeiren will make recommendation after consulting with the Chamber of Commerce and Industry of Japan.

2. Labor Education Technique Research Meeting.

The first meeting of the Labor Education Technique Research was held a conference room of the Labor Ministry in Dec 1949, and second one for the district of Kinki was held in Osaka on 30 Jan 1950 on the same subject. Either one was attended by mass and was very successful as what was shown in previous report. The second meeting of the Central Research Meeting was held on 23 Feb 1950 at the conference room of the Labor Ministry. This is the outlook of the meeting for the information to whomever concerned with labor educations.

Furthermore, the establishment of Labor Education Technique Research Meeting is to open a new phase for the labor education which has tended toward mannerism.

It aims at free talk concerning some specified theme of some paticular union, so that to understand how democratic union should be. The meeting were already twice held. More than 700 union officers attended in Kinki District. This will indicate how this meeting is practical and effective.

Schedule of Central Labor Education Technique Investigation Meeting:

1. Date - 24 Feb Friday; 0930 to 1600
2. Place - Council chamber, Takebashi Office Blg.
3. Attendants - responsible persons for trade union education in Kanto District.
4. Order of day -

Opening speech - Mr. Kaku, Labor Policy Bureau Chief
" Mr. Grosiak, GHQ

How to edit organ paper? - Bukichi Araka, Chief of Sanbetsu organ paper.

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How to distribute information? - Gensuke Terayama, Kokutetsu Cultural Dept. Chief

How to arrange labor lectureship - Shigeo Takahashi, Vice-chairman, Kinzoku Zen-Nichiro

General report concerning Central Labor Education Technique Investigation Meeting.

1. Opening speech: by the Labor Policy Bureau.

Trade Unions are playing important roll for economic reconstruction and democratization. Needless to say, therefore, unions themselves should be democratic. The importance of labor education, thus, comes up to surface.

The labor education should be carried out by the trade unions by themselves as principle. Labor Ministry only assists it, so there is no binding power. This meeting being held in the said meaning, you must freely discuss all matters as your own problems and obtain good result.

2. Address: by Mr. Grosiak, GHQ.

We have emphasized repeatedly the importance of labor education. Some unions have already established educational plan and are vigorously carrying out the program.

Labor Ministry does service for those unions.

Some unions put more importance on wage question than education. Supposing some demand is made for wage increase, the final result rests with every union member's power, which is based on the through understanding of union's aim. After all, labor education is needed for this purpose.

In these days, union officers are aware of union's aims, but not rank and file. The union power, therefore, is very weak.

We often notice that members of small unions are afraid of being elected as union officers. This is due to the fear of risk, which cannot be removed from operator's side by weak unions.

Labor education needs materials, men and expenditure. There is, therefore considerable financial difficulty. Besides, there are many small unions, which are not affiliated with national-level organization, and accordingly it is very difficult to push forth effectively the labor education by his own power.

In such a case, a autobus should be utilized. I mean