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ITEM 3 Reporter's Comment on the Situation in the Diet on 16 August - Mainichi Shimbun - 17 Aug 46. Translator: N. Tachibana.

Full Translation:

There were no plenary session either in the House of Peers or in the House of Representatives on 16 August. At the committee meeting on the Labor Relations Adjustment Bill in the House of Representatives, heated discussions were carried on. The Social Democratic Party, the New Political Association (SHINSEI KAI) and the Independents' Club (MUSHOZOKU KURABU) all opposed the bill. This is the first time this has occurred during the current session.

It is satisfactory that the parties assumed a definite attitude, opposing what they should oppose and supporting what they should support. Lately the new Diet members from the Liberal and Progressive parties, who at first paid little attention to public opinion, have become stronger, firm in the belief that public opinion will surely support them. In this manner party government or parliamentary government appears to have returned to its original element.

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The zealous EZAKI, Masumi, 32-year old Liberal, and KAWASAKI, Shuji, Progressive, son of Mr KAWASAKI, Katsu, made fiery speeches in support of the bill, while Social Democrat TSUJII, Taminosuke and Independent HOSOSAKO, Kanemitsu opposed the bill because of its unreasonableness and partiality. Mr TSUJII's speech was weak because of his KYOTO dialect, but Mr HOSOSAKO, inspite of his low voice, made his points clear, and silenced veteran Liberals and Progressives.

Mr HOSOSAKO keenly said, "In the end, Mr EZAKI's speech suggests that labor unions are unnecessary. This idea is the same as TOJO's."

Liberal HARA, Susumu angrily replied, "What a shame it is that you should say Mr EZAKI's idea is the same as TOJO's."

Consequently trouble was seen to be brewing. There are some doubts as to what the Government and the Government parties call a normal labor movement. Mr MATSUOKA, Komakichi was so unusually excited that he turned pale when he was not permitted by Chairman AISAWA to explain the truth in opposition to Mr EZAKI who said "I hear Mr MATSUOKA supports this bill!"

Mr MIZUTANI, Chozaburo soothed him, calling for a vote. As a result of the vote it was proved that 12 Liberals and 8 Progressives among the 36 committee members supported the bill.

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After all, the vote at the plenary session will be worthy of notice. At that time Mr ARAHATA, Kanson, representative of the Social Democratic Party, is to make a fiery speech in opposition to the bill. Since pros and cons are almost equally divided, the Liberal and Progressive parties are trying hard to make friends.

We feel that if this bill passes through the Diet by a majority, the workers may go on a general strike.

* * * *

The Co-operative Democratic Party is suffering internal complications arising from the problem of organization of a new party. Today Vice-Chairman KITA, Katsutaro and those who oppose combination with the New Political Association published a joint statement, to the effect that a tadpole cannot become other than a frog. Whether the tadpole means Mr YAMAMOTO, Sanehiko or whether it means the Co-operative Democratic Party is not clear at all. We are interested in how this frog problem will be settled at the forthcoming party's general meeting.

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ITEM 3 Labor Relations Readjustment ~~Law~~ and the Labor Unions - Asahi Shimbun 18 Aug.46. Translator: H. Furukawa.

Full Translation:

The Labor Relations Readjustment Law, submitted to the Lower House on 14 July, was passed by the committee on 16 August after attaching a rider to it. The bill, providing for the methods by which labor disputes are to be prevented, mediated and settled, has considerable bearing on the future development of the labor movement in JAPAN, and consequently the living standards of the laboring class. There is no doubt, therefore, that economic reconstruction will be significantly affected by the bill. On this matter we wish to express our views on Execution of the legislation which has already been approved by the committee.

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Since announcement of the bill by the Government, strong opposition was raised by the labor unions and the laboring masses, and within the Diet the bill was strongly opposed by the Social Democrats, Co-operative Democrats, SHINSEI-KAI and the Independent Club, together with the Communists who had no representation on the committee. It seems certain that the conservative faction, consisting of the Liberals and the Progressives who make up the majority of the Diet, will succeed in passing the bill in spite of the opposition within and outside of the Diet. We must, therefore, carefully supervise the execution of its provisions in order to protect labor.

which the types of utilities are listed. We must, however, point out the law shows partiality in that it imposes upon the employees of publi utilities the duties of a "public servant." We are deeply interested in the Government policy on the managers of public utilities who are apt to act in utter disregard of the interests of the people, seeking to futher their private interests.

Moreover, the competent minister, the law provides, is to have the power to add to the types of utilities enumerated in the law. We are concerned lest this power be misused. The labor committee and the mediators to be established by the new law have a grave responsibility That thorough democratic methods must be adopted, as the rider calls for, in choosing members of the labor committee so that the labor and capitalists are equally represented requires no explanation. Failing, the task of economic recovery confronting us will never come to a successful conclusion, and the people will be thrown into the even more difficult straits.

It was necessary and natural that the labor union movement aimed in the early period of development, chiefly at the acquisition of as many members as possible. Now it has become necessary for them to improve their abilities in preparation for the enforcement of the Labor Relations Readjustment Law and the offensive attack of the capitalists, which is expected to be intensified. Although members of the labor unions are awakening to their mission, we emphasize the point for their attention.

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ITEM 3 (Continued)

To be sure, all capitalist countries have laws similar to the Labor Relations Readjustment Law now being established in our country, but ours, unlike that in other capitalist coutries, is placed under most difficult conditions resulting from acceptance of the POTSDAM Declaration. We must bear the heavy burden of reparations, and proceed on the rough road to reconstruction.

The labor union movement, after surviving the dark war year, has made surprising progress in a short period of only a year. It must be noticed, however, that the labor union in post-war JAPAN, due to its speedy development under favored conditions, has inclined to attach greater importance to the numerical strength rather than policy. Capitalists and factory owners are making every effort to avoid the sacrifices they must bear for economic reconstruction. They are employing every means to check the advance of labor, such as the mass dismissal of employees and production sabotage. The cancellation of war indemnities offered an excellent excuse for these actions. Under such conditions the appearance of phenomena such as management control was inevitable. We must emphasize that in the execution of the Labor Relations Readjustment Law now established, special consideration should be devoted to the sound development of labor unions, without protecting capitalist interests against those of labor. It is the duty of the Government to take care of working conditions of Government employees who will be denied the right to strike under the provision of the new law. It is somewhat laudable that the scope of public utilities is clearly defined by the new law in which the types of utilities are listed. We must, however, point out the law shows partiality in that it imposes upon the employees of publi utilities the duties of a "public servant." We are deeply interested in the Government policy on the managers of public utilities who are apt to act in utter disregard of the interests of the people, seeking to futher their private interests.

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GENERAL HEADQUARTERS
UNITED STATES ARMY FORCES, PACIFIC
Public Relations Office

IMMEDIATE RELEASE
14:30
22 August 1946

FINAL REPORT OF SCAP'S LABOR ADVISORY COMMITTEE NOTES "REMARKABLE PROGRESS" MADE AND JOB STILL TO BE DONE

Impressive achievements in the field of labor since the occupation were acclaimed today in the final report of SCAP's Labor Advisory Committee, which added, however, that "much remains to be done."

Coincident with issuance of the report by a committee headed by Paul L. Stanchfield, SCAP announced that "preliminary actions already have been undertaken covering several recommendations of the committee."

In its report, the 12-man committee, invited to Japan last March to make a detailed study of labor conditions in this country, said:

"Remarkable progress has been made in removing obstacles to labor organizations, establishing basic rights of labor and otherwise implementing sound basic policies. Matters of top priority have received primary attention."

The report, however, noted "five types" of needs to achieve the long-range objectives of a sound labor program. They are:

144 (a) Basic labor legislation still has many defects and limitations, and should be broadened in scope and strengthened in substance.

(b) Detailed plans should be perfected now for some types of labor legislation not practicable until the present inflationary crisis is past. Specifically cited was minimum wage legislation.

(c) Steps should be taken to promote productive public works programs, provide supplementary rations for workers in critical industries and work out similar urgent measures to fill the gap in longer-range programs.

(d) Japan's labor administration machinery "needs thorough overhauling." Present and future programs will require larger and better-trained administrative staffs, creation of a separate Labor Ministry with broad powers; more adequate budgets and more effective channels for supervising local labor functions.

(e) Steps should be taken to educate both the public and unions upon the "functions of labor unions, the nature of collective bargaining, and the importance of labor legislation."

(more)

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Meantime, a SCAP official said "preliminary actions which already have been undertaken by the Japanese Government, at the suggestion of, or in consultation with SCAP, "have prepared the way for prompt action on committee recommendations in these fields:"

1. A Labor Disputes Adjustment bill, providing machinery for conciliation, meditation and arbitration of disputes, and establishing additional legal safeguards for union activities, now is before the Diet.

2. The Japanese Committee on Labor Leglislation, after consulting union and employers, has completed its draft of a comprehensive bill to extend and strenghten protective labor legislation. The bill, after public hearings, will be presented to the October Diet session.

3. Plans for establishrent of a Labor Ministry have been announce by the Cabinet, and details are being worked out by the government.

4. Detailed recommendations for further development and strengthening of labor exchanges have been turned over to the Japanese government.

5. Experience during the first five months of the Trade Union Law has been carefully reviewed, and necessary amendments should be ready for introduction before the Diet in October.

6. Information and education programs to assist employers and employees in developing constructive activities in democratic labor relations have been initiated by SCAP.

In its report, the committee said: "The advancement of labor (in Japan) is one of the best guarantees against any future revival of militarism and aggression. It is one of the highroads towards greater freedom and greater material well-being for the common people of Japan which alone can assure their lasting support of democratic institutions."

Pointing out that "much remains to be done" in the labor field in Japan, the report said "labor programs involve a complex interaction between legislation, administrative agencies and 'private action' by workers and employers."

Programs must be checked for economic feasibility and consistency with goals in other fields, and the precise forms adopted must fit Japanese circumstances.

"Details of labor programs should be worked out through democratic processes by the Japanese themselves, and the primary function of SCAP should be to influence the general direction of changes, "the report noted.

(more)

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(more)

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At the same time, the committee called for "constant vigilance and detailed attention" to assure that: "desirable changes are not blocked by political forces; government labor agencies are properly organized and adequately staffed; unsympathetic personnel are excluded adequate channels of education and opinion are kept open for workers and employers; and undemocratic tendencies in unions and management do not reappear."

Committee members said that while the report's "emphasis is on what remains to be done, the committee feels that in the relatively short time since the surrender, sound and desirable policies have been developed covering the most urgent aspects of the labor program. Progress to date has been remarkable, and has laid a sound basis for the further advances we propose."

Labor Relations

Summarizing SCAP's action to remove barriers to union activity and encourage collective bargaining, the committee report continued:

"Labor organizations have developed at a pace never before witnessed in world history."

Labor disputes have been remarkably few, the committee reported, and work stoppages have seldom caused significant interference with production.

The report pointed out the need for adequate machinery for conciliation, mediation and arbitration, and made mention of these other problems:

Employer domination or influence in many unions; some tendency towards renewal of police activity connected with labor; and the unsettled legality of "production control". As to the latter, the committee said it felt the "issue should be left to decision by the Japanese judiciary or future legislation."

Other recommendations proposed by the committee in the labor relations field included:

Action by unions and employers to reduce employer influence in unions; strengthening of financial independence of unions by "more adequate" dues; increase in the use of written labor agreements in industry, and provision of grievance machinery for peaceful settlement of disputes regarding the application of contracts previously

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negotiated.

Extensive educational activities should be "directed at union officials and members, employers and government labor administrators," the report said, adding:

"The former Japanese tradition of police interference with union and of bias against unions is now being replaced by the reconstruction of a democratic police system dedicated to impartial service to the public, rather than autocratic control. The eventual completion of this program will be a great benefit to labor in Japan."

Passage of legislation contained in the Labor Disputes Adjustment Bill now before the Diet to provide adequate procedures for conciliation, mediation and arbitration, was urged by the committee.

Also called for was revision of the Trade Union law which, "despite it's practical success" does not yet provide a clear-cut set of principles to govern wholesome labor relations.

Specific recommendations were made to: Eliminate "financial or other domination by employers; positively affirm employers' responsibility to bargain collectively with employees; empower Labor Relations Committees to order employers to correct violations; establish the principle of "majority rule" in collective bargaining, and to simplify governmental control and supervision over trade unions.

Employment Policy.

Describing manpower as "Japan's only plentiful resource," the committee said effective use of it is "essential to the solution of immediate problems and the long-range health of the nations economy."

The committee recommended that manpower agencies give priority to recruitment for essential production, and that an aggressive program of public works be developed to aid production and distribution of food, clothing, shelter and fuel.

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Wage Policy.

Establishment of an emergency wage stabilization program was advocated with the proviso that it be undertaken "only if the over-all mechanism of the Economic Stabilization Board can work effectively."

A minimum wage program "is not recommended immediately" because of the possible inflationary effect it might have. However, there was a call for the advance planning necessary for such a program and for legislative authority which would permit minimum wages to be established as soon as feasible.

"Wage differentials between men and women engaged in similar work," said the report, "should be forbidden by law." Steps to simplify the "complex and irrational" wage and salary structure of the nation also were advocated.

Protective Labor Legislation.

In the field of protective labor legislation, the committee's report said such legislation serves to "promote the welfare of workers, support gains made by collective bargaining, and prevent unfair competition between employers."

Laws suspended during the war have been reinstated, but it was noted that standards are low and coverage "extremely limited." Reform of enforcement machinery was seen as an "urgent need".

"Details of protective labor legislation should be determined by democratic processes to assure that standards are reasonable and do not curtail employment or production," the report added.

Specific among the committee"s recommendations in this field were the extention of protective laws to groups now excluded; stronger provisions to prevent involuntary servitude and abuses in labor contracts; overtime pay at least 50 per cent higher than straight time earnings; one day of rest per week, and annual paid vacations; a higher minimum age for child labor; shorter hours and longer rest leaves before and after childbirth for women, and "measures to protect personal freedom of workers living in dormitories."

(more)

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Labor Exchanges

Observing that "in post-war Japan, hiring practices will approach those in western countries," the committee report said this will increase the need for free public labor exchanges.

Such exchanges should be strengthened to promote effective use of manpower, vocational training, and other services for workers, and eliminate labor bosses or "other archaic forms of labor recruitment."

The committee said detailed recommendations on employment exchanges have been placed in the hands of the Japanese government.

Note: Copies of the first chapter summary of the Committee's final report are available in the library of the PRO News Section.

-o- 22 AUG 1946 PRESS RELEASE - AFPAC

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Newspapers Attach Importance To Projected Labor Law

The past week saw publication of the draft Labor Standards Law, decision by the Sanbetsu (Japanese CIO) to participate in the labor-management industrial restoration project sponsored by the Sodomei (JFL) and the Keizai Doyukai, and adjournment of the 91st Diet in Tokyo, and passage of the Chinese Constitution at Nanking and release of President Truman's statement on American-China policy at Washington.

Commenting on the draft labor law on Tuesday, the Asahi said the draft gave the impression that the projected legislation tended to be restrictive and police-like. The journal cannot understand why the minimum wages should be fixed only when "the administrative government office concerned recognizes the necessity to do so." In the opinion of the Asahi, what the Yoshida Cabinet has hitherto done makes it impossible for labor to repose confidence in the government no matter what labor standards law it may draw up. Before so doing, the government should effect a radical change in its basic political setup, the paper concludes.

The Minpo, which is generally conceded to represent the opinion of a large section of labor and Socialist circles, in its Thursday editorial declared that the draft Labor Standards Law reflects the political setup of the Yoshida Cabinet in that it is apparently aimed at retaining government control on labor so as to hold down the labor ascendancy. In order to make a better labor standards law possible, labor should continue to demand resignation of the Yoshida Cabinet, the paper asserts.

Unreserved Approval

Regarding the Sanbetsu's proposed participation in the industrial restoration movement, the Asahi in its Wednesday editorial expressed unreserved approval of the Sanbetsu statement that industrial restoration should not be confined to an economic movement, but would necessarily lead to a political movement. The journal further calls upon the general public to rise to the occasion and fight the prevailing inflation and prevent delays in rationing to pave the way for industrial restoration.

The Mainichi also emphasizes the paramount importance of the Sanbetsu's participation in this movement, especially in view of the fact that this organization controls labor in such basic industries as coal, steel, electricity and machinery. Stressing that the proposed movement is not merely a move for labor-management truce, nor does it involve abandonment of labor's right to strike, the journal avers that the project is primarily aimed at restoring industry through labor-management conciliation on the basis of perfect equality and reciprocity.

Although anticipating considerable difficulties for such conciliation, the Mainichi exhorts both labor and management to make unselfish efforts to attain the goal of "production first" so as to find "the way out" for the whole nation.

On the adjournment of the 91st Diet, the Mainichi on Friday pointed out that political uneasiness persists despite the apparent lull following the uneventful end of the session, and took the opportunity to reiterate the importance of the recent Diet resolution motion and the anti-Yoshida mass rallies. These two events, in the opinion of the Mainichi, indicate that the working masses can hardly be brought to cooperate with the Yoshida Cabinet so long as the latter continues to behave as it does at present. Full understanding and sincerity in tackling the labor problem are the first prerequisites to good politics under the present circumstances, the journal says. In this sense the Mainichi urges the Yoshida Cabinet to re-examine the significance of the defeated resolution and dissolve the Diet at the earliest possible opportunity so as to find out where the people repose their confidence.

Alienate the Workers

On this occasion the Asahi opined that the impending economic crisis tends to alienate the working masses from the government more distinctly than ever, and expressed its doubt about the advisability of retaining the Yoshida Cabinet in power in building a democratic Japan. Should the Diet fail to make positive efforts to clarify this political issue, politics may drift away from the Diet and there even may arise a tendency to distrust the Diet system, the paper warned.

On the passage of the Chinese constitution the Asahi commented on Saturday, congratulating upon the Chinese republic for the fact that public opinion and Chiang Kai-shek's efforts forestalled the Kuomintang rightwing's project to retain the May 5 (1936) draft constitution without revision, for the reason that the new constitution, which was drafted in line with the decision of the all-party Political Consultative Council of January last, leaves room for readjustment of the Kuomintang-Communist relations.

Prior to this the Mainichi in its Tuesday editorial called attention to the fact that the new Chinese constitution embodies several important improvements on the May 5 draft constitution in that the new document was so drafted as to preclude all possibility of dictatorship or excessive centralization of power. The journal also attaches a far-reaching importance to President Truman's China policy statement, declaring that the recent National Assembly, coupled with the re-affirmation of America's China policy, will afford the key to the settlement of China's domestic imbroglio.

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ITEM 2 Labor Relation Adjustment Bill May Pass Unamended - Tokyo Shimbun - 16 Aug 46. Translator: K. Yasutake.

Full Translation:

The various political parties, having decided their respective position in regard to the Labor Relation Adjustment Bill which has been keenly watched because of labor's vehement opposition to it, will formally endorse their decisions in the committee session on 16 August and announce them at the 17 August plenary session. The positions of the three chief parties, the Social Democrats, the Liberals, and the Progressives follow:

144 Social Democrat — When the present bill was introduced to the House, the majority in the party first favored a partial amendment. But since labor will not acquiesce unless drastic revisions are made in the crucial provisions prohibiting government and municipal officials from entering labor disputes and limiting disputes in public utility associations, there is no room for any political compromise with the Progressives and the Liberals who are categorically opposed to any such amendments. Social Democratic leaders are all inclined to oppose this bill in all its aspects.

Progressives and Liberals — As a result of a joint consultation meeting of the two Government parties, which was held on 14 August, it was decided that the two parties would not amend the original bill. Opposition to class warfare and encouragement of increased production will be stated in its preamble. As an attendant resolution, a two-point provision will be offered:

1. At the framing of the Basic Labor Law, to be presented to the House by this fall, all public opinion will be consulted so that the legislation may be epochal.

144 2. An allowance measure committee will be formed in the Cabinet to improve the treatment of the government and municipal officials and to insure that nothing will be left undone for their welfare.

In the coming plenary session the Progressives and the Liberals in all likelihood will overwhelm the Socialists by sheer force of numbers inspite of the speeches in opposition by the Socialists. It is, therefore, predicted that this bill will ultimately pass the House of Representatives.

ITEM 3 Social Democrats Oppose Labor Readjustment Bill - Jiji Shimpo - 18 Aug 4 Translator: K. Sato.

Full Translation:

The Labor Relations Readjustment Bill will probably be presented to the plenary session sometime next week. It is expected to pass the Diet immediately, in spite of the efforts made by Mr INUKAI, Ken (Progressive) and others to delay its introduction, because of the overwhelming support of the bill by the Government and the Liberals. The Social Democrats, on the other hand, stand in absolute opposition to the program and are planning to call for the co-operation of the 144 Co-operative Democratic Party, the New Political Party (SHINSEI-KAI), the Independent Club, the Communist Party and other minority parties, to minimize the defeat as much as possible when the bill is put to vote, thereby indicating the actual will of the working masses to the Government and to the general public.

Accordingly, the Social Democratic Party hastily decided to open a conference for making definite plans which will comprise the special committees of the respective parties which are opposed to the contemplated bill.

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144 Summary of Labor Advisory Committee's recommendations contained in their report released to local press. ~~Press~~ release contained

144 Committee's recommendations in labor relations and unions, general employment policies, wage and salary policies, protective labor legislations, and employment exchanges and recruitment. Copies of completed report will be forwarded to Washington. ~~23~~ AUG 1946

Dairy Labor Cont

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ITEM 1 Disputes Re The Labor Adjustment Bill (Sub-editorial) - Tokyo Shimbun 17 Aug 46. Translator: M. Kawanabe.

Full Translation:

Labor has been frequently making public demonstrations in opposition to the Labor Relations Re-Adjustment Bill that barely passed the committee, and has shown how trong its objections are. Even the unions of Governmental employees were about to display their grave objection in the form of strikes. The disputes concerning the Bill will, in all probability, become serious, since in the present social situation a great number of unemployed are to be expected. Apart from the question of the justness of their objection, this will surely, have a serious effect upon industrial production that is returning to normalcy in this country. If officials of the Goverrment and politicians fail to foresee this simple fact, they will be condemned as utterly unqualified for their posts. Any one of them who has the courage to profess that he is a Daniel should reveal his policy. Where in the world is this Daniel?

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It is quite absurd to prepare a bill to suppress the labor movement in consideration of the growing activity of the labor question. Such a step, as Mr HOSOSAKO protested, is but one removed from what TOJO would have resorted to. What monsenses, when the masses have been steadily gaining ground!

The solving of the labor problem is the key to the success of the rehabilitation of this country. There is no alternative but, for the nation to meet this problem openly and to solve it with the co-operation of all. If capitalists maintain their own position on the one hand, while labor adheres to its own on the other, there will be no possibility of solution. For instance, take the problem of the dismissal of Government transportation service employees. While the Government authorities insist on dismissing 130 thousand employees, the labor union demands an increase of ten thousand employees. We are quite bewildered at the great difference between the two. The authorities insist on dismissal to make up the deficit, but, the union will not lend an ear to this at all. The attitudes of both parties are entirely incomprehensible. There must be several other effective ways of making up the deficit. Dismissal and objection to it are the last things to be considered, when the wisest measure has not been used at all.

ITEM 3 Labor Adjustment Bill Passes Committee - Tokyo Shimbun - 17 Aug 46. Translator: K. Sato.

Full Translation:

The Labor Adjustment Law Committee meeting adjourned at 1113 hours 16 August. EZAKI, Masumi, representing the Liberal Party, clarified his attitude in support of the Government bill on condition that the following supplementary resolution also be passed. Then KAWASAKI, Shuji, presented his view in categorical support of the Liberals on behalf of the Progressive Party. Meanwhile TSUJII, Taminosuke (Social-Democrat) delivered a speech in absolute opposition to the original draft. His proposal was, however, rejected by the combined majority of the Progressives and the Liberals after the draft was put to a vote.

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Supplementary Resolutions:

1. In drafting the Labor Standards Bill, to be introduced in the Diet this autumn, public opinion shall be adhered to so as to render it an epoch-making bill.
2. In an attempt to cope with the problems concerning the improvement of government and municipal officials' treatment and the stabilization of their livelihood, a Pay Adjustment Commission shall be created within the Cabinet.
3. The Government shall, in determining the date for the enforcement of this bill, respect and carefully consider the situation of the Government and municipal officials and of the employees in general connected with public utilities.

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Nakahara Says State Oppressing Workers

Government Siding With Capital, Socialist Charges at House Labor Meet

Heated discussion developed on the question of Government oppression of labor between Kenji Nakahara, Social Democrat, and the Government, at the meeting of the Labor Relations Adjustment Bill Committee of the House of Representatives, Tuesday morning.

Nakahara said that there is a marked tendency recently on the part of Government authorities to oppress labor by supporting the offensive attitude of capitalists, citing the Yomiuri Shimbun dispute as an example.

In reply, an official of the Justice Ministry expressed regret over the Yomiuri Shimbun affair, and stated that the case was still under investigation. He then stressed that the Ministry has never adopted any oppressing policy and was even in sympathy with the workers.

Director Tanikawa of the Police Bureau, Home Ministry, answered that the police are desiring the healthy development of labor unions and were controlling various individual cases with care. He added that oppressive measures have never been applied.

Nakahara further posed questions regarding the dispatching of tough gangs to oppress labor. But Director Tanikawa replied that there was no actual case of mustering tough gangs for enterprisers.

Nakahara then said that in the case of the Yomiuri dispute, violence was actually brought to bear on the workers. Director Tanikawa said that if such had been the case, he would investigate the matter.

Nakahara insisted that the police should take the same attitude toward gangs as towards workers. He also demanded that the Government adopt a fair attitude by changing the former idea regarding the right of forming unions and the right to strike. The working class is absolutely opposing the proposed law, he continued, and asked if the Government intends to overrun the opposition of the workers.

Welfare Minister Kawai replied that recently he met many representatives of the workers, and following a frank exchange of views, they have understood to some extent the true aim of the proposed bill. The Minister also expressed hope that in view of the present condi-

(Continued on Page 2)

Nakahara Says State Oppressing Workers

(Continued from Page 1)

tions, it is desired that all would support the bill.

Nakahara objected to the Welfare Minister's statement that workers are understanding the meaning of the bill, and said that on the contrary, they were all against it. There is danger of there arising strikes or management control by the decision of workers, and he asked if the Government would take responsibility for such development.

Welfare Minister Kawai answered that the proposed bill was drafted for the benefit of the entire people, and that the livelihood of policemen and others who are prohibited to strike should be fully guaranteed. But he explained that under the present inflationary setup, the treatment of such officials cannot be handled satisfactorily.

Meanwhile, Prime Minister Shigeru Yoshida stated at the Budget Committee meeting of the House of Representatives Tuesday morning that even with the increased food production, self-sufficiency in food cannot be expected.

To an interpellation made by Seizo Asau, Cooperative Democrat, Agriculture and Forestry Minister Wada explained that the official price of rice was fixed at ¥300 a koku, and that this was based on the rice producers' conditions and the ¥500 livelihood of the people. Finance Minister Ishibashi then said in reply that the official rice price may not necessarily be right in consideration of the production index and the economic condition of the producers, and that much thought must be given to its advance.

Kotaro Mori, Liberal, next took the floor and said that there were contradictions between the statements of the Finance Minister and Agriculture and Forestry Minister, and that the attitude of the Agriculture Minister was particularly insincere. The Agriculture Minister said it would be necessary to change the rice price so that the producers would net more profits.

Concerning self-supply of foodstuffs, Prime Minister Yoshida said that Japan is today under various restrictions, and thus nothing definite can be said of the future. Even if food production is increased, complete self-sufficiency cannot be expected. Therefore the agricultural policy of Japan should be based upon this conception, he said.

Education Minister Tanaka spoke on the reconstruction of the national morality of Japan.

NIPPON TIMES AUG 7 1946

Labor Standards Bill Will Be Finished Soon

To Protect Worker's Personal Rights, Especially Those of Women, Juveniles

A draft Labor Standards Bill, providing for a much-needed Japanese counterpart for the United States Fair Labor Standards Act will be completed by the Labor Legislation Investigation Council next month, Jiji Press reports

Commissioned on July 22 by Welfare Minister Yoshinari Kawai, the council created a special sub-committee composed by representatives of labor, management and other circles concerned. The result of its work will be revised at a series of public hearings to be held for 10 days beginning September 5 and then submitted to the Welfare Minister, it was said.

All existing regulations for labor protection will be either abolished or either incorporated in the new Labor Standards Act, which will emphasize protection of the worker's personal rights especially the working conditions for women and juveniles, it was said.

The new act will be featured by the following provisions:

(1) To insure basic personal rights of the worker, Article 1 will provide that the worker should be enabled to live a "decent human life" and Article 2 that labor has equal rights to management's.

(2) For labor of the same value, men and women will receive equal wages. Compulsory labor will be abolished and the worker's exercise of his or her civic rights will be protected.

(3) The act will apply to not only the workers in mines and factories but also workers in other enterprizes. (In the draft, Government and public officials are excluded)

(4) If found necessary by the administrative office concerned, the minimum wages of an industry will be determined by a joint committee of labor, management and neutral circles.

(5) In deducting the worker's debt from his or her wages at the time of payment, the maximum sum to be deducted will be set at one-third of the wages.

(6) Discharge of workers injured while at work, and women because of pregnancy or childbirth will be forbidden. Discharge must be preceded by a 30-day notice or made with 30 days' pay.

(7) Working hours will be limited to eight per day and 48 hours per week. Overtime work will be subject to provisions of a labor-management agreement. Overtime work of women and juveniles will be strictly limited.

(8) Six holidays with pay will be guaranteed for workers who have worked over one year with more than 80 per cent attendance on duty. For those who have worked more than two years, one extra holiday with pay will be given per every additional year.

(9) Workers will be protected from engaging in dangerous work through compulsory installation of safety devices, etc.

(10) The minimum age of the worker will be 15 instead of 14 years as hitherto.

(11) Intervention by a parent or a guardian in juvenile labor contracts will be prohibited, thereby preventing exploitation of juvenile labor by parents or guardians.

(12) Six-week holidays before and seven-week holidays after chilbirth will be guaranteed for the female worker. A pregnant worker will be permitted to engage in easier work than usual. Vacations during menstruation will be given to female workers engaged in heavy physical or mental work.

(13) Apprenticeship for juveniles will be restricted to preclude overwork and exploitation by employers.

(14) In case of the worker's death or injury due to work, the employer must pay for the medical treatment, subsidize the funeral and the livelihood of the bereaved family.

(15) Labor will participate in formulating regulations for work.

NIPPON TIMES AUG 28 1946

DECLASSIFIED E.O. 11652 SEC. 3(E) AND 5(D) OR (E) NNDG # 775015

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Recommendations on Labor Law Justified, Gen. Derevyanko Insists

Soviet Spokesman Refuses Comment When Asked If Russia Practicing What It Preaches

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TOKYO, (UP) July 16—The Russian member to the Allied Council for Japan, Lieut.-Gen. Kuzma Derevyanko insisted that SCAP's statement showing progress in labor reforms in Japan definitely proved that Russia was right in recommending a shakeup of Japanese labor laws.

In another step resembling what the American member to the Allied Council, George Atcheson, Jr., has described as a "Soviet propaganda campaign" designed to claim credit for General MacArthur's labor reform program, the Soviets summoned foreign correspondents on one-hour notice to a special press conference, where Derevyanko's "Press Bureau" issued an 18-point labor program.

A spokesman for Derevyanko, said that, after reading the SCAP Economic and Scientific Section's recent statement on labor reforms;

"One may express one's satisfaction that this statement—possibly against the will of its authors—fully confirms the opportuneness of well-grounded recommendations for labor legislation in Japan made by the Soviet member in the Allied Council."

He said the statement clearly shows that most recommendations by the Russian member of the council were far from being realized.

The spokesman declared the Soviet recommendations are far from being unnecessary, although they include nothing new, unrealizable or extraordinary.

He said the recommendations concerning labor legislation mainly represent elementary principles realized long ago "in democratic countries such as England, France and to a great extent in the United States."

Asked if the principles embodied in his 18-point program now are effective in the Soviet Union, the spokesman replied:

"I am not authorized to reply to any question like that."

He denied Derevyanko's new statement was part of any "propaganda war" and said it merely was intended as a reply to the statement by SCAP's economic and scientific section.

Pressed for an outline of the existing labor legislation in the Soviet Union, the spokesman repeatedly replied:

"I am not authorized to comment on such questions."

The spokesman said the Economic and Scientific Section's statement stating that provisions similar to those proposed by the Russian delegate had been realized or will be realized "in itself replies to awkward 'charges' made by certain persons" that Derevyanko's proposals were of a propagandistic and "Communistic" character.

The second point of the new Russian labor proposal, which concerns the mooted question of labor control of production, said:

"It must be decreed by law that in case the employer closes down his enterprise—a frequent occurrence in Japan—for the purpose of sabotage, for deliberate wrecking the economy of the country or by way of a lockout to put illegal pressure to bear upon the workers, and when as a result of this takes place a mass dismissal of workers and employees participating in the strike the employer should pay to each worker or employee a dismissal allowance, the amount of which is fixed by agreement with a labor union and not paid in accordance with some doubtful "tradition."

"In case the employer refuses to pay the dismissal allowance the law must entitle workers and employees to take over business control and management of the said enterprises."

Other points of the labor proposal included:

Extension of labor legislation to all categories.

Employers' financial responsibilty for enforcing collective agreements.

A minimum wage agreement for each industry between the unions and a Labor Ministry.

Equal wages for men and women of equal skill.

An eight-hour day and 40-hour week.

Reduced hours for hazardous work.

Legal overtime pay at graduated rates.

A weekly holiday as in all democracies instead of the twice-monthly holidays authorized under the present Japanese law, also an annual two week's vacation for each worker with pay.

A medical insurance fund controlled by the unions.

No night work for employees under 18 years of age.

Thirty-five days' paid vacation for pregnant women.

Prohibition of all underground work such as in mines for women.

NIPPON TIMES JUL 18 1946

JAPANESE UNION PROTESTS LABOR ADJUSTMENT LAW

By Cpl. AMERICO PAREDES
Staff Writer

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Something new in demonstrations took place yesterday when 20,000 out-of-towners took the train to Tokyo and paraded in protest against the labor adjustment law.

The commuting demonstrators came from Kawasaki, a city between Tokyo and Yokohama, and are members of the Federation of Labor Unions of the Kanto District of the Tokyo-Shiba Ura Electric Co. The Ura Electric Co. is one the largest companies in Japan, Tokyo police said, and the demonstrating union is the biggest in the Japanese C.I.O.

The demonstrators carried placards denouncing the labor adjustment law and asking for reinstatement of employees discharged by the company in a previous dispute. They marched and sang down Tokyo streets in a now familiar manner, visiting the Diet where 10 of their number were admitted to air their complaints before Diet and Cabinet members. No agreement on their demands was announced.

After the parade, Kawasaki citizens of both sexes gathered in the park in front of the emperor's palace and ate their lunches under the trees while a slightly sour brass band played the Argentine tango "La Cumparsita."

STARS & STRIPES AUG 21 1946

Bill For Labor Code Will Be Introduced In Next Diet Session

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Veritable Labor Charter Will Free Workers From Feudal Shackles

A bill providing for a Labor Code, or a veritable "Labor Charter" aimed at the emancipation of workers from feudalistic labor shackles, has been formulated by the Government through the labor legislative inquiry commission and is expected to be introduced to the next extraordinary session of the Diet.

The voluminous bill containing 13 chapters and over 100 articles, was compiled by a 12-man sub-committee headed by Dr. Gentaro Suehiro and with equal number of labor and capital representatives as well as neutral parties after over one month of careful deliberation.

Picking up some of the most important points therefrom, Article II provides that the worker shall have the right to decide the labor terms on an equal footing with his employer, and both worker and employer are duty-bound to faithfully observe the labor contract, service regulations, and the rules of the contract.

Article XXXIV stipulates in part that the employer can prolong the working hours or have his employees work on holidays only in accordance with the regulations of a written labor contract.

MAINICHI AUG 26 1946

DECLASSIFIED E.O. 11652 SEC. 3(E) AND 5(D) OR (E) NNDG # 775015

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Government Bares Amended Labor Bill

Measure Would Prevent Civil Servants From Participating in Disputes

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An amended draft bill on labor relations adjustment was made public on Saturday by the Government following an extraordinary Cabinet conference held within the Diet building.

In the draft bill, the Government defined labor disputes as "a state in which acts of disputes have taken place" or "a state in which acts of disputes are being threatened" as a result of disagreement of views between capital and labor. It is further defined that acts of disputes is a means of labor to win their demands and that by these acts of disputes normal operation of business is hampered.

According to the Government, public utility enterprises are enterprises indispensable to daily life of the masses and they include transportation, mail, telegraph, telephone, water, electricity, gas, medical and, other services.

In Chapter 3 of the draft bill, it is stipulated that labor committees are entitled to arbitrate in the labor disputes when concerned parties are agreed in seeking for arbitration on the part of the committees. The committees are also authorized to arbitrate in labor disputes involving the public utility enterprises without consent of the concerned parties.

In Chapter 4, the draft bill stipulates that a verdict of arbitration is as valid as a labor contract.

In Chapter 5, it is provided that with regard to public utility enterprises acts of disputes are not to be permitted unless 30 days passes after the application for arbitration or commencement of compulsory arbitration.

The same chapter also stipulates that policemen, school teachers and other Government and provincial municipal officials are not entitled to acts of disputes.

It is also provided that employers are not allowed to dismiss employes for reason of their participation in disputes without consent of labor committees.

NIPPON TIMES

JUL 8 1946

Japanese Ships Cleared To Sail By Strike Truce

Five repatriation ships which were held up temporarily by the All-Japan Seamen's Union strike at Sasebo now are cleared to sail for the Ryukyus and Hulutao Manchuria, following yesterday afternoon's truce between the union and the Japanese Civilian Merchant Marine Commission.

SCAP has delivered a strongly worded memorandum to the Japanese government reminding officials that "strikes, walkouts, or other work stoppages which are inimical to the objectives of the military occupation are prohibited.

EDITORIAL

On Freedom Of Labor

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The outline of the draft of the revised Labor Arbitration Law has been made public. It provides besides other things that all labor disputes involving public utilities be referred to a labor committee composed of both employer and employee representatives. Public utilities stipulated cover a wide field including "enterprises designated by competent Ministry on the basis of decisions of the central labor committee."

In addition, the regulations provide that on the event that a dispute is not settled by the labor committee, public utilities workers cannot strike until 15 days elapse after the mediation effort fails.

All this is a conclusive hamstringing of the labor's right at collective bargaining and negation of the freedom of labor.

Under capitalistic economy, the only weapon which labor possesses for redressing injustices sustained is the labor union system which enables the use of strikes as a means to bargaining. It is after all a compromise process between power of money and the force of number.

The revised draft of the law in effect obliterates this power of bargaining and is in gross contradiction to the present effort to democratize society.

Labor must be given the fullest chance to lay a firm foundation of democratic economy. Workers must be allowed to fight their struggle freely against capitalistic exploitation. Labor must be emancipated just as politics have been freed.

Public utilities are inseparably linked to the daily life of the masses, we grant, but that is no reason why labor rights should be restricted and labor movements oppressed among utility workers.

As a matter of fact, no matter what type of labor controversy it may be, workers cannot expect to win unless they receive the fullest sympathy and support of the public. Furthermore, any labor disputes in public utilities will jeopardize public interest and naturally too frequent disputes cannot be permitted. Public opinion would bring to bear sufficient breaking action on such an event.

These being the factors in the case, public utilities workers should not be discriminated against just because they happen to work in enterprises closely linked to the life of the masses. Why should they be treated differently from other workers, industrial workers.

Labor is labor regardless of what they are engaged in, and all workers must have the right to bargain for the betterment of their condition, for just and equitable renumeration for their endeavor. If Japan is to be a democracy, there must be democracy in labor.

MAINICHI

STARS & STRIPES APR 28 1946

SEP 1 1946

Speedy Settlement Of Labor Disputes Aimed In New Bill

Compulsory Arbitration Stressed For Strikes In Public Enterprises

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A tentative Labor Arbitration Bill, worked out by a subcommittee of the Labor Legislation Inquiry Commission—a Welfare Office consultative organ consisting of representatives from labor, capital, and neutral elements—was announced by the Welfare Office on April 23.

The bill is expected to be introduced to the next emergency Diet session after a meeting of 15 representatives each from labor and capital in various regions and industries throughout the country early in May.

A summary of the draft legislation follows:

Conception Of Labor Dispute

In the first place, the conception of labor dispute is understood in the broad sense, comprising almost all forms of disputes and controversies related to labor and capital. At the same time, the scope of the category "public utility" has been greatly enlarged, with transportation, postal service, telephone and telegraphic service, water works, electricity and gas supply, medical treatment, etc. being placed under this category, thus leaving considerable room for compulsory arbitration.

Secondly, in case a labor dispute arises, mediators nominated by the chairman of the Labor Commission from among learned and experienced persons will endeavor to settle it as speedily as possible.

Thirdly, if mediators fail to settle the issue, or when the Labor Commission deems it necessary to settle the issue on the strength of its authority or when its mediation is requested by administrative offices concerned, the dispute will be brought before the Labor Commission for compulsory arbitration.

Arbitration Committee

For this purpose, the Labor Commission will form an arbitration committee consisting of an equal number of members representing employers and workers. In case both labor and capital do not consent to the Labor Commission's arbitration, the dispute will be then made public so that it may be judged fairly by public opinion.

Fourthly, in case both labor and capital, by mutual consent, entrust the whole matter to the Labor Commission, the latter will take charge of their arbitration.

Last but not least, employees engaged in public utilities will not be permitted to walk out until 15 days elapse after the rupture of mediation negotiations. Moreover, strikes will be almost totally forbidden for officials in the service of government or public offices.

MAINICHI

APR 26 1946

DECLASSIFIED E.O. 11652 SEC. 3(E) AND 5(D) OR (E) NNDG # 775015

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
ALLIED TRANSLATOR AND INTERPRETER SECTION

PRESS TRANSLATIONS

No. 4822 DATE: 26 Aug 46

EDITORIAL SERIES: 1216

ITEM 1 Standard Working Conditions Law To Be Introduced - Tokyo Shimbun - 26 Aug 46. Translator: J. Wada.

Full Translation:

Since the surrender, the labor union movement has made remarkable progress, particularly after the enactment of the Labor Union Law. The membership of the labor unions has increased to more than 4,000,000. It is true that not a few of these labor unions are only nominal but, as was pointed out by SCAP, the development of the labor union movement as a whole is doing much for the democratization of our country and the elimination of all remnants of militarism.

In order to promote the sound development of labor unions and to guarantee to the members of labor unions at least a fundamental standard of living, a Standard Working Conditions Law must naturally be enacted in conjunction with the Labor Union Law. But the Relations Adjustment Bill was introduced in the present Diet session in advance of the Standard Working Conditions Law. This has given rise to a popular movement outside the Diet, which opposes that bill as well as hot discussions in the Diet. This fact is more significant when we consider that the cancellation of our indemnities will be followed by a general dismissal of employees. With the apparent purpose of coping with this situation, the Government has decided to introduce a Standard Working Conditions Bill to the present session, which has been under consideration, although the order of introduction has been reversed.

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The proposed Standard Working Conditions Law corresponds to the article providing for the rights of labor in the draft of the new Constitution and aims at securing the fundamental living conditions of laborers. The bill is epochal in that it provides that laborers shall be entitled to decide "the labor conditions which will enable them to attain a decent living standard, comparable to that of the capitalists". No one would be so foolish as to ask whether laborers are human beings, but it is doubtful that laborers are guaranteed the necessary working conditions for a decent living standard. It is doubtful that laborers have a full understanding of their own rights and are trying to gain equal status with the capitalists by controlling working conditions. We suspect that both employers and employees are still being influenced, consciously or unconsciously, by feudalistic notions.

There are many conflicting views concerning the specific provisions of the proposed law. The anticipated mass dismissal of employees will stimulate these arguments even more. It is not right that the fundamental law covers even the matters concerning dormitories, but the proposed selection of the same number of employers, employees, and men of knowledge and experience as committeemen of the minimum wage committee is a very progressive step. It is a welcome, although an

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ITEM 1 (Continued)

inevitable sign of the times, that the acquisition of minimum standard working conditions for laborers is attempted by law. Both capital and labor must be deeply impressed when they look back upon the time, just after the surrender, when millions of laborers were dismissed with small retirement allowances.

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ITEM 3 Labor Standard Law - Yomiuri Shimbun - 26 Aug 46. Translator: K. Higashikawa.

Full Translation:

A draft of the Labor Standard Law, compiled by the Sub-Committee of the Labor Legislation Council (ROMU HOSEI SHINGI KAI), has just been released. It is a revolutionary law which guarantees the basic rights of modern workers in accordance with the provisions of Article 27 of the revised Constitution; in this sense it can be regarded as the Magna Charta of Labor. It is anachronistic that our workers should now, after a lapse of 8 years since our country made its start as a capitalist nation, be guaranteed labor conditions which are barely sufficient to fill the needs of a livelihood worthy of man. But, therein lay the retrogressiveness and semi-feudalism of our capitalism. Better late than never! If the personal rights of our workers, as well as their labor and living conditions, are to be secured by law, we earnestly hope that such legislation will be enacted as quickly as possible.

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Labor conditions in our country have been semi-feudalistic and semi-colonial, and, according to a certain critic, have been below the standard of labor conditions in INDIA. Owing to the existence of the sent crisis.

The present time, when these semi-feudalistic systems are within an inch of being legally stamped out, it is significant to note that the workers by virtue of the new labor law are about to be given the right to determine working conditions on an equal footing with employers. The law is of particular importance since the workers are displaying a burning enthusiasm for industrial recovery and industrial democratization in the face of the collapse of capital. In this respect we hope the capitalists, who are inclined to sabotage production and to neglect industrial recovery, will extend their thorough understanding and co-operation.

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Avoiding a detailed discussion of the entire contents of the new Labor Standard Law, the fact that the law contains the terms and conditions embodied in the International Labor Charter in reference to the adoption of the same wage for the identical value of labor, and the fact that it adopts an eight-hour day and a 48-hour week, as stipulated in the International Labor Treaty of 1919, is certainly progressive. It has thus elevated the working conditions of labor to the international level. However, in regard to the so-called average wage mentioned in the law, the fact that the basis for calculation is placed upon the three months' wage prior to an accident is much too mechanical and needs to be amended at one of the sittings of the Public Council or on some other occasion.

In regard to the number of working days, the new law stipulates the total number of working days at 300 a year, and for those who work more than 80 percent of about 20 days per month, the law allows a six day leave of absence with pay. The average number of working days per month in our country is 22 or 23 days. We hope that by strictly observing the 20 days month we will be able to solve the unemployment problem.

In any case, we do not begrudge recognizing the progressive and modern nature of the new law, but the most important point is that the success or failure of the law depends upon whether the Government and the capitalists possess the necessary understanding and enthusiasm for the actual enforcement of the law. To this one point is hitched the vital question of whether our economy and production can be democratized.

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ITEM 3 (Continued)

semi-feudalistic farm villages, the wage level of our workers has been the lowest of any modern capitalistic nation. The feudalistic apprenticeship, the padrone system, and other forced labor systems still survive in the weaving, coal, and other industries, and there have been no satisfactory welfare facilities for the health and security of workers. The inhuman treatment of women and juvenile workers, especially as regards night work, has been a general practice. The survival of these semi-feudalistic systems played a large part in placing JAPAN's capitalism on a modern basis, but, at the same time, it embodied self-contradictions. The almost permanent poverty of the masses played the role of a brake over economic progress, which served to stimulate the incentive to seek markets abroad. This in turn led to war and has brought about the present crisis.

The present time, when these semi-feudalistic systems are within an inch of being legally stamped out, it is significant to note that the workers by virtue of the new labor law are about to be given the right to determine working conditions on an equal footing with employers. The law is of particular importance since the workers are displaying a burning enthusiasm for industrial recovery and industrial democratization in the face of the collapse of capital. In this respect we hope the capitalists, who are inclined to sabotage production and to neglect industrial recovery, will extend their thorough understanding and cooperation.

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GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
ALLIED TRANSLATOR AND INTERPRETER SECTION

PRESS TRANSLATIONS

No. 4823 DATE: 26 Aug 46

SOCIAL SERIES: 1053

ITEM 1 Draft of the Labor Standards Law Finished - Tokyo Shimbun - 26 Aug 46. Translator: K. Nagatani and F. Furukawa.

Summary:

A draft of the Labor Standards Law, designed to democratize the working conditions of labor, was drawn up by the sub-committee of the Labor Legislation Inquiry Council. The projected draft will be subjected to article-by-article examination by the Labor Legislation Inquiry Council after which the Council will make an interim report to the Government on 5 September. To get the opinions of non-official circles into the drafting of the new law, the Labor Legislation Inquiry Council will hold a public hearing covering employers, labor leaders, scholars, and experts on labor problem. After the investigation of the real conditions under which labor is forced to work and the completion of liaison conference with the ministries concerned, the Council will put the draft to the debate of its general assembly for a final decision. Welfare Minister KAWAI declared that the Labor Standard Law bill would be submitted to the temporary session of the Diet scheduled for October.

The contemplated Labor Standard Law is the most important of the three fundamental pieces of labor legislation. The other two are the Labor Union Law, which has already been put into effect, and the Labor Relations Adjustment Law which has passed the Lower House committee. The Labor Standard Law is significant in that it not only forms the foundation for better relations between capital and labor, but it determines the direction of our economic rehabilitation. The projected draft of the Labor Standard Law is characterized by the following three points:

1. The draft codifies working conditions of labor and its fundamental rights which are stipulated in Article 27 of the new Constitution, while the Labor Union Law and the Labor Relation Adjustment Law are aimed at a sound development of labor unions and solution of labor disputes.

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2. Fundamental working conditions, such as wages and working hours, are raised to an international level.

3. The projected draft unifies the existing labor laws including the Factory Law.

Significant points of the Labor Standard Law draft are as follows:

Working Conditions

Workers shall be allowed to determine their working conditions in conjunction with employers.

(Article 1) Any discrimination due to nationality, race, religion, or social position is prohibited.
(Article 2) Female workers are entitled to the same wages as male workers if they furnish labor of the same value.

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SOCIAL SERIES: 1053 (Continued)

ITEM 1 (Continued)

(Article 3) Forced labor is prohibited.
(Article 4) The execution of franchise and other civil rights is guranteed.
(Article 5) A contract of employment is determined in accordance with the standard labor conditions stipulated in this legislation.
(Article 11) As a rule, the period of employment is three years.
(Article 12) Employers should make working conditions, including wages, known to employees prior to employment. If there should be any discrepancy between real working conditions and the conditions which employers promise to provide employees prior to employment, the employees can claim travel expenses to return to their homes, and may cancel the employment contract.
(Article 13) Any contract retaining compensation for breach of contract is prohibited.
(Article 14) The highest wage to be offset by an employer's advance loans and other debts on the part of employers is to be restricted to less than one third of the amount of wage.
(Article 15) Contracts stipulating compulsory saving of wages and employer's control of employee's savings are prohibited.
(Article 16) Employees will not be dismissed while they are receiving medical treatment for injuries and diseases resultant from their duties.
(Article 17) Employers must give employees 30 days notice except in cases of natural calamities or when dismissal allowances corresponding to over 30 days' wages are paid.
(Article 18) The aforementioned notice of dismissal is not to be given day workers.and other temporary workers.
(Article 19) As a rule, wages are to be paid in currency more than once a month at a definite date.
(Article 22) Workers shall be able to demand payment of wages even prior to the usual date of payment in case of illness and other extraordinary accidents.
(Article 23) If workers are laid off for employer's reasons, holiday allowances, no less than 60 percent of wages, are to be granted during that period.
(Article 24) If employers pay wages according to the output of labor, they should guarantee a definite wage in accordance with working hours.
(Article 25) Government offices shall be authorized to determine minimum wages according to each industry or each vocation.
(Article 26) Minimum wages are to be determined by wage committees set up throughout the country. The committees shall be composed of an equal number of employers, employees, and independents.
(Article 27) Minimum wages thus determined by the wage committees shall be officially determined by each Government office after the sanction of ministers concerned.
(Article 28) Once minimum wages are determined, employers shall not use outside employees at lower wages.
(Article 29) Working hours will be limited to eight hours per day, exclusive of a recess, in principle, working hours cannot exceed 48 hours per week, and in case average working hours per week are below 48 hours during a period of four weeks, additional work may be imposed upon laborers on a specified day or week.

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ITEM 1 (Continued)

(Article 30) In the event that it is necessary to extend working hours for unavoidable reasons, the extension of working hours within the limit permitted by the administrative authorities will be permitted.

(Article 31) There must be at least 45 minutes per day for rest when daily working hours exceed six hours, and those who work eight hours or more per day must be given at least one hour for rest; these recesses must be uninterrupted.

(Article 32) Day off must be given at least once a week except to those who take days off more than four times a month.

(Article 33) Over-time or holiday work must be reported to the administrative authorities after an agreement has been reached with the representatives of the labor union or the majority of the workers. The over-time or holiday work will not be allowed if hazardous work is being undertaken.

(Article 34) For the over-time, night, and holiday work, pay must be increased 25 percent or more.

(Article 35) There will be a yearly paid holiday of six days for those who have worked a whole year and who have reported for work at least 80 percent of the time. Vacations will be increased yearly by one day, but cannot exceed 20 days a year.

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(Article 37) The above provisions for working hours, recesses, and holidays can be altered by the ordinance in case commerce and transportation are concerned, and also, they are not applicable tp agriculture and forestry, pasturage and fishery, shipping, theatrical performances, hospitals, hotels, and part time work.

(Article 39) The minimum labor age is raised from 14 to 15, but some exceptions to this principle are provided for in the new law.

(Article 55) Those who are under age will be independent of their parents or guardians in contracting labor and taking pay.

(Articles 55 and 56) Women and those who are under the age of 18 are to be prohibited from engaging in over-time, holiday, and night work, and they are also barred from including dangerous work including labor in coal pits.

(Articles 57 to 61) In addition, women are entitled to time-off for child birth, nursing, physical troubles, and travelling home.

(Articles 62 to 65) Compensation for those who are killed or injured while working. The traditional system of apprenticeship is abolished.

(Article 66) In order to protect the juvenile workers from cruel treatment, the employment of those who are under age, by educational standards is dependant on the permission of competent authorities.

(Articles 67 to 71) Employer must take care of the workers who are injured or have become ill due to labor, except where the worke is responsible for the accident.

(Articles 72 to 75) When the worker dies due to an accident, his survivors can make claim for funeral expenses and compensation.

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SOCIAL SERIES: 1053 (Continued)

ITEM 1 (Continued)

(Articles 76 and 77) All those who continuously imploy more than 10 laborers must make provisions for the working conditions of his employees after consulting with the labor union, and report the settlement to the authorities.

(Articles 83 and 84) The effect of the above settlement on working conditions is to be considered tantamount to a labor contract.

DISTRIBUTION "X"

DECLASSIFIED E.O. 11652 SEC. 3(E) AND 5(D) OR (E) NNDG # 775015

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
ALLIED TRANSLATOR AND INTERPRETER SECTION

PRESS TRANSLATIONS

No. 4750 DATE: 21 Aug 46

SOCIAL SERIES: 1037

ITEM 1 Labor Relations Adjustment Bill Passed in Lower House - Mimpo - 18 Aug
Translator: J. Ide.

Full Translation:

The Labor Relations Adjustment Bill finally passed the House of Representatives without amendment because of a majority support by the Liberals and the Progressives. The nature of this bill can easily be perceived from the heated debates in the Lower House up to the present and from the objection raised in the Social Democrat Diet members conference on Thursday. The bill is nothing but a measure to suppress the laboring class. Consequently, the laboring class has unanimously opposed the bill. The Government Railway Workers Union, the Mariners Union and the Federation of Labor Unions, to say nothing of the unions belonging to the Congress of Industrial Organization, expressed their strong objection to the law in many demonstrations and meetings. Moreover, the Social Democrats, the Co-operatives, the SHINSEIKAI and the independents, not to mention the Communists, have gone on record opposing this bill.

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The Liberals and Progressives recently made a complete turnabout in regards to the paragraph of the constitution on people's sovereignty. In the Local Administrative Reform Bill, they also went back on their word, and supported the governors on the matter concerning public officials. The people were greatly befuddled at the inconsistency of the principles. However, the parties seriously considered the Labor Relations Adjustment Bill from the beginning, as vital to the fate of the present Cabinet and did not commit their ususal turnabout. Although the general public vehemently opposed this bill, the Liberals and Progressives ignored the voice of the people.

Why did the Government and the Government parties persist in pushing the bill through against the will of the people? It is because they intended to suppress the anti-unemployment campaign of the laborers when industrial adjustment takes place and to strengthen Finance Minister ISHIBASHI's plan of industrial rationalization which would not only benefit big financial cliques, but also the capitalists in securing a dominant position. To successfully carry out this plan, they, first of all, had to prevent the campaigns of laborers from materializing. This is the reason why the Liberals and Progressives assumed the prudent, but strong attitude from the beginning. They carefully blocked the voice of the Communists and obstinately worked on the Social Democrats.

Has the Government succeeded in this political maneuver? It may be regarded as a success, since the bill passed the House of Representatives. The fact that the Government parties were spared from resorting to their time-worn strategy of a turnabout may also be pointed out in showing how successful the Government maneuvers were. However, the opposition of the Social Democrats, as a body, and the concentrated power of the Democratic elements in forming a new front may be considered to be a

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ITEM 1 (Continued)

great success for the democratic front. The Social Democrats overlooked the political campaign of reactionary elements in May with optimistic views. They could neither distinguish decisively between reactionary and democratic elements nor understand the national crisis of inflation and starvation which were already even then in progress at that time. However, when confronted with the difficulties of the actual situations, and with the newly inspired people's front, the Social Democrats began to reflect on their policy of being a Government party.

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The Labor Relations Adjustment Law is closely related with the problems of war indemnities' cancellations and with industrial adjustment, and these three measures must not be separated from each other. The action of the Social Democrats in taking a rather weak attitude toward the capitalistic industrial adjustment, while opposing Labor Relations Adjustment bill is questionable. These actions certainly question the sincerity of the party in its opposition to the Labor Relation Adjustment Bill. The democratic front is on the verge of entering a new phase. The democratic front must now deeply consider the present crisis of the nation.

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GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
ALLIED TRANSLATOR AND INTERPRETER SECTION

PRESS TRANSLATIONS

No. 4744 DATE: 21 Aug 46

ECONOMIC SERIES.

1302

ITEM 1 Future of The Japanese Labor Union Movement - Mr Ayuzawa's Article - Mainichi Shimbun - 19 Aug 46. Translator: S. Kinoshita.

Summary:

The labor union movement is now spreading like wildfire throughout the country. According to the latest press information, there are more than 4,000,000 persons organized into labor unions including approximately 1,620,000 government workers. The figures show that during four and one-half months since the enforcement of the Labor Union Law, organized workers have increased at the rate of 1,000,000 persons per month. I am doubtful as to whether such an unprecedentedly rapid increase will be favorable to the wholesome development of the labor union movement in JAPAN.

This rapid progress is attributable to the SCAP directive of last November, ordering the Japanese government to take necessary steps to encourage a sound development in labor unions. The Labor Union Law has something in common with the Wagner Act of the UNITED STATES enacted in 1935. Both of these laws provide for labors' right to combine, to collective bargaining and to the establishment of a labor commission vested with power to ensure fair enforcement of the labor union law. The Wagner Act owes much to the labor commission for its effective operation. So, in JAPAN, much is expected from the activities of the Labor Commission.

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These two laws are similar in many respects. However, we must not overlook the fact that there is a wide difference between the two laws in their leading principles. The Wagner Act recognizes that all enterprises wage a free and fair competition among themselves without encroaching on labor's right to combine and the right of collective bargaining, and in strict accordance with contracts on labor conditions, such as working hours, wage and the like. Thus, the working class in the United States is free to organize themselves, is entitled to fight with capitalists in order to share in the profits of the enterprises and is able to promote their status socially and economically.

In JAPAN, which has been utterly ruined by the war, there is no free competition among enterprisers and consequently, there is no profit in enterprise for them to share. The highly developed industrial facilities will be removed as reparations. The only and the most important task for the present Japanese working class is to operate the remaining industrial facilities to the fullest extent to relieve the Japanese people from starvation.

Under the Wagner Act, the labor commission consists of three committees selected from the third party and nominated by the president. Under the

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ECONOMIC SERIES: 1302 (Continued)

ITEM 1 (Continued)

Japanese Labor Union Law, the labor commission consists of committees selected from labor, enterprise and a third party and nominated by the Minister of Welfare or by the head of the local government. In the UNITED STATES, where labor unions have attained high development, the commission, consisting of committees from the third party, operates effectively. However, in JAPAN, where the labor union movement is still in an early stage of development, the labor commission consisting of the representatives of the three parties is most suitable for the purpose.

144 As a result of the war, the Japanese people have gotten freedom. We must not forget, however, that freedom has not been acquired by the people through their exertion, but it has been given to them from without. Freedom of organization is one of the freedoms given us. If this freedom is misused, it will cause great trouble for the Japanese nation. Even if union membership should increase to many millions it is of no use to the nation, unless the unions serve to improve the people's livelihood by promoting industrial production. Without increased production, no law or organization can relieve the peoples' hardships.

Today, no enterpriser is permitted to cease productive activities for the sake of his own private interest. This is why production control by labor is recognized as reasonable. In this connection, however, scrupulous consideration should be taken with regard to the scope of the freedom on the part of the labor union. No one is free to encroach on the freedom of others. There is no freedom where violence or intimidation is resorted to. Where there is no freedom, there is no democracy as democracy is based on the principles of freedom. In case of labor disputes, the leaders of the labor unions should be well convinced of this truth in order that the union's action may be recognized as lawful under the Labor Union Law.

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SOVIET PRESS CHIEF IN SHARP REPLY TO SCAP

By Sgt. SAM LESTER,
Staff Writer

In a sharply worded reply to SCAP's criticism of Russian-proposed labor legislation for Japan, Soviet press chief Konstantin Popov yesterday reiterated 18 recommendations of General Kuzma Derevyanko, Soviet member of the Allied Council, which he said are not reflected in Japanese labor legislation.

"The statement of the Economic and Scientific section of SCAP is in vain trying to prove that Soviet recommendations are allegedly 'unnecessary,' he declared.

Says SCAP Answers Self

"However," he added, "stating that the provisions similar to those given in Soviet recommendations are already realized or are to be realized in the near future, the Economic and Scientific Section of SCAP itself replies to the awkward 'charges' made by certain persons, that the recommendations for the labor legislation in Japan made by the USSR member of the Allied Council are allegedly, of propagandistic and 'Communistic' character."

The Soviet press chief's declaration was given to newspapermen at a press conference yesterday at the Soviet Embassy in Tokyo. In a room hung with portraits of Lenin, Stalin, and Molotov, Popov spoke in Russian and later distributed copies of the prepared statement in English.

Cites Opportuneness

Referring to the SCAP Economic and Scientific Section statement, Popov said: "One may express one's satisfaction that this statement—passibly against the will of its authors—fully confirms the opportuneness of well-grounded recommendations for labor legislation in Japan. . . ."

He then enumerated again eighteen of Derevyankos proposals, among them recommendations for an eight hour day and a 48 hour week, weekly time off, a two-weeks vacation, pregnancy leave, workmen's compensation, equal pay for both sexes, medical insurance, and the controversial production control by workers in the event management refuses to pay a set dismissal pay.

Popov declared that these recommendations "mainly represent the summary of elementary principles of Labor legislation which was realized long ago in democratic countries such as England, France and to a great extent in the United States."

One of the newspapermen present asked the question raised in SCAP's statement, "Are all 18 points in effect in Russia today?"

Popov refused to comment, saying that he would confine himself to the statements already made.

STARS & STRIPES JUL 17 1946

Truce in Labor-Management Fight Urged By Head of Economic Stabilization Board

A "labor-management truce" in the interest of speeding up post-war economic reconstruction was advocated by Keinosuke Zen, newly-appointed director-general of the Economic Stabilization Board, in an interview with Jiji Press following investiture Tuesday afternoon.

Pointing out that post-war Japan is being confronted with many economic problems of first magnitude, such as reorganization of industry and unemployment, Director General Zen declared:

"So long as labor and management remain opposed to each other, no solution of these problems will be possible. These problems must be solved on a rational basis and for this purpose it is absolutely necessary to effect some fundamental adjustments in labor-management relations."

He said that he was fully aware of the "extremely heavy responsibility" of his new job but frankly added that he had not yet formulated any concrete plans for operating the board.

He also added that he had not yet discussed the matter fully with Prime Minister Shigeru Yoshida and other quarters concerned.

"As I look at it," the new Economic Stabilization administrator continued, "the primary objective of the board lies in effecting adjustment and coordination of various works among the Ministries and other government agencies."

"To achieve this end," he said, "I am fully prepared to listen to the views of all quarters concerned, and in so doing I should refrain from imposing my own views on others."

In his opinion, his job is "something like a looking-glass," the primary function being to endeavor to reflect the image of all others as clearly as possible and to "handle them on the basis of clear and fair judgment."

"My role in the board is not that of an actor who performs on the stage but that of a stage-hand who labors behind it," he further explained.

With reference to some specific problems to be handled by the board, he stated that he would have to take drastic action in dealing with, for instance, the question of reparations, in spite of vast difficulties surrounding it.

Pointing out that the Economic Stabilization Board is an entirely new organization with no precedent in Japanese administrative history, Director-General Zen declared that the board must be entirely free from any bureaucratic character in its functions. The board must enlist the services of the best abilities of the nation, both official and private, he stressed.

Zen asserted that political and economic stabilization was "indivisble" and that political stability was possible only after economic stability had been achieved.

"It is obvious that in the present stage our country needs some socialist policies," he further asserted. "but it is not my way of handling affairs to look at them from a narrow standpoint based on one particular school of theory. I believe in dealing with problems from a realistic point of view and in accordance with the then existing circumstances."

He stressed that he had no fixed "ism" to base his judgment and protested to current press reports branding him as "a spokesman for capitalist interests," simply because he had long associated himself with big business.

The Economic Stabilization Board does not have to wait until after its entire personnel has been appointed before it starts functioning, and "As for me, my job will be under way from this moment on," he declared in conclusion.

NIPPON TIMES JUL 25 1946

STATE EMPLOYES OPPOSE BILL FOR LABOR REFORM

Decide to Adopt Business Control Tactics in Protest

The All Japan Government Employes and Public Office Workers Union on July 26 decided to take over the control of governmental business from August 2 in opposition to the labor readjustment bill which is now being discussed in the Diet, said Kyodo.

Representatives of Government workers from the Finance, Agriculture and Forestry, Commerce and Industry, Education, Railways and other state ministries attended the meeting of the union which was held at the Teino Building.

The conferees decided to adopt "business control" tractics in order to express the Government and public office workers' opposition to the labor readjustment bill, which they claim, virtually deprives them of the right to live by taking away their right to strike.

NIPPON TIMES JUL 29 1946

Committee Approves Labor Relations Bill

The House special committee yesterday passed the original Government draft of the Labor Relations Adjustment measure with a majority vote, although the Socialist Party was against the bill to the last.

MAINICHI AUG 17 1946

DECLASSIFIED E.O. 11652 SEC. 3(E) AND 5(D) OR (E) NNDG # 775015

Attack on Derevyanko Labor Plan, Is Personal View, Atcheson Admits

Cancellation of Huge Compensation Payment to Nippon War Industries Proposed By Soviet Representative

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WASHINGTON (INS), July 11.—The State Department backed criticism of the 22-point Soviet labor program for Japan voiced at Wednesday's Allied Council meeting by Ambassador George Atcheson Jr. Acting Secretary of State Dean Acheson declared that Atcheson's views have the department's full endorsement, and praised the council chairman as "an outstanding member of the diplomatic corps."

TOKYO (INS), July 10.—The Soviet and British members of the Allied Council for Japan attacked Chairman George Atcheson Wednesday afternoon for labelling as "Communist propaganda" the 22-point Soviet proposal for a new Japanese labor policy.

Lt. Gen. Kuzma Derevyanko, Soviet member, forced Ambassador Atcheson to admit that the attack, made the same morning, represented his personal views.

Derevyanko made the strongest Soviet protest so far on the statements against Communism that Atcheson has made before the Council, and said "this is not the first time the American member is making use of the Allied Council for propaganda of his own conception."

MacMahon Ball, British representative, described the Soviet proposals as "designed for the good of the people" and said that after long study of the 22 points "I just could not find any signs of Communist propaganda."

He said further "it is unfortunate that such a proposal, designed for the good of the people, should be automatically stigmatized as Communist propaganda."

Derevyanko reserved the right to answer Atcheson's questions on Soviet labor policy inside Russia at a later date, but recommended that the Ambassador either study Soviet labor laws or visit Russia for first hand observation. He offered to provide the chairman with copies of Soviet labor laws or welcome him to Russia.

Opposes War Indemnities

TOKYO (AP), July 10.—Shortly before the Allied Council adjourned until July 24 after discussion during the afternoon of the last of the eight agenda topics—a Russian request for information of compensation paid by the Japanese government to former war industries —Lieutenant General Derevyanko proposed that such claims be cancelled. He also suggested that any such claims paid in blocked funds be returned to the Japanese treasury and that no further claims be paid.

During discussion on this topic, SCAP finance officer Lieutenant Commander P. C. Akin of Washington D. C. told the council that according to information obtained from the Japanese Finance Ministry claims presented to the Japanese government as of April 1, 1946, totalled ¥74,954,000,000.

The council session produced these other developments:

The Russian, British and Chinese delegates declined to respond to a SCAP request for comment on maritime quarantine, measures to prevent disease in Japan, pure food and drug legislation, sanitation and spread of communicable diseases. Such questions are too technical, they asserted as Ball bewailed SCAP presentation to the council of topics involving rodent control and production of vaccines.

Derevyanko recommended that SCAP direct dissolution of a Japanese commission formed last October by then Prime Minister Baron Kijuro Shidehara to investigate the causes of the war. Establishment of such a commission, the Russian said, was "an attempt to legalize the war."

Ball opined that any special consideration to returning Japanese servicemen would be "politically dangerous" as the council discussed integration of repatriates into Japanese national life. Such a topic was linked with the Japanese economic situation, he suggested, and "If we are concerned with raising the economic level I think it means restoration of Japanese foreign trade." Neither the Chinese delegate, Lt. Chu Shih-ming nor the Russian advanced suggestions which Atcheson said "frankly disappointed" him.

NIPPON TIMES JUL 12 1946

Workers March To Diet To Protest Labor Act

Workers of the Mitsubishi Industries marched from Tokyo Central Station to Diet Hill yesterday morning to protest the Labor Relations Adjustment Act.

The Act, they claimed, would prevent government workers from striking or demonstrating and restrict activities of individuals on government sponsored jobs.

STARS & STRIPES
SEP 4 1946

PRESS COMMENTS

Saturday, July 13

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LABOR RELATIONS ADJUSTMENT BILL AND SECURITY OF LIVELIHOOD

JIJI—The Government will soon submit to the Diet a Labor Relations Adjustment Bill, another important instalment of labor legislation. In contrast with the Labor Union Bill, which met with a favorable reception on the whole, the prospective bill on the adjustment of labor relations is already evoking a strong opposition on the part of the working classes. The social reaction is thus greatly different in the two cases. The main reason for the opposition of the workers is that the bill proposes to restrict the right of the employes to conduct disputes, prohibiting disputes in certain cases.

The classes of personnel, whose resort to disputes are to be prohibited, include (1) the members of the police force and (2) of the fire corps, (3) prison officials and employes, (4) officials engaged in the administrative and judicial business of central and local governments, (5) officials of other public bodies, etc. Under Article 4 of the Labor Union Law, persons belonging to the first three categories are prohibited from organizing themselves in labor unions. As far as these classes are concerned, the ban placed on their disputes may therefore seem quite reasonable; but the case of persons mentioned in other items, it will be admitted, is more or less different, for the Labor Union Law gives them the right of combination. The Government will perhaps say that the prohibition in question is already anticipated by Paragraph 2, Article 4, Labor Union Law. The matter is not however, quite as simple as it may appear.

The right of combination and the right to conduct disputers are just like two wheels of a cart; the one cannot be effective without the other. The administrative and judicial officials will never start disputes with a light heart, so it may be assumed that, if ever a dispute should arise in these circles, there must be a serious cause of grievance. In such a case—though this is only a hypothetical case—, the ban on their dispute will amount to the denial of their right to decent livelihood. The attitude of the government in question is perhaps prompted by a grandmotherly solicitude, but the wisdom of such an attitude is certainly open to question. The government has abandoned the idea of bringing the school teachers under the prohibition clauses. Why should not the same considerations apply to the officials?

If disputes are to be restricted or banned for certain classes of employes, it follows, as of course, that adequate security be provided for the livelihood of the persons affected. In other terms, guarantee must be given for these classes that they shall not be treated worse than other classes of people. In regard to this important matter, the government is not taking any positive steps, excepting the creation of joint management councils. This is not a very satisfactory attitude, for the government must respect the right of any class to their livelihood.

NIPPON TIMES JUL 14 1946

DECLASSIFIED E.O. 11652 SEC. 3(E) AND 5(D) OR (E) NNDG # 775015

Labor Unionization Is Urged for Japan

Encouraged by US Army to Offset Warlords, Says Wall Street Journal

SAN FRANCISCO (INS), July 13. --The American army is encouraging labor in Japan to unionize with the object of strengthening Japan's laboring class so the warlords never again will be able to gain control of economy, according to the Wall Street Journal Tuesday.

The plan is part of the long-range State Department policy which army occupation forces are carrying out, the article said. Washington officials were said to be skeptical that the living standards of Japanese workers would be raised soon.

Washington officials also were said to see no signs that the potential long-run threat of competition for some American industries from "cheap" Japanese labor will be ended.

Report on Findings

A group of labor relations experts who returned from a confidential mission to Japan was scheduled to make a report on their findings to the War Department.

The journal said there are approximately 2,000,000 union members in Japan. Until union activity was disrupted before the war, some 400,000 were organized.

The paper said the army hopes to foster unionism on a scale comparable to the United States but faces major obstacles;

1. Japanese economy, because of the shortages of vital raw materials, barely has started reconversion. There is no semblance of industrial stability. Competent industrial leaders, managing foremen and supervisors are lacking.

Workers Undernourished

2. The serious food shortage is reducing production because many workers are undernourished. Skyrocketing inflation boosted commodity prices. Food costs on the average are ten times the 1940 level.

3. Unemployment is estimated at between 6,000,000 and 8,000,000 out of an estimated total of 73,000,000.

The journal said, notwithstanding these obstacles, the Tokyo legislature passed the Japanese version of the Wagner Act guaranteeing workers right to join unions of their choice, bargain collectively and strike.

The Wall Street Journal said: "The army keeps close watch on the men elected to key posts in Japanese unions. Any suspected of having been active in the Imperialist government are barred from holding office. Otherwise the workers are left to manage their own affairs."

Strange Results Produced

This "hands-off" policy has produced strange results, the paper said. Sometimes, instead of striking, Japanese workers simply have taken over management of the companies that employ them until agreement is reached. This happened in the cases of coal, street railway and newspaper firms.

The journal said Japan has no efficient means of getting workers and jobs together. It said one of labor's missions was to improve the public employment service which involved establishing a semblance of an alphabet based on Japanese characters to start a filing system for job applications.

The journal said "both for short and long run, the Japanese unions have no lack of objectives to attain for its members. Members of the United States labor commission said living and working conditions could hardly be worse."

NIPPON TIMES
JUL 15 1946

Quick Solution Aimed In Labor Disputes

New Readjustment Bill Considers Public Welfare

"Seen from the actual situation of the country, it is necessary by all means to check the outbreak of labor disputes as much as possible," declared Welfare Minister Yoshinari Kawai in explaining the reason for the presentation of the much-mooted labor readjustment bill to the House plenary session on July 13.

While expressing sympathy, on the one hand, with the workers whose livelihood is being constantly threatened due to their meager income since the war's end, the Welfare Minister stated, on the other, that all labor disputes must be settled as speedily as possible, saying that this was the prime reason for the introduction of the bill.

"In case a labor dispute actually breaks out," he said, "the bill, in principle, expects both labor and capital to strive to settle the issue of their own accord, but unbiased mediation or arbitration will be provided if they so desire."

Kawai said the second reason for introducing the bill is the necessity of protecting public interest, warning that workers' right of collective bargaining must always be preceded by and kept in harmony with public welfare.

"With this point in view," he said, "the bill puts a ban on labor disputes by Government officials," adding at the same time that "those engaged in public utilities, such as transportatation, water work's, power, gas, medical, and sanitary institutions, are prohibited from going on a stilden strike."

MAINICHI JUL 16 1946

SCAP CHARGES LEFT TRY AT REGIMENTATION

Economics Section Says Soviet Labor Proposals Mostly Enacted Already

By United Press

SCAP's Economic and Scientific Section, which embodied the Labor Division, commenting on recent Soviet labor legislation proposals for Japan, stated today that "the application of terrorism and prevarication of the truth to assume leadership of the labor movement in the hope of reestablishing the regimentation of the Japanese masses under the leadership of the left" was being practiced by "certain elements here."

The statement declared that with one exception all proposals made by the Soviet delegate at last Wednesday's Allied Council meeting "are in principal, wholly or in part, incorporated in existing legislation, or in proposed legislation which has already passed initial stages of government consideration and drafting."

The exception was a Soviet suggestion that laborers on strike could seize and operate the properties involved. This, the statement said, "violates the law of property rights providing for the compensation for seizure of property.

"So far as known no such provision exists in any nation in the world. Even in the Soviet Union it is believed most doubtful that such measures are provided for or permitted."

Pointing out that the public release of the Soviet labor suggestions "implies that little has been done" in this field, the statement declares that "this is entirely contrary to the truth."

The statement revealed that a Labor Advisory Commission, in Tokyo on SCAP invitation, would release its final reports on labor relations within a week.

The Commission's chairman Paul E. Stanchfield, the statement said, will include in his study "a number of specific recommendations for improving and extending the present labor laws."

Declaring that "the legal opsition of labor in this country is a strong one," the statement pointed out that repressive ordinances which held labor subservient in Japan "have been abrogated by the Japanese government under the direction of the Supreme Commander for the Allied Powers."

The statement also said that for many years Japan has had labor laws which were nominally "more advanced and more liberal" than in many countries, "although not properly enforced or sufficiently inclusive."

STARS & STRIPES

The main portion of the Economic and Scientific Section statement was a categorical review of the 22 Soviet labor suggestions which tended to show that these proposals were already covered either by pre-war legislation, the recently enacted Trade Union Law, or the Labor Disputes Adjustmen, bill, now before the government in draft form.

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DECLASSIFIED E.O. 11652 SEC. 3(E) AND 5(D) OR (E) NNDG # 775015

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
ALLIED TRANSLATOR AND INTERPRETER SECTION

PRESS TRANSLATIONS

No. 4911 DATE: 28 Aug 46

ECONOMIC SERIES:
1358

ITEM 1 Protection of the Working Class to be Expanded - Mainichi Shimbun - 26 Aug 46. Translator: H. Sato.

Summary:

A tentative new section added to the Labor Standards Law (RODO KIJUN HO) beginning with the statement, "labor conditions should be those which will meet the needs of workers in leading a life worthy of human beings," was made public today. This law will have a great effect on both labor and capital, because it covers the whole of the existing Factory Law (KOJO HO), the Shop Law (SHOTEN HO), the Accident Aid Law (RODO SHA SAIGAI FUJO HO), and a part of the Mining Law (KOZAN HO). Moreover, the extent of application of this new law is very broad. For instance, whereas the existing Factory Law is applicable only to factories that employ ten or more workers, the Labor Standard Law can be applied even to small stores in which only one worker is employed.

In the future, workers will be protected under the following four regulations: (1) The Labor Standards Law; (2) The collective labor agreement concluded between the employer and the labor union, or the side of the employee; (3) Workers' rules of each factory or office, and (4) The contracts exchanged when a worker enters a company. However, according to the provisions of articles 1, 11 and 87 of this law, if there be any stipulation which works harm on the workers in violation of the Labor Standards Law, it will be declared null and void.

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There have been many cases in which a film star, in order to be employed in a movie company has had to submit a written promise "if I resign before the term of contract expires, I will pay you such and such amount as a fine." This kind of contract is to be nullified in accordance with the provisions of Article 14, because such a contract restricts the standing of the employee. In employing a maid as a geisha-girl or cotton-mill operator, it is illegal that a contract pertaining to such matters as salary or advance payment of salary, be made exclusively between the employer and father. The working conditions must be clearly shown to the maid before any contract is made.

The working hours are to be eight hours a day and 48 hours a week. It is the aim of this law to enable workers to get money enough to lead a life worthy of human beings, while putting in a workday of no more than eight hours. Sometimes, however, the workers desire to increase their low wages by working overtime. In order to restrict the extention of working hours, the rate of extra pay for night work is set at a high rate of 25 per cent of the daily wages.

According to the provisions of Article 16, it is forbidden to force workers to lay aside a part of their wages as savings. Also, the rest period is extended by 15 minutes. During the war it often happened that workers were forced to take gymnastic exercises during their rest periods. According to the provision of Article 32, workers can spend

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ITEM 1 (Continued)

their rest period as they please. There is also a provision stipulating that mothers can have the time to feed their babies twice a day (30 minutes each time), in addition to the regular rest periods. The question as to whether the national holidays should be made off-days or not has not yet been decided upon, because there is some opposition to this plan. The labor committee is advocating that May Day should be made an off-day. Many improvements are being made on the dormitory system which is notoriously steeped in feudalism. A dormitory chief and a head of a dormitory room are to be elected by a direct vote. The head of a dormitory can no longer open a sealed letter addressed to a boarder.

Many existing regulations were adopted in the article providing for safety and health facilities. The restriction on dangerous work which has hitherto been applied to female and under age workers only, is extended to inexperienced workers. There is also a new regulation providing off-days for women during menstrual periods. The holiday before the delivery of a baby is extended by two weeks, and the holiday after the delivery is extended by one week. A pregnant female worker will be allowed to change from her regular work to a lighter duty. Rates of compensation for workers' accidents are to be raised to nearly three times the existing rates.

The minimum age of an apprentice is to be raised one year; but there are exceptions in the fields of commerce and the theatre. According to the provisions of Article 54, a one year old baby may play a role in a motion picture.

The dismissal allowance, which has been two weeks's wages in the past, is now set at 30 days' wages. The employer cannot refuse a demand for references by employees who are resigning, in regard to their standing and wages. It is prohibited, by the provisions of Article 20, for the employer to communicate the fact that "we dismissed him on the charge of agitating for a strike." This type of act hinders the discharged employee from finding a new position.

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PRESS TRANSLATIONS

No. 4851 DATE: 27 Aug 46

EDITORIAL SERIES: 1218

ITEM 1 The Labor Standards Law and Medium and Small Industries - Asahi Shimbun - 27 Aug 46. Translator: K. Higashikawa.

Full Translation:

With the addition of the Labor Standards Law, the draft of which has just been announced, to the Trade Union Law and the Bill for Labor Relations Adjustment, it has now been made clear that the Government is aiming at instituting triple labor legislation. Of the three pieces of legislation, the Bill for Labor Relations Adjustment has been unanimously approved by all labor unions.

Some may think that the announcement of the draft of the Labor Standards Law will serve to reduce the opposition to the Labor Relations Adjustment Bill, but we do not think this will be the case, because the standards stipulated in the draft of the Labor Standards Law are the minimum. And when it comes to actual labor disputes the workers will have to fight against the employers by means of the collective power acquired by the formation of trade unions, as otherwise betterment of working conditions cannot be hoped for. Moreover, in times like the present when a fluctuating price level makes it difficult to establish a minimum wage rate, the right of the labor unions to enter into dispute is liable to be greatly restricted in the name of public interest. In such a case the realization of the spirit of the Labor Standards Law will be threatened. Especially in regard to the question of wages and salaries many points of dispute between employer and employee still remain. Aside from wages and salaries, however, the Labor Standards Law provides for comparatively clear standards of working conditions and employment contracts, and we may well say that the labor standards as stipulated in the draft of the Labor Standards Law have now reached the international level. In the general rules of the draft of the Labor Standards Law it is stated "Working conditions must be such as to enable the workers to lead a humanistic life," and if this stipulation aims at the realization of "the lowest standard of healthy and cultural life" provided for in Article 25 of the revised Constitution, it is difficult to realize this, unless the trade unions constantly fight for better working conditions.

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In view of the above, it is to be taken for granted that cases of negotiations and disputes between employer and employee, especially the capitalists, will increase. It would, however, be a mistake to view the labor-capital relationship in the light of elementary arithmetic that the more labor gains, the less will be the gain of capital. From the standpoint of capitalism, the opposition to a reduction in the gain of capitalists is based upon the view that it will curtail accumulation of capital in the national economy as a whole, which is said to stymie the progress of national economy. On the other hand, however, the large strides made in the socialistic accumulation of capital in socialistic countries, especially in Soviet Russia, are liable to be viewed from the standpoint of capital only. Even from the viewpoint of capital, the promotion of working conditions will increase the purchasing power of the people as a result of the elevation of the living standards, which will in turn contribute to the progress of capitalism. There is one thing that we must notlose sight of in this respect, and that is that our economy cannot make a well-balanced progress without depending on foreign trade.

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EDITORIAL SERIES: 1218 (Continued)

ITEM 1 (Continued)

Considering the fact that our export goods are mostly manufactured by medium and small industries, as well as by the home handicraft industry, the fact that the scope of application of the Labor Standards Law has been extended to plants employing less than 1,000 workers will necessarily increase the cost of our export goods. How should we view the effect thereof on foreign trade?

When JAPAN's "social dumping" became an international issue, Mr Maulott (MORET) of the International Labor Bureau visited JAPAN in 1934 on an inspection trip. In his report he emphasized that the core of the question lay in JAPAN's small and medium industries. It is a well-known fact that both in wages and working hours the labor conditions in small and medium industries are very inferior. And it cannot be gainsaid that the past boom in our export trade can be attributed chiefly to inferior working conditions. In the future, however, an epochal reform must be made in working conditions. It is true that better working conditions will increase the cost of export goods, which will necessarily weaken the power of competition of our export goods on the foreign markets. But what compelled JAPAN to carry on export trade under such low working conditions? In a few words, it was due to "social dumping", by means of which JAPAN acquired foreign exchange for the purpose of importing unproductive war materials with the foreign exchange thus obtained. All in all, it was inferior working conditions which in the long run enriched war factories. Now that it is no longer necessary to maintain unproductive armaments, the expenses hitherto required for their maintenance can be diverted towards betterment of working conditions. It is, therefore, only reasonable and just that the scope of application of the Labor Standards Law should be extended to small and medium plants employing less than 1,000 workers.

The workers in small and medium plants are decentralized and not unionized, and for this reason it is doubtful whether minimum working standards can be secured simply by a piece of legislation. In view of the special position occupied by small and medium plants in our country it is important that trade unions should try to unionize the workers in these plants. In our opinion it is the power of the trade unions which will serve to make the most of the Labor Standards Law.

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GENERAL HEADQUARTERS
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PRESS TRANSLATIONS

No. 4852 DATE: 27 Aug 46

EDITORIAL SERIES: 1219

ITEM 1 Expectations Of The Labor Standards Law - Nihon Keizai - 27 Aug 46.
Translator: K. Higashikawa.

Summary:

The Government promulgated the Labor Union Law and then introduced to the present session of the Diet the Labor Relations Adjustment Bill. Now it has announced the draft of the Labor Standards Law. All of these are intended to cope with the ever intensifying labor situation. By formulating the Labor Standards Law the Government has now taken up the basic labor legislation.

Judging from past and present labor legislation, the draft of the Labor Standards Law is not only epochal in its contents and purport, but it contains progressive stipulations as compared with the labor legislation of foreign countries. However, the Labor Standards Law is a labor protection law which co-ordinates and strengthens all the existing labor laws, but it is not a comprehensive labor law or a labor charter which stipulates the rights and obligations of the workers and which clarifies what the labor of a defeated nation should be. Herein lies the reason why an opinion has arisen to the effect that the Labor Standards Law is a unilateral labor protection law. The Government should clarify whether it has the intention of formulating a basic labor law at a later date, which may well be called a Labor Charter in parallel with the present Labor Standards Law.

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Generally speaking, the stipulations made in the Labor Standards Law are progressive. In fact, the law is ahead of the existing economic and social realities, and therein lies its progressiveness. On the other hand, it gives the impression that the law embodies all the good points of labor legislation. Plainly speaking, it looks as though the law enumerates all the ideal conditions for which labor has been hoping. We do not know how much consideration has been given to the present position of JAPAN's economy. For instance, in the matter of working hours, the question of the necessity of working 24 hours, seven days a week, in a shipyard will have to be considered. There are also most points regarding farm labor. The protection of women workers is liable to narrow the field of work for women.

In regard to wages, which constitutes the most controversial point in labor relations, the law provides that a Wage Council can decide minimum wages. However, in times like the present, when economic conditions are unstable, it is impossible, or meaningless to determine a minimum wage.

The more progressive the Labor Standards Law is, the more responsive

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ITEM 1 (Continued)

must be labor and capital. If the employers try to suppress the workers with a large number of dismissals, the spirit of protecting labor will be trampled underfoot, and labor disputes will become endless. On the other hand, if workers, under the aegis of trade unions, consider sabotage and willful inefficiency as their legitimate rights, the resultan economic and social evils will be serious. In fact, such tendencies are already widespread. At this particular time it is especially necessary to emphasize that only those who are awake to their responsibilities and obligations can justly claim their rights. The fact that the draft Labor Standards Law does not touch those points call for the necessity of the formulation of a basic labor law which is in the nature of a labor charter. Workers and labor unions should do well to exercise self-reflection in this respect. All in all, we must recognize that the Labor Standards Law is not only progressive in its contents but it also serves to promote and advance backward Labor and Capital.

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ITEM 2 The Labor Standard Law Draft - Mainichi Shimbun - 26 Aug 46.
Translator: B. Ishibashi.

Full Translation:

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The draft of the Labor Standard Law has been announced by the Government. This law was drawn up by the Labor Legislation Sub-Committee of the Diet in accordance with Article 25 of the new Constitution which stipulates that, "All Japanese have the right to maintain the minimum standard of a sound and cultural living. The Nation shall do its utmost to improve all conditions for the livelihood of the people, such as public welfare, social security, and public health." The announcement of the draft will subject it to public criticism, just as in the case of the draft of the Labor Adjustment Law, and public hearings, attended by representatives of both labor and capital will be held throughout the country in September. Thus, this draft is nothing but a tentative plan which can stand a more extensive examination of the parties concerned before its formal submission to the next Diet as scheduled by the Government.

The objective of the projected law is to establish minimum standards for working conditions. The existing Factory Law, Labor Accident Relief Law, Factory Laborer's Minimum Age Law, and other laws concerned with protecting labor will be co-ordinated and included in the new Labor Standard Law. Simultaneously with the enforcement of the latter, the present laws will be abolished. Also, the new law will absorb the sections dealing with protection of labor in the Mining Law, Seamen's Law, and Business Law. This law is a

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ITEM 2 (Continued)

huge collection of labor protection regulations, and goes a step further in positively stipulating the minimum working conditions. Compared with the existing labor laws, which were merely confined to a passive protection of labor, the projected law is characteristic in that it positively sets up the standards for working conditions. It should be noted that working conditions as stipulated in this law are a minimum standard, the lowering of which is absolutely prohibited. The stipulations are so detailed that there is a chapter in regard to the laborer's boarding house system. This is quite proper in view of the very objective of the projected law.

This law is of major significance in that it establishes for the first time in this country labor regulations reaching an international level, including the establishment of an eight hour day. In such items as the special holiday system for women it even rises above the international level. However, it should be realized that no matter how elaborate the paper plans are, they are absolutely meaningless unless put into effect, for even the most ideal law can be drawn up at desks with merely a collection of labor legislations from all over the world. The question is to find out the way to make this ideal law as effective as possible. The success or failure of the projected law depends upon this point.

Regardless if the legal regulations are set up by the Government for the protection of labor, loopholes may be found through which employers can easily escape. Fortunately, with the noticeable development of the labor union movement since the surrender, labor has greatly expanded its influence so as to be able to safeguard its working conditions. Yet, in small-size enterprises, employers still retain an oppressive force upon workers, beyond the reach of labor unions. The complete setting up of labor laws is necessary for strictly supervising such employers who would wield oppressive control over workers in violating laws and employment contracts.

While a supervisory system is provided in the projected law, the Government should be most cautious in selecting its personnel. In addition, there is great possibility that improved working conditions for boys and women workers will be exploited by employers to throw them into unemployment, contrary to the very objective of the stipulations in the projected law. On the other hand, it should not be forgotten that there is a grave question as to the manner in which the ideal working conditions should be really effected in keeping with the nation's post-war industry. We are very doubtful whether the completely war-crushed economy of JAPAN can afford to meet such ideal working conditions, particularly when we recall that even in pre-war years she resorted to a social dumping to maintain her overseas markets. Undoubtedly, raising working conditions to the international level is necessary for the successful democratization of JAPAN, but, for the time being, some measure of adjustment in its practical application is likely to be necessary.

After all, it is obvious that a complete reform of imperialism is also necessary to maintain these projected labor standards. Employers should run their enterprises with improved working conditions for workers, and the nation should provide an extensive livelihood protection system, including social insurance and other means to offset the weaknesses of enterprises. Further, it should be realized that these requirements cannot be met satisfactorily without eradicating the old political forces still prevailing in this country. Under the present Cabinet, which is trying to retain

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as much of its reactionary influence as is possible, we cannot expect very much real success from the Labor Standard Law, even if it is enacted.

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ITEM 5 Seven-Hours Work Day Proposed - Mainichi Shimbun - 27 Aug 46.
Translator: K. Yasutake.

Full Translation:

The Labor Law Deliberation Committee has announced a Labor Standards Law compiled by its subcommittee as a tentative plan. SHIGA, Yoshio (Communist), a committee member, published the following opinions on 26 August as data for later discussion of the same law:

General provisions - Its character as a labor constitution will be emphasized. The laborer's right to bargain, right to live, right to enjoy education and culture, should be guaranteed.

2. Extent of application - Government and municipal officials shall be included.

3. Labor contracts - An item guaranteeing their performance shall definitely be stated lest there should be any disregard of the dismissal regulations under the present situation.

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4. The minimum wage system - A sliding system (by which wages have an elasticity according to the rise and fall of prices) shall be adopted, carefully avoiding its abuses, to fit the present situation when fluctuations of prices are so violent. The present wage committees are detrimental to the laborer so they shall be dissolved.

5. Working hours - Time spent at work shall total eight hours each day; actual working hours will amount to seven, with an intermission of one hour. In mines, a six-hours working day shall be adopted.

6. Labor for women and children - The items permitting midnight labor, with the sanction of the Minister concerned, shall be eliminated.

7. Superintendent system - The appointment of a bureaucrat as a superintendent shall not be permitted. A labor superintendent committee shall be chosen through election by a labor union.

8. Surveillance over the enforcement of the law - Hitherto the enforcement of social laws has been left to the bureaucrats, but hereafter persons concerned with the legislation, or other persons qualified for any given post, shall be chosen to supervise the enforcement of laws. This will serve to simplify any future amendment of laws.

9. Social insurance shall be put into operation at the same time.

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ITEM 2 Protection for Women in New Labor Law - Yomiuri Shimbun - 26 Aug 46.
Translator: D. Yonegaki.

Full Translation:

1AA The Basic Labor Law will finally be submitted to the Diet. This law, which is more or less a laborers' constitution, disregards the class bindings, in the employer-employee relationship and protects the nights of every laborer, whereas, the former factory law gave physical protection to women and child laborers. Excluding government and municipal

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ITEM 2 (Continued)

officials in active service, all laborers, waiters, waitresses and even cleaners come under the protection of this law. Furthermore, with consideration to the physical conditions of women and to the protection of motherhood, article 64 reads, "Rest leave shall be given women laborers after engaging in labor detrimental to one's health." This is the first written law in history concerning leave for health reasons.

Following is a statement made by Professor FURUZAWA, Yoshio, Director of the Gynecology Department of the AKASAKA City Hospital:
"In order to retain the working power of women laborers, through protection of motherhood, to prevent the degeneration of the nation, the extent of employment conditions should be scientifically determined. As one of the first measures, discrimination should be abolished and equal labor rights given to men and women. I consider it necessary not to remove the women from the labor world, at the present time.

"Women should be eliminated from any labor over "labor strength four." This "labor strength," which was determined through labor study, is classified as follows: Labor strength one: is lying down and doing nothing; washing is about three; and rice reaping about seven. Strength four is labor which results in loss of breath. Furthermore, women should not work in hot temperatures, in high pressure work, in the handling of heavy loads over 16 kilograms, in work which affects the pelvis and in labor which requires an unnatural physicological posture. Longer leaves should be given women laborers after night shifts or after more than eight hours of work. Rest leaves are absolutely necessary for long standing labor, for work which requires great nervous tension and for those working on trains. Sick leaves should be given to those subject to painful menstruation, as this is not a physiological phenomenon, but an illness. The following various labors should be reduced for pregnant women:
The early stage of pregnancy (two to four months)--Labor accompanied by bad odors, handling of heavy loads, labor requiring climbing of stairs and work under high temperature.
The middle stage (five to seven months)--Labor which requires full body strength, work in an extremely unnatural posture and continuous standing work.
The last stage (eight to nine months)--Labor which requires stooping, work in which rest cannot be taken at will and labor involving over six hours.

"I believe that the enforcement of this law will result in a big social problem. During the war, the smaller industries were organized into large scale enterprises, but hereafter, they will probably break up into infinitesimal industries, and we can predict the rebirth of prewar small home industries. For example, it is said that children of 11 or 12 are best suited for the manufacture of minature light bulbs, whereas those of 15 to 16 are unfit for the job because of certain physical developments. Considering this, one cannot say with certainty that child labor will not develop into infant labor. A further study is necessary on these problems.

Lastly, there is the problem of housewives. In order to liberate them from their numerous tasks, such as going after rations, shopping, cooking, washing, cleaning and nursing, a campaign for a co-operative society or the rationalization of living conditions should be established. Without the reconversion of these household labors through joint cooking or other means, the concrete solution of this underlying problem cannot be achieved."

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ITEM 1 Press View of the Diet Session - Provincial Newspaper: Hyuga Mainichi Shimbun (Miyazaki) - 4 Aug 46. Translator: S. Ono.

Summary:

On 2 August, general budget sessions of both houses were held. At the meeting of the House of Representatives, INOUE, Tojiro, non-partisan from MIYAGI-Ken, interpellated Agriculture and Forestry Minister WADA on agricultural problems. At the meeting of the House of Peers, Finance Minister ISHIBASHI gave detailed explanations regarding practical measures to be enforced in connection with the enactment of the Emergency Finance Measures Act.

The Labor Relations Adjustment Committee meeting of the House of Representatives was marked by lively discussions, exchanged between the Government and the opposition party. State Minister ZEN announced that labor's right to strike should not have priority when fundamental issues such as national order and national politics are at stake. In answer to this, AKAMATSU, Isamu, Social Democrat, took up the problem of large scale dismissal of employees by the Transportation Ministry and declared that labor's answer to the despotic attitude of the bureaucrats would be a general strike by the employees. Most simple was the reply of Transportation Minister HIRATSUKA to the question regarding the reasons for dismissal of railway employees. He bluntly said, "During the war, the Transportation Ministry needed a large army of employees. Now that the war is over, it does not require so many." This is hardly a pardonable statement. 144

It was only a few days ago that State Minister ZEN emphasized the necessity of morale discipline of workers and the encouragement of their will to work. However, to request rigid discipline and diligence from the workers and then, throw them out of work when they are no longer necessary is too egoistic a measure on the part of the employers. Representative AKAMATSU is probably not the only person who believes that there may be other methods of reconstructing the financial condition of the affiliated companies of the Transportation Ministry without resorting to such a drastic measure as mass dismissal.

ITEM 3 Social Democrats and Labor Groups Oppose Labor Law - Mainichi Shimbun - 13 Aug 46. Translator: K. Yasutake.

Full Translation:

The Social Democrats who have been opposing the Labor Relation Readjustment Bill held a meeting at 1300 hours on 12 August in the House of Representative. The Diet committee discussing the measure conferred with the representatives from the following organizations: Communication Ministry Workers' Union, State Railway Employees' Union, Transportation Workers' Union, and the Federated Labor Unions. They opposed the bill in all its aspects and decided to fight against it. 147

Regulations governing allocation of funds and fair (Z-17356) labor code for 6 billion yen public works program approved by Japanese Cabinet 3 September. According to regulations, applications for specific projects will be made by each ministry to Economic Stabilization Board, which will rate them on priority scale and certify high priority projects. Necessary funds for three-months' period will then be allocated by Finance Ministry. Fair labor code provides prompt payment of wages at prevailing wage rates, prohibition of wage deductions other than those legally required, employment exclusively through public labor exchanges, and extension of 4 January purge to supervisory positions on projects. 144

Application and certification forms for individual projects now being submitted and priorities being assigned, so the program will go into operation immediately on Budget approval by Diet. 10 SEP 1946

Daily Radio Corr.

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ITEM 3 Labor Relations Adjustment Bill Passes House of Representatives - Jiji Shimpo - 6 Sep 46. Translator: H. Arai.

Full Translation:

The plenary session of the House of Representatives opened at 1343 hours on 5 September and the Labor Relations Adjustment Bill (RODO KANKEI CHOSEI HOAN) was deliberated on. At the session, ARAHATA Kanson, Social Democrat, who is strongly opposed to this measure, stated "This is a measure for the maintenance of public order in opposition to the recent labor movements, and the deep-rooted distrust and suspicion of the governing classes against the laboring classes underlies it. Accordingly, I fear that this measure will not only oppress labor movements but also produce a result contrary to its real aim for the maintenance of "industrial peace". The labor disputes of today are a result of our precarious living. For this reason it is unreasonable, and also contradictory, to control them by law without removing the source. If the Government deprives workers engaged in public utilities and public officials of the right to strike, it must in return, guarantee the stability of their livelihood. The Government drew up this bill along with the Labor Union Law (RODO KUMIAI HO), but the laboring classes are against the bill. To enact it in defiance will cause more hostility on the part of the laboring classes and the maintenance of industrial peace will be impossible."

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MAEKI, Masazumi, Liberal, delivered a speech in support of the measure, and then HARA, Kuni, Co-operative Democrat, voted against it on the ground that it will aggravate class-strife and will result in diminishing labor efficiency. But HARA, Kenzaburo, Progressive, supported it giving the following reasons: (1) Limitation or prohibition of disputes of public officials or the workers engaged in public utilities is common sense and this measure cannot be regarded as an oppressive regulation. (2) It is impossible for JAPAN to participate in the world labor union movement unless this measure is carried out. (3) Labor movements should rid themselves of party coloring. (4) Production control by workers is a business infringement and cannot be recognized as a legal means.

NOMOTO, Shinakichi, SHINKO Club, objected to the measure by reason that the Labor Standards Bill (RODO KIJUN HOAN), providing for the basic right of workers, should be submitted first, of all, and also, TOGO, Satoko, Independent, expressed her belief that there is some fear of the measure denying lawful disputes. Then, in opposition to the measure SHIGA, Yoshio, Communist, stated the following incisively: "Justifying this measure with a foreign example is disregarding the actual condition of JAPAN; and this measure is based on an unfound reasoning that labor disputes disturb industrial peace and run counter to the rehabilitation of economy. Establishment of this measure will prevent the democratization of JAPAN. The Government attempts to justify the reduction of enterprises and protect capitalists legally by this measure. Moreover, the aim of Article 38 of this measure is, in my opinion, to maintain the feudalistic relation between capitalists and laborers."

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Thus, the discussion ended. Then a vote was taken and finally the bill was carried by a majority. The session adjourned at 1720 hours.

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The Projected Labor Standards Bill

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The Committee on Labor Legislation, composed of representatives of labor and of management as well as of disinterested third parties, has recently made public its first preliminary report on the progress of its work in drawing up the provisions of a proposed Labor Standards Law. The work of drafting the bill is still far from finished and will probably not be completed until next month. Then the recommendations of the committee will be reviewed in a series of public hearings, and then finally submitted to the Welfare Minister whereupon the bill will be introduced into the Diet at its autumn session.

Even at this early stage, however, it has become clear enough that the legislation which is being prepared will go far beyond anything which has previously been seen in this country with respect to setting up fair standards for labor. In fact this new bill is so enlightened and progressive that many of its provisions will be more advanced than those found in the labor legislations of many of the older democratic countries. With the adoption of this bill, Japan will at one bound place herself among the foremost of the countries of the world with respect to legal provisions for the protection of labor.

Based on the fundamental principle that the worker should be enabled to enjoy a "decent human life", the proposed legislation stipulates that labor, through collective bargaining, is to exercise equal rights with management. Then it proceeds to stipulate conditions regarding labor contracts, hours of work, rates of compensation, vacations and rest periods, overtime pay, sick leaves, compensations for injury, discharges, minimum age for child labor, special protection for child and women labor, regulation of apprenticeships, safety devices in factories, regulation of factory dormitories, and almost every conceivable subject related to the welfare of labor. Although the terms are not final, the general tenor of the provisional recommendations leaves no question that the result will be a piece of well-nigh model legislation.

There are only a few minor faults to be found with the recommendations. One is that the provisions concerning minimum wage requirements are vague, which, however, cannot be avoided as long as the present unstable inflation exists. As soon as prices and and cost of living become stabilized, there will be the necessity for supplementing this phase of the legislation with more specific particulars. Another is that the provisions for the machinery for administration and enforcement are not adequate. Presumably when the new Ministry of Labor is set up, as is now being contemplated, the administrative machinery will naturally become more adequate.

One question which the old-fashioned thinkers may raise is that as to how Japanese economy, poor to start with but now further weakened by the losses in the war, can meet the cost of all these added provisions for the welfare of labor. Japanese industry, these people may argue, has been able to survive only by keeping labor costs pared to the bone. Increased labor costs resulting from the better treatment of labor will cause Japanese industry to go bankrupt.

The answer to this question is that the profits of Japanese industry as a whole in the past have been kept low because the greater part of these industries were devoted to non-profitable war production which did not create any real wealth. With these non-profitable war industries removed, the remaining sections of Japanese industry can well afford to pay for the increased cost of better treatment for labor. The fact that representatives of management are participating wholeheartedly in drawing up these recommendations which are so favorable to labor indicates that the majority on the side of management is convinced of the practicability of these recommendations. In other words, labor has in the past been exploited to support the war machine. With the disappearance of this parasitic war machine labor for the first time will be able to enjoy fully the fruits of its own work without injuring in any way the legitimate profits of management.

The really essential problem which the proposed legislation will not be able to solve by itself is the question as to how thoroughly and effectively the new legislation will be enforced. Ideal as the legislation itself may be, it will be meaningless if it is allowed to remain a dead letter on the statute books. Because the new legislation provides for conditions which will be so revolutionary as compared with the hitherto backward conditions of labor, there is all the greater reason to be concerned with the practical matter of translating law into actuality.

The formation of a new Ministry of Labor and the enactment of more laws implementing the enforcement aspects of the basic labor laws will help, but in the final analysis the effectiveness of enforcement must depend upon the enlightened sincerity of effort on the part of all parties concerned, namely labor itself, management, governmental authorities, and the general public. As the most interested party, labor must necessarily act as the watchdog to see to it that the authorities and management abide by their side of the arrangement and that the general public is kept fully alive to the importance of the situation. This means that the labor unions must shoulder the main responsibility for calling attention to any violation of the labor laws, and even more important, the responsibility of educating the public into an attitude which will tolerate no violations. Although the smaller workshops and factories are lagging far behind the larger industries in the extent to which organized labor has penetrated, the phenomenal vigor of the labor union movement in Japan during the past few months indicates that there is not much to worry about as to the ultimate extent of the coverage afforded by the unions. What is more important than the size of the labor organizations is the quality of its leadership, which in turn rests upon the quality of the rank and file. The membership of the labor unions itself must be educated so that it will not dissipate its efforts in destructive squabbling internally or with outside elements. It must place major emphasis upon bringing its full force to bear on an intelligent and constructive program to prod and influence management and the Government and the general public into cooperating willingly to advance the welfare of labor in the interest of general national advantage.

NIPPON TIMES
AUG 2 9 1946

WOMEN AIR THEIR VIEWS ON LABOR STANDARDS BILL

Excessive Protective Measures Not Needed, Says Mrs. Ichikawa

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Both labor and management having aired their views on the Labor Standards Bill at seven previous sittings of the public hearing on the bill sponsored by the Labor Legislation council, the eighth sitting on Saturday was devoted to testimonies of women leaders and representatives of women workers.

The morning session heard opinions of Mrs. Fusaye Ichikawa, Mumeo Oku and Natsu Kawasaki, all noted writers, and Dr. Yayoi Yoshioka, well-known physician.

Mrs. Ichikawa asserted that excessive protective measures should not be provided for women workers just because they are women. She objected to Article 65 of the bill providing that discharged women workers should be paid fares to return home.

Mrs. Oku said that there should be no bus or street-car conductresses. Such a job was too heavy for women and should be included in the list of "dangerous and harmful kinds of work". Her view was seconded by Dr. Yoshioka, who said the spinning industry was one of the most proper fields of work for women.

Mrs. Kawasaki asserted that a labor boss system existed in nurses and house-maids' societies where directors "are known to pocket 20 per cent of the incomes of member nurses and house-maids."

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PRESS TRANSLATIONS

No. 4927 DATE: 29 Aug 46

EDITORIAL SERIES: 1232

ITEM 1 Character of the Projected Labor Standards Law - Jiji Shimpo - 29 Aug 46. Translator: B. Ishibashi.

Full Translation:

The projected Labor Standards Law, composed of 100 odd articles and 13 chapters, will be the largest piece of labor legislation in this country. It is certainly of epoch-making significance from several points of view. First, it is aimed at the co-ordination and unification of all laws concerned with the protection of labor, including the Factory Law. These existing laws are of varied contents, and their systematization is not an easy task, requiring the efforts of more than 100 years in some advanced countries. Secondly, the projected law will apply to all classes of workers, whether engaged in industry, mining, transportation, agriculture or business, regardless of the particular conditions existing in each branch of labor. The setting up of general principles is given more importance than a consideration for particular conditions. Thirdly, the projected law definitely rejects the existing labor protection methods represented by the Factory Law. In this point lies the major significance of the new law.

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Positive Reformative Character.

The projected law is considerably more progressive in several items, such as the establishment of an eight-hour day and the plan to set up a minimum wage system, than the existing Factory Law. Fundamentally, inasmuch as the guarantee of the livelihood of the people is the basic spirit of the Law, as is clearly stipulated in Article 1, it is quite different in character from the existing laws. The latter was instituted only for the purpose of preventing workers from being utterly discouraged in production in view of the unreasonably low wages. The present laws are of passive significance merely aiming to prevent undesirable situations which should have inevitably attended on the low wage conditions for workers, while the projected law positively intends the realization of higher wage conditions. The reformrtive character of the Law should be realized on this point, and if this were not backed by its proper application on the part of the authorities, it would end in another Factory Law. For instance, such cases where one's daily office hours will be more than 10 with overtime included will be completely prohibited through with the establishment of an eight-hour day. If not, the attraction of the additional allowances will cause such peculiar cases to become ordinary, and as the result, the very purpose of the projected legislation may be nullified both in office hours and wages.

Livelihood Protection Essential.

Frankly speaking, the projected law should go a step further in providing for the establishment of an extensive social security system. In this connection we are not very satisfied with the draft merely dealing with working conditions. It should become virtually a labor social security law which stipulates the standards for the Government measures for the protection of the livelihood of workers. For this reason we argue that the establishment of various fundamental principles for the social

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EDITORIAL SERIES: 1232 (Continued)

ITEM 1 (Continued)

security system, which constitutes one of the main items in the livelihood protection problem, should be the fundamental aim in the amendments to the proposed Labor Standards Law.

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ITEM 2 Mode of Appointing Committee of the Labor Commission Discussed — Nippon Keizai Shimbun - 29 Aug 46. Translator: S. Kinoshita.

Full Translation:

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A draft plan for a method of appointing committees of the central and local labor commissions has been worked out by the Central Labor Commission. The draft plan was discussed at the committee meeting of the Commission held on 28 August under the chairmanship of Dr SUEHIRO. After hearing a progress report of the KYUSHU Miners Capital and Labor Discussion Group (KYUSHU CHIHO TANKO ROSHI KONDAN KAI), an adoption of a similar elective system was discussed. Several revisions in the method of appointing committees from the laboring class were required, and the plan was referred to a special committee. Following is an outline of the draft plan:

I. The Central Labor Committee (CHUO RODO IINKAI)

As an action preliminary to appointing committees to represent the working class in the Central Labor Commission, recommending bodies will be established. All federated groups of national labor unions with membership exceeding 100,000 are qualified to act as nominating bodies. The National Federation of Labor (NIPPON RODO SODOMEI) and unified industrial labor unions affiliated with the

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will represent laborers of various industries. The Government and other official workers, including educational workers, can send only one representative from all their unions.

II. Local Labor Commissions (CHIHO RODO IINKAI)

Local federated groups of labor unions in each prefecture, such as prefectural union federations affiliated with the National Federation of Labor and prefectural branches of unified industrial labor unions affiliated with the National Congress of Industrial Organizations are qualified to act as recommending body, if their membership exceeds one-tenth of total organized labor in the prefecture.

A nominating committee will be formed in the same way as in the case of the Central Labor Commission except that candidates to be recommended number 10 to 20. The prefectural governor will make public the list of candidates, out of which 5 committeemen and 5 alternate committeemen will be elected by a unit vote of all labor unions of all recommending bodies. Voting is to be conducted on a plurality system.

III. Employer's Representative Committeemen

Those of the Central Labor Commission representing employers will be appointed by the Minister of Welfare from 7 candidates and 7 alternate candidates recommended by the League of Economic Organizations (KEIZAI DANTAI RENGOKAI). In the case of prefectural labor commissions, candidates will be recommended by the Commercial and Industrial Economy Association (SHOKO KEIZAI KAI).

IV. The Third Party

Ten committeemen will be appointed from the general public by the Minister of Welfare with the approval of representatives of capital and labor.

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ITEM 2 (Continued)

National Congress of Industrial Organization (ZENKOKU SANGYO BETSU KUMIAI KAIGI) come under this category. All the nationwide organizations of labor with membership of less than 100,000 can also qualify as recommending bodies provided they form federations having memberships of 100,000 or more.

A nominating committee will be formed by representatives of the above noted recommending bodies, such representatives to be elected as one to every 100,000 union members. The nominating committee would direct each of the recommending bodies to propose one or more candidates for the committee of the Central Labor Commission according to the size of their membership. The candidates to be recommended are 14 in total. The nominating committee should notify the Minister of Welfare of this assignment.

The recommending bodies thus assigned should file a list of proposed candidates by rank within two weeks after the assignment. Candidates can be selected also from non-union members. The lists will be referred to the nominating committee. After careful study of the lists, the committee will nominate seven committeemen and seven alternate committeemen. Following this procedure , the committees will be formally appointed by the Minister of Welfare. Due attention should be paid in nominating the committeemen so they will represent laborers of various industries. The Government and other official workers, including educational workers, can send only one representative from all their unions.

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Local federated groups of labor unions in each prefecture, such as prefectural union federations affiliated with the National Federation of Labor and prefectural branches of unified industrial labor unions affiliated with the National Congress of Industrial Organizations are qualified to act as recommending body, if their membership exceeds one-tenth of total organized labor in the prefecture.

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GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
ALLIED TRANSLATOR AND INTERPRETER SECTION

PRESS TRANSLATIONS

No. 4965 DATE: 30 Aug 46

ECONOMIC SERIES: 1377

ITEM 1 Labor Standards Bill - Nihon Keizai Shimbun - 26 Aug 46. Translator: Y. Kur[illegible]

Full Translation:

Chapter I

General Regulations

Article I: Principles of labor conditions: Labor conditions shall be such that workers can maintain a reasonable standard of living. Labor conditions shall not be lowered because of the standards to be fixed by this law.

Article II: Determination of labor conditions: Workers shall have the right to determine their working conditions by conferring with employers. Both workers and employers shall be responsible for observing the terms of labor agreements, working regulations and labor contracts, and for the faithful execution thereof.

Article III: Equal treatment: No discrimination shall be made against workers in regard to their wages, working hours and other working conditions, for reasons of nationality, race, religion, or social position.

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Article IV: Principle of the same wage for the same labor: Employers shall pay the same wage for the same labor, regardless of sex.

Article V: Prohibition of compulsory labor: No one shall be allowed to force any labor upon workers against their will, or under the threat of severe punishment. However, this provision shall not be applied unless otherwise enacted by laws.

Article VI: Guarantee of the exercise of public citizenship right: Employers shall be responsible for giving workers necessary time off for the exercise of their franchise and other citizens' rights, and the execution of their public functions.

Article VII: Enterprises to which the Law is to be applied: The Labor Standard Law shall be applied to the following occupations regardless of the member of workers: Manufacturing;mining; public works and construction; transportation; shipping; agriculture; forestry; livestock; fishing; commerce; financing; service occupation; communications; education; medicine; and hotel work. Among those exempt from this law are Government officials; industries employing only those who belong to the employers' families; maid servants; children's nurses, etc.

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ITEM 1 (Continued)

Article VIII: Definitions: Under this law workers shall be regarded as those who are employed in the above-listed occupations, with wages, salaries and/or other corresponding income.

Article IX: Under this law employers shall be regarded as those who employ workers and/or those who represent the employers in this relationship with workers.

Article X: The average wage provided in this law shall be the total amount of wages earned by the worker during the three months preceding the day a calculation is made divided by the total number of working days in that period. The foregoing period shall be counted from the day just prior to the preparation of the pay roll, if the calculation date is between the pay roll closing date and the end of the month. The total amount of wage, which is provided in the first paragraph shall include the regularly paid wage, salary, allowance and any other pay received in return for labor, regardless of the type of work.

Chapter II

Labor Contracts.

Article XI: Contracts violating the Law: The labor contracts providing labor conditions which are far below the standards enacted in this law shall be null and void in the portions affected. Conditions which are affected shall be changed to conform with the standards provided by this law.

Article XII: The term of labor contracts shall not exceed three years, except those which do not fix the term of employment and those which require a greater length of time to carry out specific jobs.

Article XIII: Clarification of labor conditions: Upon the employment of workers, employers shall make clear to them all matters concerning wages, working conditions, and other working regulations before they begin working. Employers who do not provide working regulations shall make working conditions conform with the provisions in the first paragraph. In case actual working conditions are quite different from those described at the time of employment, workers may demand the cancellation of their labor contracts.

In the foregoing case, employers shall be obliged to pay necessary travel expenses to allow workers to return home if they changed their dwelling places for the sake of that specific employment.

Article XIV: Employers shall not make any contract that provides for damages for breach of contract or compensation for damage upon the non-fulfillment of labor contracts.

Article XVI: Employers shall not conclude any contract providing compulsory savings by workers or the management thereof. In case employers want to place workers savings in their custody, they shall first decide on ways and means by which the savings are to be kept and to be returned to the owners and shall submit them for approval to the Government administrative offices.

Article XVII: Restrictions on dismissal: Employers shall not dismiss workers during a period of rest necessary to cure illness or injury caused in the course of their work, or during the 30 days following such a period or during the period of rest given to female workers prior to and/or following childbirth, according to Article CXII, and during the 30 days thereafter. However, this will not be applied when employers pay compensation to them according to Article CXXVIII.

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ITEM 1 (Continued)

Article XVIII: Notification of dismissal: Dismissal shall be made with a notice of not less than 30 days or with the payment of dismissal allowances not less in amount than 30 days average wages. However dismissal resulting from either the discontinuation of enterprises or the cases for which workers are responsible shall be exempt from the application of the foregoing provision.

Article XIX: The foregoing provision shall not be applied to workers who fall under any of the following categories:

(1) Workers.

(2) Those who are employed for a term not exceeding two months.

(3) Among seasonal workers, those who are employed for a term not exceeding four conservative months.

(4) Those who are employed on probation.

Article XX: In case, on their dismissal, workers demand a certification of the time of employment, kind of work, wages, and position held in their place of work, employers shall issue it without delay.

Article XXI: In case there is a claim on the part of those representing workers who either are dead or were fired for the credit due them, employers shall pay their wages and return all other monetary credits belonging to them, regardless of whether these credits were kept as reserve funds, deposits, or savings.

Chapter III

Wages.

Article XXII: Wages shall be paid in currency not less than once a month on a fixed day or days. However, in case otherwise provided by law, ordinances, labor contracts or working regulations, the pay ent can be made in things other than cash.

Article XXIII: Emergency payment: In case workers claim emergency payment of wages for the expence resulting from childbirth, illness, injury and other matters provided by ordinances, employers shall pay wages for the labor they have put in up to that time, even before the day normally fixed as pay day.

Article XXIV: In case of workers' absence resulting from reasons for which they are not responsible, employers shall pay them an allowance of not less than 60 percent of their average wages during their absence.

Article XXV: Employers who employ workers under the piece system shall guarantee wages to a fixed amount in accordance with their working hours.

Workers to whom the foregoing paragraph is to be applied shall be designated by ordinance.

Article XXVI: The Government administrative offices shall be entitled to set the minimum wages for workers engaging in specific enterprises or occupations, whenever necessary.

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ITEM 1 (Continued)

Article XXVII: The Wage Committee (CHINKIN IINKAI) shall be set up within central and local Government administrative offices when necessary, to determine minimum wages.

Article XXVIII & XXIX: (Omitted)

Chapter IV

Hours, Rest, Days Off, and Holidays with Pay.

Article XXX: Employers shall not be allowed to work employees more than 8 hours a day or 48 hours a week excluding rest hours. However, in case the number of labor hours a week does not exceed 48 hours on the average of four weeks, employers may be allowed to have workers work for more than 8 hours or 48 hours on a specific day or week, regardless of the foregoing provision.

Article XXXI: (Omitted)

Article XXXII: Employers shall be responsible for rest periods during the work day of at least 45 minutes for labor lasting more than 6 hours and at least one hour for labor lasting more than 8 hours.

The preceding rest hours system shall be set up in all places of employment, unless otherwise approved by the Government administrative offices. Employers shall allow workers to make full use of the rest hours stated in the preceding paragraph.

Article XXXIII: Employers shall give workers at least one day off a week. The preceding provision shall not be applied to the employers who give workers more than 4 days off a month.

Article XXXIV: Employers shall conclude an agreement with the labor union in their own organization or those who represent a majority of the workers in case there is no labor union, and shall submit it for approval to the government administrative office concerned, whereupon they may have workers work either overtime or on holidays, besides the regular hours and holidays provided above, according to the agreement. However, this provision shall not be applied to mining labor and other unwholesome working atmospheres designated by ordinances.

Article XXXV: In case there is overtime work, or in case workers are required to work from 2200 hours to 0500 hours or if there is holiday work, employers shall pay the employees extra wages corresponding to the ordinary wage rate plus not less than 25 percent.

Article XXXVI: Labor hours shall be calculated in total, regardless of work in different places, as far as the application of the provisions concerning labor hours are concerned.

Regarding mining work, labor hours shall begin at the time when miners go into the pit and end at the time when they get out of the pit, including rest hours.

Article XXXVII: Workers who have worked for a full year without absence and/or for more than 80 percent of the total working days shall be entitled to request from their employers six days off either in succession or separately. Workers who have worked for more than three years in full, can request one day off a year in addition to the foregoing six days off. However, the total days off to be allowed shall not exceed 20 days.

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ITEM 1 (Continued)

Employers shall give necessary days off to workers who are eligible for them, whenever requests are made, and at the same time, shall make an advance payment of average wages for the days off. However, if the workers who are eligible for days off are indispensable to conducting business at the time when they make their request, they shall be given the days off at some later date.

The term of rest resulting from the illness or injury caused in the course of work shall be regarded as time worked as far as the application of the first paragraph is concerned.

Article XXXVIII: Rest hours and holidays in both the commerce and traffic industries, which operate under special circumstances shall be provided for in other ordinances.

Article XXXIX: Provisions concerning labor hours rest and holidays are not applicable to those who are engaged in such industries that require intermittent labor as agriculture, forestry, livestock, marine products, shipping service occupations, hospital work and hotel business.

Chapter V

Article XL : Employers shall take necessary steps to prevent accident resulting from machines, tools, other equipment, materials gas, steam or dust.

Articles XLI and XLII: (Omitted)

Article XLIII: Machines and equipment, which are dangerous to operate shall not be moved, lent or set up without legally approved safety devices equipped thereon. The Ministers concerned may have the Government administrative offices check dangerous equipment before the manufacturing, placement or replacement thereof, whenever they deem it necessary.

Article XLIV: Machines and equipment examination: (Omitted)

Article XLV: Ban on manufacturing poisonous products: No person shall be allowed to manufacture, sell, and import sulphur matches and other poisonous products as provided by ordinances, nor to possess such things for the purpose of sale.

Article XLVI: Employers shall not hire unexperienced workers to do any of the following work:

(1) To clean and oil machines in operation and/or dangerous portions of a power transmitting apparatus.

(2) To examine or recondition the above-mentioned machines and apparatus.

(3) To equip the foregoing machines and apparatus with belts and/or to take them off.

(4) To operate electric cranes and other dangerous apparatus.

Employers shall not employ workers without the necessary techniques in dangerous work. The scope of the preceding classification of dangerous work and the extent of necessary experience and technique shall be fixed by ordinances.

Articles XLVII; XLVIII; XLIX; and L (Omitted).

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ITEM 1 (Continued)

Article LI: In case employers want to build, mo or reconstruct establishments or annexes thereto they shall submit for approval their plans which are to be drawn in accord with the legal standards concerning the prevention of injuries, ventilating system, lighting, heating, rest-rooms emergency escapes and other matters necessary to maintain the safety and health of workers, to the Government administrative offices, 14 days before the construction work starts. The Government administrative offices may order them either to stop the construction or to change their plans whenever they deem it necessary from the standpoint of the safety and health of the workers.

Articles LII and LIII: (Omitted)

Chapter VI

Women and Juvenile Workers.

Article LIV: Persons less than 15 years of age shall not be employed. However, those who are above 14 years old and who have finished the primary school course or other courses which are legally recognized as superior thereto shall be exempt from the application of the preceding provision. Persons above the age of 12, however, may be employed in agriculture, forestry, live stock, marine products, commerce, etc., to the extent that their work does not interfere with their school studies.

Article LV: No persons in parental authority or guardian shall conclude a labor contract for a minor. Minors do not need the consent of parental authority or guardian in concluding a labor contract. In case the person in parental authority or the guardian, or the Government administrative offices regard the thus conducted labor contract as disadvantageous to minors, they may cancel it thereafter.

Article LVI: Neither the persons in parental authority nor the guardian shall receive on a minor's behalf wages or other pay to be given him in exchange for his labor.

Article LVII: The overtime and holiday work as provided in Article XXXIV shall not be forced upon persons less than 18 years of age or women workers. Workers employed in accordance with the provisions of the second and third paragraphs of Article LIV, shall not be required to work for more than seven hours a day, including the hours to be spent for school studies.

Article LVIII: Workers less than 18 years of age and women workers shall be exempt from night work beginning at 2200 hours and ending at 0500 hours.

Whenever the Ministers concerned deem it necessary, the night work beginning at 2300 hours and ending at 0600 hours may replace the preceding system in designated areas and at times specified. Industries which adopt the shift system shall be permitted to use worker from 2230 hours regardless of the provision of the first paragraph or from 0530 hours regardless of the provision of preceding paragraph, subject to the approval of the Government administrative offices concerned. Provision of the foregoing three paragraphs shall not be applied to the prolongation of labor hours which is stipulated in Article XXXI, or to such legally appointed enterprises as hospital work and communication.

Article LIX: (Omitted)

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ITEM 1 (Continued)

Article IX: Employers shall be prevented from employing workers less than 18 years of age or female workers either in such dangerous work as is provided in Article XLVI or in heavy work to be designated by ordinances. Employers shall not employ workers less than 18 years of age in any of the following work:

(1) Work using poisons or other poisonous materials.

(2) Work using explosive or inflammable materials.

(3) Work spreading dust or powder or emitting poisonous gas or rays.

(4) Work done in hot or high pressure places.

(5) Other work done in dangerous and unwholesome places.

The preceding provision shall be proportionally applied to female workers more than 18 years of age.

Article LXI: Employers shall be prevented from employing workers less than 18 years of age or female workers in mining.

Article LXII: Upon the request for a vacation on the part of female workers who are to be bedridden within 6 weeks, employers shall be prevented from employing them any longer. Employers shall not employ those who were bedridders less than 7 weeks ago. Pregnant workers shall be given light work in accordance with their condition.

Article LXIII: Female workers who are nursing babies born less than one year previously shall be given an extra rest of 30 minutes twice a day to nurse their babies in addition to the regular rest periods.

Article LXIV: Employers shall be responsible for giving female workers whose work is harmful in case they are unwell, necessary holidays for sanitary treatment, upon request.

Article LXV: (Omitted)

Chapter VII

Apprentice System

Article LXVI: Employers shall not exploit minors as probation workers or apprentices on the pretext of technical training. Employers shall not employ minors who want to master technique in domestic work and other work which has no connection with technical training.

Article LXVII: The employment of minors who want to learn techniques shall be approved only for those who have legally approved techniques and other indication of competence and who are included in Article LXVIII.

Article LXVIII: Employers who intend to employ minors who want to master techniques, shall submit for approval a report stating the number of minors to be employed, training methods, term of contract, labor hours, basic wages, and lodging, to the government administrative offices concerned. The same procedure shall be used in case of any changes in the above-mentioned matters.

Article LXIX: Upon the approval of the foregoing matters, the government administrative offices concerned shall make provisions other than those concerning the term of contract, labor hours, the payment of wages, minimum wages, lodging, and the prohibition and restriction of employment in dangerous work, whenever they find it necessary.

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ITEM 1 (Continued)

Articles LXX and LXXI: (Omitted).

Chapter VIII.

Article LXXII and LXIII: (Omitted).

Article LXXIV: Workers who have physical handicaps because of illness or injuries suffered during employment shall be given damage compensations in accordance with the extent of their disabilities.

Article LXXV: (Omitted)

Article LXXVI: In case of the worker's death due to work, the employer must subsidize the livelihood of the bereaved family and those who were dependent upon the worker's income at the time of his death with an amount not less than his average wages for 1080 days.

Articles LXXVII and LXXVIII: (Omitted).

Article LXXIX: The worker's right to receive compensations shall not be altered by his death. The right to receive compensations shall not be transferred or attached.

Articles LXXX, LXXXI, and LXXXII: (Omitted).

Chapter IX.

Article LXXXIII: Employers who employ more than 10 workers at all times shall work out the working regulations and shall submit them for approval to the government offices concermed. The same procedure shall be required in case of any changes in the regulations.

Matters to be provided in the working regulations are as follows:

(1) Opening and closing times; rest hours, days off, holidays and the shift under the two shift systen.

(2) The calculation and the payment of wages, the date of preparation of the payroll, pay day, supervising methods under the piece' work system and pay increases.

(3) Dismissals.

(4) Dismissal allowances and other allowances, bonuses, and minimum wages.

(5) Workers' expenses for food and working materials.

(6) Safety and health of workers.

(7) Calamity compensation and other allowances for the illness and injury which are not caused in the course of work.

(8) Awards and bonuses.

(9) Other regulations in regard to the workers in general in their place of work. Employers may establish regulations concerning wages, safety, health and calamity compensation, in addition to the foregoing regulations.

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Article LXXXIV: In mapping out the working regulations, employers shall confer with the labor union in their organization or those who represent the majority of workers. Employers shall submit for approval, the document containing the workers' opinion in regard to the regulations, together with the foregoing report, to the government administrative offices concerned.

Article LXXXV: Punishment for wage decrease, which is provided in the working regulations shall not exceed half of a day's wage or one tenth of the total wage at the time of its payment.

Article LXXXVI: (Omitted).

Article LXXXVII: Labor contracts providing working conditions below the standards stipulated in the working regulations, shall be null and void in the portions affected.

Chapter X

Lodging.

Article LXXXVIII: Private life of workers who are living in the lodging attached to the factory shall be ruled by themselves. Employers must not interfere with the appointment of the superintendent of the lodging.

Article LXXXIX: Employers shall make the lodging regulations in regard to the following matters and shall submit them for approval to the government administrative offices concerned.

(1) Hours of rising, bedtime, and time allowed out of quarters.

(2) Customary rites and ceremonies.

(3) Meals.

(4) Safety and health of workers.

(5) Management of the establishment and facilities.

Article XC: Employers shall not employ the third parties who manage cooking in the lodging.

Article XCI: Facilities for emergency escape, required personnel, condition of beds and other necessary standards for the health of workers shall be provided and fixed by the ordinances.

Chapter XI.

Supervising Organs.

Article XCII: The ministers concerned, the government administrative offices and supervisors shall be the supervising organ for the enforcement of this law. Matters relating to the organization of the government administrative offices and the competency required of supervisors shall be provided by ordinances. Supervisors shall be appointed by the ministers concerned. The Ministers concerned cannot dismiss supervisors without the consent of the Supervisors Authority Committee (KANTOKUKAN BUNGEN IINKAI).

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Article XCIII: Supervisors shall be entitled to inspect places of work, lodgings and other buildings to demand the presentation of account books and other documents and to question employers and workers. Supervisors shall be permitted to carry out medical examinations on workers who become ill and are obliged to stop working. Supervisors shall be authorized to take necessary samples of goods or raw materials, free of charge, to examine poisonous goods.

Article XCIV: Supervisors shall execute the duty of judicial officers in enforcing this law and other laws and ordinances concerning the protection of labor.

Articles XCV and XCVI: (Omitted).

Article XCVII: Employers shall be responsible for notifying workers of this law, the gist of the ordinances issue on the basis of this law and the working regulations, and for this purpose they shall put copies on the notice boards throughout the places of work to be read easily by workers. Employers shall also be responsible for notifying workers living in lodgings within the scope of this law's provisions relating to the lodging, ordinances issued on the basis of this law and the lodging regulations, and for this purpose they shall put copies in various places so that workers may easily read them.

ArticlesXCVIII, XCVX, C, CI, CII and CIII: (Omitted).

Chapter XIII.

Penal Regulations (Omitted).

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Labor's Tasks

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Labor has a long way to go yet in Japan before it reaches anywhere near its goal. Nothing proves this fact so conclusively as the public hearings now being held by the Labor Legislation Council on the proposed Labor Standards Bill.

From one point of the view, the phenomenal expansion of the labor union movement and the increasing militancy of labor might seem to indicate that labor is sweeping irresistibly on to its goal. The extreme characer of some of labor's demands might lead to the suspicion that there is no longer any opposition worth of the name on the part of the conservatives. But, spectacular as have been labor's victories, it should be recognized that there is still an astounding degree of conservative opposition to the legitimate aspirations of labor on the part of the employer class. This traditional inability of many of the employers to appreciate the aims of labor is well reflected in the attitude of these employers toward the proposed Labor Standards Bill. The undue radicalism of some of the laborers is to be deplored, of course, but it would not be fair to blame the laborers without meting out equal or greater blame to the reactionary employers who are still trying to hamper the legitimate advancement of labor in every way.

For instance, the unenlightened conservatism of many of the employers is to be seen in the way in which they are protesting the provisions of the Labor Standards Bill which restrict and protect child and women labor. The exploitation of child and women labor has long been one of the most shameful evils in the treatment of labor in this country, but the fact that these employers do not seem to see the need for reform shows how far labor must yet go before it attains conditions that are comparable with accepted world standards.

The proposed Labor Standards Bill quite rightly bans the employment of women and children in the mines. But the mine operators are arguing against this provision on the ground that it would be difficult to produce good coal miners unless they are trained from childhood. And it is reported that in some of the mines as many as 12 per cent of the miners are juveniles under 18 years of age. The argument that good coal miners can be adequately trained only when young is patently fallacious, for other countries with more efficient records for mining seem to have no need to resort to child labor in the mines. This argument is obviously simply an excuse to exploit cheap labor.

Just as fallacious is the argument of the railway operators that the present railway service cannot be maintained without the use of child labor or wihout the use of minors and women workers on night shifts. On the one hand the railway operators have been insisting on the mass discharge of railway workers on the ground that there are more employees now than can be usefully employed. This threat of mass discharge was the immediate cause of the general strike which was only barely averted just a few days ago. Yet in almost the same breath the railway operators are claiming that they cannot operate the railways without the use of child labor or of women workers on the night shifts as well as on the day shifts. This is a rank inconsistency. Certainly if the railways have more workers than they need, as they claim on one hand, they can manage to dispense with child labor and with the use of women workers on the night shifts without any impairment of the service. The desire of the operators to retain child and women labor while discharging other types of labor can be nothing other than a desire to exploit cheap labor.

The employers of Japan must be taught, by force if reason will not suffice, that child labor and women labor must not be exploited. However more profitable it may be for business enterprises to make use of this pool of cheap labor, it can be nothing other than a costly drain upon the nation as a whole to have the health and well-being of helpless children and women impaired through work for which they are not fitted. The adequate protection of the working conditions of women and children must be regarded as a prime responsibility of a civilized state.

As long as there are still employers who do not realize this fact, the labor unions have a tremendous task before them. The goal of labor is still far from being attained until such provisions as those contained in the proposed Labor Standards Bill are accepted generally as a matter of course.

NIPPON TIMES
SEP 18 1946

Peers Pass Labor Bill

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The Labor Relations Readjustment Bill, introduced by the Government and passed by the Lower House a short time ago, was also approved by the House of Peers at its plenary session on Friday morning, September 20, as reported by the committee chairman in charge of the same bill.

MAINICHI SEP 22 1946

Lower House Passes Labor Relations Bill; Ballot Is 213 To 141

Bitter Union Opposition Futile As Legislation Goes To Upper House

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The labor relations adjustment law bill was passed by the House of Representatives on September 5.

The ballotting was 213 in favor and 141 against. The Liberals, the Progressives and a part of the Independents voted for the bill and the Socialists the Cooperatives, Communists, Shinseikai, and a section of the independents voted against the legislation.

The bill, which has been the target of bitter opposition from the labor unions, was immediately referred to the House of Peers.

The bill together with the rider attached by the Liberals and the Progressives were passed by the House committee on August 16 with the close vote of 19 to 17. However, the final voting on it by the House had been delayed fo some reason or other.

Opposition Views Aired In House Plenary Meet

The enforcement of the proposed labor relations adjustment law will undoubtedly impede the healthy development of labor movements, now in the stage of further growth, declared Katsuzo Arahata, Socialist from Tokyo, in the plenary session of the House of Representatives on September 5.

He based his objection against the law on the fact that conditions in Japan are quite different from those of nations where strong democratic tendency and healthy progress of labor movements exist.

Yoshio Shiga, Communist from Osaka, likewise opposed the proposed law. He declared that the democratic social order will be maintained only when healthy labor disputes are seen.

As the law stipulates that labor disputes will only tend to disturb the peace of industries, he contined, it can be said that the law is based on the feudalistic and bureaucratic idea that labor disputes constitute a social crime.

The House plenary session opened at 1.44 p.m. and adjourned at 5.18 when the bill was approved 213 to 141. The entire session was marked with heated expression of views for and against the bill.

MAINICHI SEP 7 1946

DECLASSIFIED E.O. 11652 SEC. 3(E) AND 5(D) OR (E) NNDG # 775015

ITEM 2 Comments on the Labor Relations Adjustment Act - Mimpo - 7 Sep 46.
Translator: S. Ono.

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Summary:

Despite a strong opposition by the minority parties, including the Social Democrats, the Communists, the Co-operative Democrats and a part of the Independents, the Labor Relations Adjustment Bill, was approved in its original form by the plenary session of the House of Representatives on 5 September by a majority vote of 214 against 141. Prior to the approval, the bill was rejected at the committee for the specific deliberation of the bill by a 22 to 19 vote. In view of this critical situation, the Government parties, trying to pass the bill at any cost, adopted the tactics of having all their members attend the plenary session. They further raised opposition to Miss TOGANAE, Independent taking the floor, when she was scheduled to question the Government on the bill. The ground for the opposition was that since all the Independents were not unanimous in opposing the bill, it was not justifiable for Miss TOGANAE to take the rostrum as a representative of the Independents and criticize the official bill from the standpoint of opposition. The Government parties, however, were obliged to cancel this opposition when the Independents got angry and shouted that if Miss TOGANAE did not take the floor, all the non-partisans would vote against the bill. Poor attendance of the members of the Social Democrats, the New Politics Association and the Co-operative Democrats to the session was held to be the cause of the defeat of the opposition parties. Following is the gist of the impressions collected from the visitors' gallery.

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(1) KUSHIDA, Toyoshige, Chief-executive of the Labor Union of Transportation Employees of the TOKYO District

It was evident that the members of the Liberals and the Progressives acted upon the instructions of their bosses. I had an impression that the conservative parties were opposing everything which the Social Democrats proposed, disregarding the significance of the proposal. We workers must unite to destroy the present Diet which is a cat's paw of the Government.

(2) OSHIKAWA, Toshio, Union of All JAPAN Public and Government Employees in the Ministry of Commerce and Industry.

What impressed me most was the opposition speech of Miss TOGANAE. Any one with common sense would understand, if he heard her speak, that to pass the bill was not in the interest of the public. I have renewed my decision to strengthen our power through the further consolidation of the labor union movement.

(3) ENOKI, Katsuhisa and others, Members of the Students' Socialist Union of MEIJI University.

We were, and are strongly opposing the Labor Relations Adjustment Act. It is evidently to trample upon the rights of workers that such a bill is enacted without securing their livelihood. The opposition speech of Representative ARAHATA was to be highly estimated as expressing the voice of twenty million workers. Although full of high-sounding words, we did not agree with the speech of Representative EZAKI of the Liberal Party, who advocated the official bill.

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DECLASSIFIED E.O. 11652 SEC. 3(E) AND 5(D) OR (E) NNDG # 775015

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
ALLIED TRANSLATOR AND INTERPRETER SECTION

PRESS TRANSLATIONS

No. 5125 Date: 9 Sep 46

EDITORIAL SERIES: 1255

ITEM 1 The People's Trust in the Present Government - Provincial Newspaper: Jomo Shimbun (Maebashi) - 31 Aug 46. Translator: M. Kawanabe.

Full Translation:

The Labor Standards Bill has passed the Diet. We may say that the thing that was needed for the establishment of a cultural life in this country has finally been secured. The YOSHIDA Cabinet deserves due praise for initiating this drastic bill on their own accord.

Throughout this session, we have noticed the inactiveness and lack of policy of all the political parties, especially the Social Democratic Party and others which advocated to work for the interest of the people. What bill has been introduced by the democratic quarters from which much was expected by the people? Facing many important problems, these so-called democratic parties took an almost passive attitude of merely revising or opposing the bills introduced by the Government, although they were in a position to introduce bills before the Diet themselves. Neither were practical or original opinions heard from any member of these parties. We do not know whether or not these parties were in an obligatory position in which the expression of opinion was impossible, or whether or not they had, in reality, no logical ideas which were worthy of recognition. At least, this attitude is no credit to them.

144 In this respect, the fact that the Government, though compelled by the situation, has initiated various reform bills and pushed them through the Diet by overriding the oppositions of the democratic quarters, and, thus, step-by-step, progressed towards reconstruction is worth noticing. Among these bills, the Labor Standards Bill may be considered to be one which throws a hopeful light upon the working class. However, we cannot help doubting the sincerity of the Government in regards to this Bill. The present Government is not necessarily for the working class. This has been witnessed by its various administrations in all fields. Why did the present Government, which is by nature prone to support the capitalists, draft a plan which would entail losses upon the capitalists? Such a progressive plan may not have been adopted on the Government's own initiative, but may have been forced either by influence from the outside or by the oppression of the times. If so, the Government could have revised the original plan to whatever degree it might have desired through the voice of the Government party, namely, most of the conservative parties.

Did the Government present the Bill from a point of view that the outward aspect and the real intention need not be in accord with each other and that only the outward aspect is important? This is most certainly an imprudent thought. However, the matter of the people's distrust in the Government is not new. This distrust can be reasoned to be the cause for the aggravation of the serious inflation. The people did not believe the unscrupulous Government, and there are still many people who have no

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ITEM 1 (Continued)

faith in the Government. For instance, there are few who believe the Finance Minister's declaration that he will not regulate the new yen currency, totalling about 600 billion yen. For fear of some measures that might be taken by the Government, the people try to hoard their new yen notes or spend them recklessly.

Even at this time, the Government holds the key in the execution of the Labor Standards Law which is, the gospel for the working class. No matter what the bill stipulates, if it is administered by those supervisors, who are given orders from the Government, much will be left to their arbitrary decision or actions. It would be fair to give the working class the right of supervising the supervisors. We have some misgivings that the Government might say that the supervision and the administration of law are not a matter of the people's concern. Furthermore, we doubt whether the present Japanese industry, whose future is still dim, can operate under the most ideal labor conditions stipulated by this law. The Government must be most informed on this matter. Then, on what grounds does the Government present this Bill?

To say frankly, the Labor Standards Bill is splendid—too splendid for us to be at ease. Looking at what the Government is doing today in contract with what it did yesterday, we cannot help but feel that something contradictory will appear. The Labor Standards Bill, both in its conditions and in its practical aspects, disregards reality. Capitalists will flinch when they see the absurdity of the bill, which is so removed from reality. It makes us feel unreasonable. Therein lies something which gives us a vague feeling of unrest. This may also be attributed to the lack of trust in the Government— a trust which is so needed by the Government today.

We would like to observe the future actions of the Government to be exercised in the development of this law. We eagerly hope for good results, which will enable the Government to regain its lost confidence.

ITEM 2 General MacArthur's Declaration Commemorating the First Surrender Anniversary - Provincial Newspaper: Shimane Mainichi Shimbun (Nagano) - 4 Sep 46. Translator: S. Ohashi.

Full Translation:

After one year since the termination of the war, the Japanese people have, for the first time, practically understood the true significance of the Pacific War. The true meaning of the war is clearly indicated in the POTSDAM Declaration, but the people comprehended its true significance through the medium of actual experiences of today. The exemplary behavior of the occupation forces, who landed in JAPAN as victorious troops, and the importation of food for a defeated nation, an unprecedented event in the history of war, are factors which made the Japanese people realize that JAPAN was not only defeated militaristically. At present, the people believe that there is not a fragment of a doubt that the actual circumstances of a nation under the control of militarists and the ideas of the people living under this control, in other words, their ideas and views regarding the world, were all mistaken.

General MacARTHUR's declaration, commemorating the first year since the signing of the surrender, stated in part, "This revolution of the spirit among the Japanese people represents no thin veneer to serve the purposes of the present. It represents an unparalleled convulsion in the social history of the world."

This phrase especially emphasizes the importance of the alteration of the people's ideologies in the reformation of our nation towards a democratic one. The declaration continues to state, "It represents, above all

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ITEM 3 Press View of the Diet Deliberation on the Labor Relation Adjustment Bill - Asahi Shimbun - 6 Sep 46. Translator: S. Ono.

Summary:

The Bill for Labor Relation Adjustment was presented to the plenary session of the House of Representatives on 5 September. Because of strong opposition from the various parties, except the Liberals, the Progressives and some non-partisans, public attention was focussed upon the deliberation of the bill. ARAHATA, Social Democrat, who first took the floor, bluntly criticized the bill as a noxious legislation to the sound development of labor movement and as ' notorious as the Peace Preservation Act. Then, EZAKI, Liberal, and HARA, Kenzaburo, Progressive, rose in turn to second the bill. In their words it was not necessarily the Social Democrats alone who were looking out for the interests of labor. Their speeches gave rise to heated criticism by the Social Democrats.

1A A

Miss TOGANAE, Independent, who later took the rostrum, advocated the opposition of the Social Democrats, branding the bill as obstructive to the promotion of democracy since it aimed at the suppression of labor's right to strike. With its logical coherency and preparedness, her speech will probably be accepted as one of the memorable speeches made at the present session of the Diet. SHIGA, Yoshio of the Communist Party was the last to take the floor. He hit the reactionary character of the bill when he stated that the adoption of similar legislation abroad should not offer support to the enactment of the bill, since what really mattered was the objective the legislation aimed at.

It is a pleasing matter for us to hear the conservative parties, such as the Liberals and the Progressives, speak in the interest of the working class. However, it is the sincere wish of the press that their speeches will not turn out to be window-dressing for vote-pulling. Anyway the laboring people will learn much if the bill is enacted.

ITEM 2 Labor Relations Adjustment Bill Pass House of Representatives Despite Opposition of Opposition Parties - Jiji Shimpo - 6 Sep 46. Translator: H. Naoji.

Full Translation:

The House of Representatives passed the Labor Relations Adjustment Bill of the Government at its plenary session on 5 September and referred it to the House of Peers on the same day. The Bill was supported by the majority of the Progressive and Liberal Parties. It is just 20 days since 16 August when the Committee finished its discussions.

1A A

Sharp disagreement was voiced by Government parties and the opposition on Articles 37 and 38. These articles pertain to the prohibition of strikes by government and public officials and places limitations on strikes by the employees of public activities. At the committee meeting, the Government parties tried in vain to compromise with the opposition parties. But when all their efforts had ended in failure, the Bill was passed compulsorily by the numerical superiority of the Government Parties.

Since passing the bill in the committee the Government parties engaged in political manoeuvres before they introduced it to the plenary session. Again, the opposition parties opposed it in its entirety as they had previously done at the Committee Meeting. However, the Bill was finally passed by a small majority before a gallery packed with opponents of the government bill, mobilized by the Communist Party from the outside.

Twelve days of public hearings on draft of Labor Standards Bill, scheduled to be introduced into next session of Diet, ended 17 September. This represented second submission of Japanese labor legislation to labor, employers, and public for expression of views. Testifying at hearings were representatives of National Federation of Labor Unions National Congress of Industrial Unions, and 13 major industrial unions; members of Japan Commerce and Industry Association, Kanto Employers' Federation, and 20 other employer organizations; number of individual workers and employers; four leaders of women's organizations; and several students and local officials. 21 SEP 1946

1A A

Daily Radio-Corr.

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Daily Radio-Long.

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ITEM 2 Comment on the Diet - Asahi Shimbun - 6 Sep 46. Translator: C. Akashi.

Full Translation:

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The Labor Relation Adjustment Bill which is criticized by all organized labor throughout the country as the vicious mass discharge bill was submitted to the plenary session of the House of Representatives on the 5th. Since this is the bill to which all the Diet members, except members of the government parties, the Liberals and the Progressives and a part of the Independents, are offering opposition, a tense atmosphere prevailed in the session from the outset, and the Diet gallery was packed.

At the beginning, Mr ARAHATA, Social Democrat, declared that the Labor Relation Adjustment Bill was no more than a regulation to maintain public peace and to restrict the labor movement. He further said in protest against the bill, "I have never before heard in my forty odd years in the labor movement such a nonsensical remark on the part of the bourgeois as their proclamation that this bill was formulated in the interest of labor."

EZAKI, Liberal, and HARA, Progressive, vehemently refuted ARAHATA by claiming that not only the Social Democrats, but the Liberals and the Progressives were also concerned with labor. They also assailed the Social Democratic Party, by pointing out some of their dubious attitudes toward this bill, offending them very much. The passionate eloquence of these two gentlemen made us think of a student oratorical contest.

Mrs TOGANAI, Independent, was applauded by the Social Democratic Party for her statement to the effect that the oppression of the right of labor dispute would impede the achievement of democracy. Her statement was such a logical, consistent one that it might well remain in the audiences' memory as one of the impressive statements in this Diet session.

The Communist member SHIGA said, "It is said that laws similar to this bill exist in other foreign countries. But the question is how, by whom, and under what circumstances is it enforced" thereby revealing the reason for this bill being censured as an oppressive measure.

It is laudable for the Liberal and the Progressive parties to be concerned about labor. However, we hope that their concern will not prove to be mere lip-service. When this bill is enforced, labor will no doubt learn many things.

ITEM 2 Public Hearing On Labor Standard Law - Tokyo Shimbun - 6 Sep 46. Translator: H. Iuchi.

Full Translation:

The public hearings on the projected Labor Standard Law (RODO KIJUN HO), or what should be called Japan's Labor Charter (RODO KENSHO) began on 5 September and will last until 17 September, at the lecture hall of the Welfare Ministry. On the opening session, the representatives of the employers MOROI, Kanichi, MORITA, Yoshie, and KUMAGAYA, Sadao of Japan Association of Economic Commerce and Industry (NIHON SHOKO KEIZAI KAI) and MIKI, Juzo, and MIWA, Kanenobu of the Japan Industrial Organization League (NIHON SANGYO DANTAI KYOGIKAI) and Kanto Economic Association (KANTO KEIZAI KYOKAIO respectively, and Dr SUEHIRO, Itsutaro, investigation committee member, discussed the projected law. People were so interested in this hearing that no vacant seats were available. The hearing of the representatives of labor will be held on 6 September.

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Since the projected Labor Standard Law is of wide application and has much bearing upon women laborers, the Welfare Ministry has decided to hold a public hearing for the representatives of women on 14 September. On women day, the session will be conducted in the morning by authorities on that problem, HANI, Etsuko, YOSHIOKA, Yayoi, OMACHI, Yoneko. The discussions for representatives of the women who are now working at various companies, factories and workshops will be held in the afternoon of the same day.

By these hearings, the Ministry intends to keep the legal door open to women, and thereby understand the real sentiments of women.

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ITEM 1 Two Million Workers Needed - Tokyo Shimbun - 29 Aug 46. Translator: K. Yasutake.

Full Translation:

With the enforcement of the Labor Standards Law, advocating an eight-hour day and the raising of the minimum employment age, 2,000,000 additional workers will be required. The Labor Standards Law, which will be submitted to the coming extraordinary session of the Diet this fall, is expected to have a great effect on Capital and Labor relations hereafter. The adoption of the eight-hour day and the raising of the minimum employment age will have an important effect as a counter-measure to unemployment. According to the estimates of the Welfare Ministry, this will decrease the number of unemployed by about 2,000,000.

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Adoption of the Eight Hour System

At present working hours vary according to the type of work. Suppose we consider the existing working day to average 10 hours, and apply it to the 5,000,000 industrial workmen. A new, yearly demand for 1,500,000 workmen will ensue by the two-hour reduction per day.

Raising Minimum Employment Age

The existing regulations prohibit the employment of any juvenile less than 14 years old. The new, tentative law hopes to raise the limit by one year. The number of new laborers who graduate from primary and other schools yearly is estimated to be about 400,000 out of a total of from 700,000 to 750,000 graduates. The number of graduates from middle grade schools and colleges is estimated at about 100,000. Therefore, if this Law is adopted, more than 400,000 juvenile workers will lose their working rights. Hence, the new law will serve as a counter-measure to unemployment.

ITEM 1 Labor Public Hearing Held - Mainichi Shimbun - 6 Sep 46. Translator: K. Asano.

Full Translation:

144

The Labor Legislation Deliberation Council (RODO HOSEI SHINGIKAI), which has drawn up the draft of the Labor Standards Law (RODO KIJUNHO) held its first public hearing, with various representatives of management present, to hear the opinions of all parties, in the Welfare Ministry Building at 0900 hours on 5 September. Captain KOBE and Mr MARK STARE of the Labor Division of the Economic and Scientific Section of SCAP also attended the meeting on the afternoon of the same day. The principal opinions delivered at the meeting were as follows:

MIKI, Juzo, of the JAPAN Commercial and Industrial Economy Association: "The draft provides that working conditions should be sufficient to enable laborers to meet their needs in leading a normal life worthy of the name. When employers cannot, however, really comply with the article, the state should assist them in doing so. It is desirable that family allowances be borne not only completely by capitalists, but also partly by the state."

MOROI, Kanichi, of the KANTO Management Conference (KANTO KEIEISHA KYOKAI): "We should consider establishing a social insurance system, self-government in a workers' dormitory life, and adjusting the control organizations of enterprises. A committee or a life consultation office should be established at the dormitory to operate it smoothly. The former control system gave rise to many problems. Civilians should also be appointed as inspectors. Labor courts ought to be established."

MORITA, Yoshio, of the KANTO Management conference: "This law is biased in favor of wage-earners. The working conditions of salaried men should also be considered."

Generally speaking, apprehension was expressed by many about converting the former low wages and long laboring hours to high wages and an eight-hour system.

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Urges Labor Relations Law Study; May Serve Constructive Function

Costantino Stresses Conciliation, Arbitration; Responsible Labor Relations Are Predicated Upon Mutual Acceptance Of Collective Bargaining

Anthony Costantino, chief of labor relations branch, labor division, Economic and Scientific Section, SCAP, made a statement on labor relations on Monday, September 30, at 10 a.m. in a Japanese press conference at the Radio Tokyo Building.

His statement reads as follows:

"I wish to make a few comments on labor relations for consideration by your readers. On October 4, 1945, SCAP directed the Japanese Government to end police and wartime restrictions on the freedoms of speech, thought, and assemblage.

Certain Reforms In Japan Was Ordered

"On October 11, 1945, General MacArthur instructed the Japanese, through ex-Premier Shidehara, to institute certain reforms in the social order of Japan as rapidly as they could be assimilated. One reform was, and I quote, 'the encouragement of the unionization of labor that it may be clothed with such dignity as will permit it to be an influential voice in safeguarding the working man from exploitation and abuse and raise his living standard to a higher standard.'

"On December 21, 1945, the Japanese Diet passed the labor union law guaranteeing workers freedom of self-organization and activity for the purpose of improving his conditions of work and for raising his economic status.

Sudden Freedom

"Suddenly released from the suppressions of militarism and totalitarianism, the Japanese worker exercised the freedoms given to him with a speed and vigor never before witnessed in the history.

"Today, four million workers are active in 12,000 labor unions. As quickly as workers organized unions, they made demands on their employers and their government for the correction of long standing and often deep-rooted inequities and abuses.

"It is to be expected that in some instances the demands of organized workers met resistance, and labor relations became strained for a while untile an adjustment of differences was secured.

Various Strike Action

"In some instances, workers resorted to various forms of strike action to press for a favorable result to their demands. In large part, every legitimate freedom has been accorded Japanese labor in its efforts to advance its aspirations.

"Up to July 31, the Welfare Ministry had recorded 1,411 labor disputes involving 1,152,032 workers. Of these, 491 disputes resulted in some form of strike action in some manner hampering the normal course of the operations of an enterprise.

821 Agreements

"Up to the end of August, the Welfare Ministry also had noted that 821 collective bargaining agreements covering 452,968 workers had been concluded.

"It is evident, therefore, that many labor disputes have not resulted in formal trade union agreements. And it is further evident that the majority of labor and industry does not enjoy the added benefits of labor relations regularized through the conclusion of collective bargaining agreements.

Labor Union Law

"On March 1, 1946, pursuant to the Labor Union Law, Labor Relations Committees were instituted: One in each prefecture plus a Central Labor Relations Committee and a Special Labor Relations Committee for Seamen. These Labor Relations Committees are authorized under the Labor Union Law to perform the following functions:

1. Compilation of statistics on labor disputes and investigations of conditions of labor.
2. Mediation in collective bargaining and prevention of labor disputes.
3. Arbitration and conciliation in disputes.
4. Recommendation for improving conditions of labor.

"According to the Welfare Ministry, since their institution on March 1, these Labor Relations Committees have assisted in the settlement of 69 labor disputes. It is evident that in the vast majority of labor disputes, the parties have not sought the assistance of the Labor Relations Committees.

Modern Industrial Nation

"In a modern industrial nation, it is a responsibility of democratic government to provide suitable agencies and services designed to promote stable labor relations. These services are known as conciliation, mediation and arbitration.

"On September 20, 1946, the Japanese Diet passed the Labor Relations Adjustment Law. The Law provides for government agencies and services of conciliation, mediation and arbitration.

"From every point of view, the Law offers the Japanese Government an opportunity to discharge its responsibility to promote regular labor relations in a creditable manner. However, the Law is of such a nature that in large part the government cannot force its agencies and services upon labor and industry.

Labor And Industry Free

"In large part, labor and industry are free to reject or avail themselves of the services provided for by the Law. If labor and industry are sincerely concerned in developing stable and regular labor relations, if labor and industry sincerely want to adjust their differences by genuine collective bargaining in good faith, then they will welcome the opportunity to avail themselves of the assistance accorded to them by the Labor Relations Adjustment Law. If labor and industry and Government have a mind to do so, the new Law can become a bulwark for

(Continued On Page 2)

responsible and mature labor relations in Japan.

"Up to now, it has been evident that labor and industry have often avoided recourse to the Labor Relations Committees. In part, there has been some basis for this avoidance.

Membership Of LRC

"The membership of the Labor Relations Committees is composed of equal representatives of labor, industry and the public. In March, when the Labor Relations Committees were first instituted, labor and industry were not prepared to make a democratic selection of representatives. The situation, however, is further developed now.

"Recently, the Welfare Ministry issued instructions for the democratic selection of members to the Labor Relations Committees. By December 1, 1946, if all parties concerned are vigilant in exercising their right to make recommendations, the membership of all Labor Relations Committees should become fairly representative and satisfactory to both labor, industry and public.

"At that time, assuming that both Government, industry and labor fulfill their responsibilities to establish acceptable Labo

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Relations Committees, further avoidance of the services of conciliation, mediation and arbitration offered by these Committees in aid of collective bargaining would not be warranted.

Dignified Labor Relations

"Mature, responsible and dignified labor relations are predicated upon the mutual acceptance of collective bargaining in good faith assisted by sympathetic conciliation, mediation, and arbitration in the event that collective bargaining breaks down or reaches a deadlock on any particular difference between labor and management.

"In addition, collective bargaining in good faith looks forward to setting down the results of the negotiations in the form of a written agreement signed by both labor and management with the sincere intention on the part of both sides to regulate their relations under agreement for the specified term of the agreement.

"Considering that most of organized labor and industry in Japan today have not yet concluded collective bargaining agreements by which to regulate their day-to-day labor regulations there is much yet to be desired before it can be said that labor relations in Japan have reached a stage of relative stability. It is hoped the new Labor Relations Adjustment Law may serve a constructive function to that end.

Had Never Read Law

"On occasion, it has come to my personal attention that persons expressing general opposition to the Law had never read the Law and did not know its provisions. In fact, the opposition of some persons was supported by misinformation. In this regard, may I ask the question? Has the press ever published the Law in its final form, verbatim in full?

"Four million labor union members and their employers should be given the opportunity to read and study the Law in detail. Continued ignorance and misinformation concerning the functions of conciliation, mediation and rrbitration in aid of collective bargaining negotiations will account for many unnecessarily strained and protracted labor relations situations which could otherwise be readily resolved in an atmosphere of sympathy, understanding and reason."

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ITEM 15 Equal Position For Women Workers — Asahi Shimbun - 15 Sep 46. Translator: H. Iuchi.

Full Translation:

14 September, the ninth day of the public hearing on the Labor Standards Bill was for women. In the morning four specialists on the problems of women and in the afternoon nine women representatives from seven fields of occupation aired their views. ICHIKAWA, Fusae, YOSHIOKA, Yayoi, OKU, Mumeo, and KAWASAKI, Natsu, were the morning speakers. ICHIKAWA, Fusae, declared as follows: "Special regulations for women should be limited to just provisions for motherhood. Too many differentiating measures will not serve as a protection, but will deprive women workers of their right to live. In this connection, a provision for equal positions as men should be added to the provision for equal wages. Furthermore, there are too many provisions whose enforcement is dependent upon the authorization of the administrative offices.

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Noteworthy opinions of the afternoon are as follows:

Miss KAWAKAMI of the KIYOSE Hospital, a representative of the JAPAN Medical Association (NIHON IRYO DAN) - "Hospitals should not be excepted from the provision regulating working hours. A small increase in the hospital staffs would suffice to effect, in principle, the 44-hour week system with a half day off every Saturday. At the present time student nurses are being overworked, since they are not looked upon as laborers but as apprentices. The State should also establish technical institutions."

Miss AKIMOTO, of the main MATSUYA Department Store on GINZA - Recreational facilities should be established and the present system for protecting young women is inadequate. The number of women inspectors for supervising women and juvenile workers should be increased.

Misses IMAO and KIMOTO of the Central Telephone Exchange (CHUO DENWA KYOKU) testified that the provision prohibiting night work was not applied to the telephone operators, and that on the night shift they were on duty from 1600 to 0800 hours with only five hours for sleeping. They continued to explain that there is only fifty sen increase, and when they buy dried bread at 90 sen, they are short 40 sen. Such being the case, they contended that late-hour work should be prohibited, at least during menstrual periods, and that three days should be stipulated for those periods, since the authorities would not provide facilities for restrooms in spite of the provisions stipulated by law.

ITEM 1 Government Disapproves Sabotage in Vital Industries - Tokyo Shimbun - 19 Sep 46. Translator: N. Tachibana.

Full Translation:

The committee meeting for the discussion of the Labor Relations Adjustment Bill was held in the House of Peers on 18 September. In reply to interpellations by Baron YAMANA, Yoshitsuru of the KENKYUKAI, Welfare Minister KAWAI made a noteworthy statement to the effect that the Government would disapprove any production sabotage in important industries. He said, "It seems that some past cases of production control by workers were caused by other than sabotage on the part of capitalists. The Government intends to establish a more definite principle to disapprove of any production sabotage in important industries. The Government believes that any production control by workers is always followed by violation of the right of property, and therefore will deal with it along this line."

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YAMANA stressed that the Central Labor Committee members and the Labor Dispute Settlement Committee members had to be carefully selected, and requested the Government's view. In reply, KAWAI said, "The Central Labor Committee members from employers and employees are to be selected by their respective organizations. The Government will take charge of the task of selecting the third members (neutrals). The present situation differs from that in the days when labor unions were first organized. Therefore, the Central Labor Committee members will be re-elected on or about November, with the contention that the Government intends to select learned, experienced, and able men with care. The Labor Dispute Settlement Committee members will be appropriately selected by the Labor Committee members on the basis of a list of the suitable candidates for each position."

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LABOR SCHOOL FOR OFFICIALS PRAISED BY SCAP EXPERTS

With almost 100 government labor officials in attendance from every prefecture in Japan, a five-day "labor administration school" which closes today in Tokyo Central Labor College was described as a "good beginning to acquaint labor officials with problems confronting them."

Samuel Korb, assistant chief of the Education branch, Labor division, SCAP's Economic and Scientific section, said the school was designed to teach techniques of administering labor laws.

High ranking government officials, union leaders, as well as representatives from SCAP's Labor division, addressed the conference in a series of talks ranging from American legislation to detailed studies of Japanese labor legislation.

Prefectural officials attending the school are expected to conduct similar courses for still lower echelon government officials in their home prefectures.

Mr. Korb said that "with no previous training in labor legislation, government officials who actually administer the laws have had a difficult job."

SCAP labor specialists who addressed the conference included:

Mr. Korb, speaking on the history and organization of the United States Department of Labor; Richard L. G. Deverall, American Trade Unions and Experiences wWith Government Agencies; John R. Harold, American Labor Relations Legislation and Agencies, and Anthony Constantino, Government Responsibilities in Regard to Labor Relations

Mr. Constantino, chief of SCAP's Labor Relations branch, said he was "glad to see this beginning in a getting together of prefectural government officials charged with administration of affairs dealing with labor."

He suggested planned regional conferences carried on along lines similar to the Tokyo conference, and urged "periodically a return to (similar future schools) in Tokyo."

He further urged officials to "apply yourself with vigor, sympathy and understanding so the problems underlying many labor relations situations may become clarified and proper corrective solutions may be indicated." 12 OCT 1946 PRESS RELEASE-AFPAC

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ITEM 8 The Communist View of the Labor Relations Adjustment Act--
by SHIGA, Yoshio - Akahata - 20 Sep 46. Translator: S. Ono.

Summary:

After lengthy deliberation, the Labor Relations Adjustment Bill was approved by the plenary session of the House of Representatives with a vote of 213 to 141 on 5 September. With the visitors' gallery full, the discussion at the plenary session was one of the liveliest since the opening of the current Diet session. The Social Democrats, Co-operative Democrats, NewoPolitics Party, (SHIN SEI KAI) Independent Club, and the Communists were against the official bill, while the Progressives and the Liberals were in support of it.

Impartially speaking, the supporters of the opposition parties excelled those of the friendly parties in their speeches. It was natural that the supporters of the friendly parties were self-contradictory since they had to both advocate the Government bill, which was meeting the strong opposition of the working classes, and at the same time disguise their attention to the welfare of the workers. Consequently, they adopted the tactics of criticizing the opposition parties. For instance, EZAKI, Liberal, blamed the betraying attitude of the Social Democrats when he pointed out that KONO, Mitsu, leading member of the Social Democrats, had advocated the legislation of an act similar to the official bill at the former session of the Diet. He further stated that the leading figures of the Social Democratic Party had participated in the deliberation on the original draft for the Labor Relations Adjustment Bill as members of the Labor Legislation Deliberation Council.

ARAHATA, Katsuzo, foremost theorist of the Social Democrats, openly defied the bill as the successor to the notorious Peace Preservation Act declaring that to place the regulation over the workers' right to strike was to rob them of their unique means of protest. HARA, Kuni, Co-operative Democrats, NOMOTO, Shinakichi, New Politics Party, and TOGANO, Satoko, Independent Club took the floor to deliver a brief, yet sharp, speech criticizing the reactionary action of the Government in suppressing labor's right to strike. The fact that the bill, with all the opposition offered by the opposition parties, was passed, was mainly attributed to the absence of a considerable number of Representatives belonging to the Social Democrats and to the Co-operative

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the holders of this opinion are strongly advised to give due attention to Article I of the bill, which prohibits the strike as a means of settling a labor dispute, holding it as harmful to the social peace and the development of industry. This represents an out-moded idea of the bureaucrat and the capitalist who consider the means of striking as utterly illegal. Another example showing their anachronism is the Government's prohibiting of public officials and employees of enterprises stet the public's interest, to resort to a strike. Under the present social structure, can we imagine any enterprise which does not work for the public interest? The true intention of the Government in refusing permission of the right to strike by employees and officials of the socalled public interest enterprises is to check the advancement of the labor movement. The Government unintentionally revealed its anachronistic ideas when it declared, by way of justifying their prohibition of a strike by public officials, that the State Ministers were to take care of the treatment of their subordinates. Evidently, this is the attitude of the feudal lord who gave rewards to his retainers according to the service rendered.

Replying to the request of the Diet calling for the creation of a stipulation in the Constitution to authorize the right to work to working class people, the Government announced that another law was to be set up to secure that right. The draft proposal for the Labor Standard Act, which has recently been published, fails to meet the request. At the meeting of the Labor Legislation Deliberation Council, I earnestly insisted upon the addition of the stipulation to the draft. My proposal was turned down without receiving proper attention. Anyway, the enactment of the Labor Relations Adjustment Act is to

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Democrats. Although it may be natural for the vote-conscious Diet members to visit their election districts as often as possible, they should feel a moral obligation to attend the Diet session when an important bill is to be deliberated.

Now, I will proceed to explain the true nature of the Labor Relations Adjustment Act. It is true, as a spokesman of the Government declares, that abroad, there is legislation similar to the Government sponsored bill. Yet, similar laws play different parts in as much as the circumstances of the countries differ. In such countries as the UNITED STATES and GREAT BRITAIN where the labor movement has reached maturity with a long-established tradition, it is customary that the Government and the capitalist pay due attention to the interests of the worker. In contrast to such countries, it is customary in JAPAN for the Government to adopt an interference policy in labor disputes, impartially protecting the interests of the employer. This policy is continually being practiced under the present Cabinet. Concurrently, with the presentation of the bill, the Railroad Ministry announced the project to radically reduce its employees to realize the rationalization of management. Meanwhile, the influence which the long-discussed property tax will bear upon the capitalist, will be reduced to a considerable extent as the price of private property is to be estimated at the current inflated price. Therefore, the capitalist is expected to be doubly protected by the Government with the promulgation of the bill, which is legally to allow the capitalist to discharge employees and hire them later with lower pay. ZEN, Keinosuke, chief of the Economic Stabilization Board has declared that the large scale dismissal of employees was a condition sine qua non for the revival of industry in JAPAN. Yet, the discharge of employees will inevitablly meet the opposition of labor. The Labor Relations Adjustment Act is to check the offense of labor while aiming toward industrial recovery at the sacrifice of the working classes.

An opinion prevailing among certain circles insists that, with a slight amendment, the bill will become workable. However the holders of this opinion are strongly advised to give due attention to Article I of the bill, which prohibits the strike as a means of settling a labor dispute, holding it as harmful to the social peace and the development of industry. This represents an out-moded idea of the bureaucrat and the capitalist who consider the means of striking as utterly illegal. Another example showing their anachronism is the Government's prohibiting of public officials and employees of enterprises stet the public's interest, to resort to a strike. Under the present social structure, can we imagine any enterprise which does not work for the public interest? The true intention of the Government in refusing permission of the right to strike by employees and officials of the socalled public interest enterprises is to check the advancement of the labor movement. The Government unintentionally revealed its anachronistic ideas when it declared, by way of justifying their prohibition of a strike by public officials, that the State Ministers were to take care of the treatment of their subordinates. Evidently, this is the attitude of the feudal lord who gave rewards to his retainers according to the service rendered.

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ITEM 8 (Continued)

be suspended till the time of the promulgation of the Labor Standard Act. It, therefore, is strongly adviced that the labor union of this country exert every effort to persuade the Diet to withdraw the legislation.

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Date For Enforcing Labor Law Not Set

State Wants Measure in Effect In November but Working Class Strongly Opposed

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Although Welfare Minister Yoshinari Kawai refrained from definitely announcing the date when the Labor Relations Adjustment Law would be put into effect, it is now generally observed that the enforcement of the law will be most probably made in November as the Government wants to, according to Kyodo.

There is, however, an observation that the law might not be enforced before next spring. The working class is still strorgly opposing it, and making it a ground for proposing a general strike. Then, the cancellation of war industry indemnity payment, the dismantling of reparations factories and other questions concerning the adjustment of enterprises have to be considered in enforcing the new law. Thus it is believed by some that the law will be put into effect only about next spring.

The bill was bitterly attacked by the democratic front in and out of the Diet. Particularly in the House of Representatives it was hotly discussed for two months, but yet it was approved without amendment. The Upper House also approved the bill on September 20, without amending it or adding new provisions.

Labor Opposition Feared

The strong labor policy of the Government, particularly supported by Welfare Minister Kawai and State Minister Keinosuke Zen is for enforcing the new law by the end of November, despite all opposition that is feared will be offered by the working class, because of the following considerations.

1. The Government will submit to the next Diet, to be convoked in November, a labor standard law bill for guaranteeing the livelihood of workers, and thus believes that with its promulgation, it can be proved that the Labor Relations Adjustment Law is not for oppressing workers.

2. The adjustment of workers is strongly demanded for the rationalizatiin of industry as aimed by the Economic Stabilization Board, but the Labor Relations Adjustment Law will be an important factor in meeting such a demand.

3. Although the Government has denied production control by workers, such control is still continuing and there are still 21 cases pending.

4. The election of the labor central and local committees that plays very important role in settling labor disputes will be held during November, and this will give a very favorable opportunity for the enforcement of the Labor Relations Adjustment Law.

Enforcement in November Seen

It is believed that the enforcement of the new law during November is thus almost certain, as the above mentioned concrete conditions will be realized during November, and the Livelihood Protection Law for giving relief to those unable to maintain proper livelihood will be enforced on November 1. The latter law will give relief to those who are not given opportunity to work

and thus will become one of the strong grounds for enforcing the Labor Relations Adjustment Law in November.

Furthermore, for thoroughly making the public understand the purport of the new law, the Government is now preparing a pamphlet explaining the measure, for distribution among all labor organizations of the country. Whether or not the basic conditions of the law will satisfy the entire workers of the country depends on whether or not the reconstruction of industry absolutely requires the adjustment of workers.

NIPPON TIMES
SEP 25 1946

State Stand Decided On Sphere of Labor

Trade Union Participation in Politics to Be Considered Departure From Course

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The Government takes the stand that labor movements should be restricted to economic problems and accordingly trade unions' participation in political movements will be considered a departure from their proper course, it was decided on in a conference of Cabinet members concerned with public order, Wednesday.

The meeting was held at the Prime Minister's official residence at 8:30 a.m. to consult over the large-scale walk-outs witnessed recently.

Matsudaira Interpellates

Interpellation on the third chapter of the Constitution that defines the right and duty of the people was continued at the meeting of the Constitution Revision Bill Committee of the House of Peers, Wednesday morning.

Baron Narimitsu Matsudaira, Koseikai, questioned the Government on its view respecting religious education. State Minister Kanamori replied that although actually religious education comes under the jurisdiction of the Education Ministry, he could assure that the Government fundamentally does not interfer with religion under the proposed constitution.

Baron Matsudaira also questioned on the ranks of Shinto shrines, and Minister Kanamori answered that the ranks of shrines cannot be fixed by the State, but when such is done without the interference of the State, it will not violate the constitution.

NIPPON TIMES
SEP 19 1946

Labor Relations Law Promulgated Sunday

New Ruling Prohibits Strikes By Public Utility Workers, Curbs Walkout Actions

The Government on Sunday promulgated the Labor Relations Adjustment Law and the regulations for enforcing that law.

The most important features of the new law are prohibition of strikes by workers engaged in public utility enterprises, and restriction of strike actions.

Policemen, firemen, and prison officials who are not given the right to form unions under the labor union law are prohibited from walking out on strike. General Government officials, other than operatives of railways and communication services, also cannot strike, although they are able to form unions.

Transportation, mail, telephone, telegraph, water supply, electricity supply, and gas supply enterprises as well as medical, sanitation and public health works are recognized as public utility enterprises. When workers in such enterprises are to strike, they must appeal for mediation to the labor relations committee according to the stipulations of Article XVIII, clause 1, and cannot carry out their strikes before 30 days after presentation of the above request for mediation.

Furthermore, competent State Ministers may stipulate as utility enterprises for one year other enterprises the suspension of which would disturb public economy, and the people's daily livelihood. In this case, such designated enterprises will have their strike actions restricted for one year as public utility enterprises.

Under these stipulations, electric, telephone, telegraph and transportation workers will become unable to declare a strike without previous notice. Coal mines may also be designated as public utility enterprises. Thus, the enforcement of the new law will have a great effect on the present coal strike.

Article X of the law stipulates that when public utility enterprises request mediation, the mediation committee has to draft a plan within 15 days. Then, the parties concerned have to reply to the proposal within 10 days. The final decision for the strike has to be made in the last five days.

NIPPON TIMES
OCT 14 1946

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ITEM 13 Views on Labor Standard Bill - Nippon Keizai Shimbun - 5 Oct 46.
Translator: S. Hirata.

Full Translation:

Both the Ministry of Welfare and the Council for Studying Labor Regulations are now expediting the final draft of the Labor Standard bill (RODO KIJUN HOAN) to be submitted to the next session of the Diet. Since the arrangement of the all-inclusive views on the sub-committee's draft which was submitted to the general public audition council came to an end, the Council for Studying Labor Regulations will shortly hold a sub-committee meeting and decide on the sub-committee draft in which the opinions of the public audition council are reflected. The draft, will than be referred to the plenary session of the Council and submitted to the Government around the middle of next month.

The fundamental differences of views on the sub-committee's draft between Capital and Labor are as follows:

Capital holds the view that this bill is a regulation for controlling employers. On the ground that this bill is the highest standard for the protection of workers, it is also maintained that the principles concerning obligations, improvement of efficiency, and the sincerity on the part of workers should be provided for by this bill.

Meanwhile, this bill is regarded on the whole as progressive by the workers. However, pointing out that, in regard to the extent of protection, the contents of the draft have merely provided for a minimum standard, workers are demanding the enlargement and intensification of the bill.

This labor-capital confrontation has had an important influence on various political parties. Just as the Socialist and Communist Parties have rapped the Labor Relations Readjustment bill at the current session of the Diet, both the Liberal and Progressive Parties are striving for the emasculation of the draft. The Socialist and Communist Parties, on the other hand, are supporting a plan in favor of consolidating the draft. Under such circumstances, the situation may grow more troublesome and involved in the future. Nevertheless,

reconstruction of industries, it is quite doubtful whether employers and workers can fully co-operate with each other upon the basis of such labor standards.

2. Since this bill is expected to be the magna carta for Japanese labor, it should be the one that declares the principles of ethics for workers. It should awaken the consciousness of workers, and provide for the principles concerning the obligations of workers, improvement of labor efficiency, labor education, and the sincerity of workers.

3. This bill has remarkable characteristics of a regulation for controlling employers. After setting up the rational standard, the State should refrain from interfering with labor relations.

4. This bill is a bureaucratic one. Only imposing obligations upon employers, the State does not take positive measures. Instead of superintending or controlling, the State should work out positive measures such as these for labor education.

Views on the part of workers:

1. It is the workers who should shoulder the responsibility for industrial rehabilitation. Consequently, the idea on industrial reconstruction should be the one based upon rational labor conditions agreed on by workers. Such labor conditions should be determined by the fruits of labor science.

2. We approve this draft on the ground that it is on the whole a progressive one. In details, however, we should like to have our workers' views adopted.

3. Since the contents of this draft consist of the provisions for a minimum standard, it should be called the minimum standard bill.

4. Since this bill is liable to be utilized by employers as the maximum standard, provisions against such abuse should be made.

5. This bill should be legislated as one attached to the Constitution. It should wipe out the feudalism remaining in labor relations, and modernize workers' living conditions.

6. This bill should be put in force simultaneously with the Labor Rolations Readjustment bill.

7. The social insurance system should be reformed at the same time with the issue of this bill. The health insurance system should be reformed so that workers may willingly avail themselves of this system. Also, the setup of the health insurance corporations should be democratized

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ITEM 19 Government Policy Towards Labor Disputes - Asahi Shimbun - 9 Oct 46.
Translator: S. Kinoshita.

Full Translation:

Replying to an interpellation by Mr. NISHI (KOSEI-KAI) at a session of the Upper House Budget Committees, Welfare Minister KAWAI and Transportation Minister HIRATSUKA explained the Government's policy toward general strikes as follows:

Welfare Minister KAWAI: "We must consider two types of labor walkouts. One is a strike against the Government, as in the cases of the railway workers and seamen's disputes; and the other is a strike against private industrial organizations. Two wanted types are quite different. When a strike is carried out against the Government, the Government has to deal with it as one of the parties concerned. In some cases the Government will let workers go on a general strike, but in other cases, the Government will make every effort to prevent workers from going on strike. The recent railway workers' dispute was an example of the latter type, the Government doing its best to avoid a general strike in view of the serious effect upon the general public. The recent seamen's dispute was an example of the former type. The Government assumed a "hands off" attitude towards the seamen going on strike, and the dispute was settled after the strike was started. When the Government is concerned in disputes, as in these two instances, its attitude towards the workers' action will necessarily vary according to the actual circumstances under which the disputes is being carried on, the effect upon the general public, and the power and attitude of the workers. As for disputes involving private industrial workers, the Government must deal with them in accordance with the Labor Union Law (RODO KUMIAI HO), and the Government has always taken this policy. I think that this is evidenced by the attitude the Government has been taking toward production control by labor. As for the labor dispute of the YOMIURI, the Government has been expecting that it would be solved without outside control, and the matter is now proceeding as expected. In principle, labor disputes must be solved by the parties themselves, without any outside control or intervention. Abiding by this principle, the Government will not undertake any positive action in any private industrial labor dispute. However, decisive measures will be taken for all criminal offenses or any action prejudicial to the public peace. It is the Government's policy to settle the question in the manner best suited to the circumstances."

Transportation Minister HIRATSUKA: "In the case of the Government railway workers' strike, agreement between the railway authorities and the union could have been reached on many points. There were two chances of agreement before the dispute had reached the last stage of deciding whether or not to go on a general strike. On each occasion, the Congress of Industrial Organizations (SANGYO BETSU KUMIAI) obstructed the agreement. It is plain that the Communist Party has been manoeuvring to bring about unnecessary disturbances. At present, labor disputes are going on at the TOSHIBA Electric Company (TOSHIBA DENKI KAISHA) the NIPPON Steel Tube Company (NIPPON KOKAN KAISHA), and the NIPPON Electric Power Generating and Transmitting Company (NIPPON HASSODEN KAISHA). I believe that all of these disputes have been stirred up by wire-pulling of the Communist Party. There is the danger of dangerous labor activities becoming widespread in the country unless the Government takes some decisive step. In view of these circumstances, the Government is now studying effective countermeasures."

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ITEM 18 State Minister Zen Emphasizes Putting Labor Movement in Right Position - Yomiuri Shimbun - 11 Oct 46. Translator: T. Mitsuhashi.

Full Translation:

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Since it has been learned that the offensive by the NCIO would be in the form of general strikes of a political nature, the Government, after the present Diet session, is expected to be surrounded by an intermittent labor offensive.

Admitting that labor problems cannot be solved by mere suspension of hostilities between capital and labor, State Minister ZEN stressed the following two points at a press interview on 10 October: (1) workers' participation in industries and fair division of profits; (2) workers' participation in management through the Management Council (KEIEI KYOGI KAI). He also stated that labor unions should be put back into their rightful position in order to eliminate the capital-labor disputes. His statement was as follows:

I consider that labor movements must always be conducted on an economic and cultural basis. Consequently, my opinion of general strikes influenced by political power is the same as that of Minister of Communications HITOTSUMATSU and Welfare Minister KAWAI at the present Diet session. The fundamental principles of labor movements must always be for the improvement of the workers' livelihood. Workers' participation in industries should be done on this basis. The division of profits and capital (shares) to workers can be considered workers' participation in industries. A method of participating in management by workers is the utilization of the Management Council. Fascistic labor movements, which are directed by political parties with political intentions, cannot be recognized. Workers should not stage campaigns simply to gain dividends and insist irresponsibly on their rights. They should consider their important role in the reconstruction of JAPAN. For instance, the present output of coal per person does not reach 0.2 metric tons while the pre-war rate was one metric ton or more. From this, I cannot consider that workers have co-operated to the fullest extent in production. No country has ever shown such a decline in coal production. In the UNITED STATES, although equipment and other facilities are far better than ours, coal output per person is six to seven metric tons. Since the labor problem is a fundamental issue in the reconstruction of Japanese economy, no production can be carried on without the co-operation of workers. The Government is now making every effort to put the labor unions back to their rightful positions and intends to establish its labor policy based on the following two points: (1) workers should have direct interests in industries; (2) the system in which both capital and labor can fulfill their respective duties by utilizing the Management Council, should be established.

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ITEM 1 Government Becomes Aggressive Towards Labor - Daiichi Shimbun - 21 Oct 46. Translator: A. Kawamura.

Full Translation:

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Premier YOSHIDA issued a statement to coal mine workers on 19 October, in which he asked their fullest co-operation for stepping up the production of coal, which is the most vital source of reconstruction of the post-war national economy. At the same time, he urged Government organizations concerned with the production of coal to push the task, and defined the Government's intention to take drastic measures against those managers who neglect their responsibilities. The Premier's attitude seems to have developed after he was favorably impressed, during this recent trip, with the attitude of western JAPAN's economic circles, which support his Cabinet. He was also satisfied with public opinion regarding his policies, considering the amicable settlement of the HOKKAIDO coal workers' dispute.

This tendency, on the other hand, seems to suggest the Government's countermeasures against the so-called "October Labor Offensive", which has gradually abated. The October labor offensive stirred up, in succession, walkouts in the State Railway, the press and radio, and such key industries as coal, electricity, and iron works. All the walkouts, except those in the radio boradcast, electricity, and iron industries, have been settled for the time being. As to the unsettled disputes, the Government carried out State control over the broadcasting facilities. Regarding the general strike of the electric industry workers, the Commerce and Industry Ministry finally submitted the case to the Central Labor Commission on 19 October, according to a certain article of the Labor Relations Adjustment Law, which was enforced on the 13th. This seems to indicate that the Government has abandoned its see-saw policy against the labor offensive, and has taken steps towards a positive attitude, setting aside the plea that the Government invoked the Labor Relations Adjustment Law to solve the issue, although the Labor Committee and working classes opposed the immediate enforcement of the law. Because of this the law must be enforced in conjunction with the Labor Standards Law, which will be presented to the next session of the Diet.

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ITEM 2 Labor Relations Law Rapped by NCIO and Communists - Asahi Shimbun - 14 Oct 46. Translator: S. Hirata.

Full Translation:

In order to cope with the "October Offensive" of the National Congress of Industrial Organizations, the Government put the Labor Relations Adjustment Law into force on 13 October. In connection with the enforcement of this law, NCIO released the following statement on the 13th in the name of the Central Strike Committee, in which it contended that the Government, by propagandizing the strikes of labor unions in economic spheres as political maneuvers, is going to oppress the unions by violence:

1. The basic demands of the NCIO consist of: (a) opposition to the adjustment of enterprises by discharging workers; (b) the minimum wage system; (c) the eight-hour work system as a maximum; (d) collective bargaining by organized groups; (e) opposition to the labor income tax; and (f) removal of the 500 yen restriction. Allied unions have roused themselves to joint action in order to carry through these demands.

2. Opposing movements of this sort, the Government began to oppress unions by compulsory measures and violence, while carrying out malicious propaganda to the effect that ours are political maneuvers, aimed at the overthrow of the Government. By illegally arresting YOMIURI, MAINICHI, and Radio TOKYO workers, and by means of the Labor Relations Law (which aims at the suppression of disputes), the Government is itself attempting to oppress the right of workers to strike.

3. These Government measures will not satisfy our basic demands at all; they will only espouse the interest of the Capitalist class by denying the workers the right to strike. From the outset, the Labor Relations Law has been incompatible with the interests of the working class. Accordingly, we have been opposed it vigorously. Now it has become evident that the law has the supression of strikes as its objective.

4. The Diet has attached a collateral resolution to the Labor Relations Law to the effect that the law will be put in force after the Labor Protection bill is passed. Nevertheless, the Government, being unable to cope with the aggravation of labor disputes due to incompetence and maladministration, is trying to utilize this law for the suppression of strikes by disregarding the decision of the Diet.

5. However, disputes will not be settled by suppression of this sort. That is to say, nothing will be settled by mere suppression without even taking notice of our basic demands.

6. We hereby resolve to devote ourselves to attaining our basic demands by re-confirming our resolutions. At the same time, we will wage a resolute fight against the dispute-suppressing policy of the incompetent YOSHIDA Cabinet.

Statement of the Communist Party

In connection with the enforcement of the Labor Relations Adjustment Law, the communists released the following statement on the 13th:

1. The reactionary YOSHIDA Cabinet professes that this is the time for the entire Nation to exert itself for the rehabilitation for the sake of a certain group of capitalists and landowners. In other words, the Government is trying to force unemployment and low wages upon the working class with the threat of discharge as its principal means; to take away lands from farmers by means of the Farmland Reform Law; and to rob them of rice stored for home consumption by a compulsory measure called the Emergency Foodstuffs Law.

2. If social unrest is fomented in this way, strikes by the working class, and anti-Government movements by farmers will naturally be intensified. The Government has hurriedly enforced the Labor Relations Law by disregarding the resolution that it should be enforced simultaneously with the Labor Protection Law. This is an attempt to suppress public rights by compulsion.

3. Our party expects workers throughout the country to do their utmost to carry through their various economic demands. At the same time it appeals to them to fight and overthrow a Government which is trying to carry out such illegal suppression both by force and by law. We promise to take the lead in this fight.

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ITEM 11 Enforcement of Labor Relations Law - Asahi Shimbun - 15 Oct 46.
Translator: M. Ohishi.

Full Translation:

The Government enforced the Labor Relations Adjustment Law on 13 October. This recalls to minds that when the bill was presented to the Diet the Liberal and the Progressive Parties passed it by strength of majority, in spite of the opposition of the Social Democrats, Co-operative Democrats, SHINSEIKAI, Independents and Communists.

(1) The Government should present to the next Diet a bill providing for labor standards wherein a laborer's livelihood is of prime importance.

(2) The Cabinet should set up a committee to improve the treatment of Government officials.

(3) In fixing the date of enforcement of the present law, the Government should take proper cognizance of the personality of Government officials and public employees.

In spite of this resolution, the Government abruptly enforced the law following the declaration of the "October Labor Offensive" by the National Congress of Industrial Organizations. "It will be enforced, as is deemed proper in the face of the present political situation, and because it is in various ways convenient for settling the labor disputes," said the welfare minister in the Diet on the 11th. That the law is not directly intended for suppression of labor disputes is understandable, but the fear that the law, if improperly applied, might be so employed is not altogether far-fetched. This was why we also called for the special attention of the Government.

We also want to point out that the enforcement on the 13th was due either to the Government's lack of "political consideration" or to a mere mechanical motive. It is doubtful that the Government paid much attention to the effect of enforcing a law so strongly opposed by the strikers, immediately before and after the outbreak of disputes. This is borne out by the fact that some of the labor unions are attempting to change economic strikes into political ones, and that the coal miners' strikes have developed to such an extent. Needless to say, the laborers will feel more oppressed by the premature enforcement of the law. It is also natural that their antagonism will be directed at the Government.

We cannot say how difficult it will be for the Government to operate the law smoothly, particularly if it throws itself into such an unfavorable position. We cannot presume to give lessons in politics to the Government or to the Liberal and Progressive Parties. But we do assert that their attitude looks like an effort to gain public support by placing the entire blame for labor unrest upon the Communists. More constructive policies are sorely needed.

The Communist Party is now a lawful political group. If their policies are to be opposed, the opposition must be clear-cut. Mere demonstrations of dread or distrust are as undemocratic and irrational as they are futile. It is important to acknowledge the significance of Labor's welfare in the restoration of our country.

All these facts tend to show the limit of the present Government's political ability, and we call for sincere reflection on the part of the Government when settling future labor disputes.

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EDITORIAL SERIES: 1324 (Continued)

ITEM 3 Labor Offensive and the Government - Tokyo Shimbun - 15 Oct 46.
Translator: T. Kitagawa.

Summary:

The Labor Relations Adjustment Law has been the center of discussion throughout the 90th Diet session. The point was whether this law should be put into effect before fundamental labor laws were drafted. In spite of the undecided position of the Diet, the Government put the law into operation as soon as the session was over. There must be some reason for this hasty promulgation. We agree with State Minister ZEN that application of the Labor Relations Adjustment Law will not solve the current general coal strike. The Government has failed to justify its attempt to apply the above-mentioned law to the radio workers' walkout and the electric workers' strike, which were staged incidental to the All-JAPAN Newspaper and Radio Workers' strike. As soon as it became apparent that the Government had escaped the immediate danger of threatened strikes by seamen and Government Railway workers, the press and radio strike followed. The situation does not warrant optimism, what with the impending strike of the electric workers, as well as that of the National Congress of Industrial Organizations. Local and individual strikes are presumed to be on the upgrade. In short, we can conclude that the tidal wave of the so-called "October Labor Offensive" is near at hand. Has the law in question been put into effect to cope with this strike wave?

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We should admit that the influence of the labor offensive is not easy to subdue. Naturally, it seems to be of utmost necessity to scrutinize its development. The Government has been miserably confused about nothing. The Government's extreme consternation may give pro-strikers good reason to assert that the Government is jealously and indiscreetly guarding its position.

Whether a strike is staged with economic motives or political aims is a very important point. However, it is not dignified to indiscriminately declare any strike political. The Government should make a careful study to discover whether a strike is staged to achieve political ends, since it is possible that the confused leaders may shout for political supremacy in spite of the leaders' intentions to the contrary. Even if a strike is politically motivated, it is not necessarily unjustifiable, if a good reason can be supplied. We demand that the Government study how to handle political strikes before indiscriminately ruling a strike political.

We notice that the workers have become highly introspective about whether they have sincerely resorted to their weapon of "strike" as the last means of protecting their interests. It is apparently of no use to either labor or capital to have disputes develop into Government interference. Such action has always made the situation worse, making an individual strike change to a general one and converting a strike with economic motives into a political strike. We warn the Government not to repeat the foolishness of stimulating the spirit of the "Labor Offensive". It should prepare a wiser measure for handling striks than merely denouncing them as political.

ITEM 4 Capture of Kalgan by Nationalists - Mainichi Shimbun - 15 Oct 46.
Translator: T. Okamura.

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Summary:

The Ministry of National Defense in NANKING announced the capture of KALGAN by National troops on 11 October. Current available information indicates that the capture of that town will have a severe influence upon the Nationalist-Communist dispute. We may assume that the capture means that the opposing troops are either approaching a dead-line of peace or a complete split.

The communist policy in connection with the attack of KALGAN by the nationalists is being summarized in the memorandum which

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The Improvement of Labor Standards

The Labor Standards Bill now before the Diet goes far beyond anything ever seen before in this country with respect to setting up fair standards for labor. Many of its provisions are even more advanced than those found in the labor legislations of many of the older democratic countries, and for Japan it represents an almost revolutionary advance in improving the conditions of her working population.

It establishes an eight hour day and a 48-hour week; it provides for vacations with pay, sick and maternity leaves, rest periods, compensations for injury, and special protection for women labor; it drastically restricts child labor; it regulates labor contracts, wages, conditions of apprenticeships, and conditions for discharge; it sets strict requirements for safety devices in factories; it guards against infringements upon personal liberty in factory dormitories and guarantees adequate opportunity for the worker to participate in civic and public activities; and in many other ways it helps put into effect the fundamental principle that the worker is enitled to enjoy a "decent human life" with rights no less inferior to those of his employer.

There can be no question that such an enlightened piece of legislation safeguarding the welfare of the worker and protecting his dignity as a human being should be speedily and enthusiastically enacted. And there is little doubt but that the present Diet will pass this bill without difficulty, placing on the statute books one of the most significant laws to emerge out of this present period of significant reforms.

But the easy passage of this bill should not lull anyone into thinking that a new era will immediately dawn for the worker. As revealed in the public hearings held last autumn when the bill was first being drawn up, there are yet some employers in this country who would like to keep labor standards low, if they could, so that they might exploit labor for their own profit. There are other employers and some disinterested third parties who, while sincerely in favor of raising labor standards, doubt whether better treatment for workers is not an expensive luxury which Japanese economy cannot afford in these times when industrial rehabilitation is staggering under so many heavy burdens.

The position of the workers cannot be considered entirely safe until all these opponents and doubters are converted to a wholehearted support of the new labor standards. They must be educated to realize that improving the welfare of the workers, expensive as it may seem at first glance, is in reality an economical investment which will bring in more than proportionate returns in the form of increased labor efficiency and increased general contentment.

In fact, cheap labor is a wasteful luxury which Japan can no longer afford. For poorly paid and badly treated labor is bound to be inefficient labor, so that while the cost per individual worker may be low the total labor cost to the employer is relatively high. Furthermore, poorly paid workers constitute a poor domestic market. Raising the standards of labor may well create a profitable new market which will more than offset the initial cost of the better treament of the workers.

The economic reconsruction of the country cannot be carried out on the unsound basis of cheap exploited labor. It must be based on the sound foundations of efficient and contented labor working hand in glove with enlightened and far-sighted management to reduce costs through more rational production methods. Improving the conditions of labor is not only a sound humanitarian measure; it is a sound business proposition as well.

These are ideas which must become universally accepted. To educate the public along these lines is essential if the projected new law is not to remain a dead letter. Furthermore, until the public is fully educated to this point of view, it will be necessary for the enlightened interested parties to exercise the greatest vigilence to see to it that the authorities are made to enforce the law faithfully.

In both these functions, to educate the public and to watch over the Government's enforcement of the law, the labor unions as the most directly interested party are being confronted with their greatest opportunity and challenge.

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ITEM 6 Idle Complaint of Director General Zen - Tokyo Shimbun - 12 Oct 46. Translator: K. Hirata.

Full Translation:

14A Director General ZEN declared on the 10th in a press interview (which was written up in the MAINICHI on the 11th) that he did not wish the labor movement to become a political force, and that he hoped that the labor movement would strive toward increasing production, without overemphasizing the rights of the laborers. Most of the people would object to this attitude. Also, he insisted that in order to place the labor movement on the right track, we should try to adjust the difficulties arising between labor and management, through the medium of fair distribution of profits, and by making good use of management councils.

However, the question arises as to exactly when we should place the labor movement on the right track. Needless to say, this is the responsibility of the Government. Yet, the Government has not solved even the less important problems concerning the minimum wage, the efficiency wage system, and profit distribution. Furthermore, the Government recently withdrew its plan concerning mass discharges of employees, under pressure of a threatened general strike. Under such a government, it is natural, considering the rising menace to the people's livelihood, that the laborers should earnestly demand their rights. Also, it is inevitable that the labor movement will be utilized to attain the political ends of a single party or group, and that it will thus gradually take on a political color.

In short, it is foolish to complain about the political nature of a labor movement, when the Government refuses to take action.

ITEM 20 Operation of Conciliation Law Explained - Nippon Keizai Shimbun - 16 Oct 46. Translator: H Shindo.

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Full Translation:

The Government hurriedly promulgated the Labor Relations Adjustment Law (RODO KANKEN CHOSEI HO) on 13 October to counteract the recent labor offensive. The Ministry of Welfare held an all-JAPAN labor section chiefs conference at the Infectious Diseases Research Institute on 15 and 16 October. At the conference, the authorities explained the working of the law. The Government expressed its view that mediators, who have an important role in the settling of disputes, should be selected from a neutral party. The Law will be operated as follows:

(1) In settling labor disputes, the efforts of the parties concerned toward settlement must be respected. The application of this law means settlement and not oppression.

(2) Conditions likely to precipitate a labor dispute are included in the category of labor disputes. This requires careful consideration to avoid misapplication of the law.

(3) Mediators must, as a general rule, be neutrals, though those who have experience in labor disputes or even former employers may serve, provided they understand the standards used. They should be (a) people who understand labor and hold the confidence of concerned parties, and are familiar with the laws concerning labor problems and with economic and social issues, and (b) those who are always available for action.

(4) When public utilities workers or others launch disputes that appear irreconcilable the date of commencement must be publicly announced and the issues and claims of both parties correctly formulated in order to draw the public's attention.

(5) As a general rule, labor and capital must have the same number of mediators. The committee should be operated as the labor committee.

(6) Mediation is as effective as collective bargaining, and it is to the advantage of both parties that attention be paid lest procedures cause too great complications.

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ITEM 5 Adjustment Law to be Applied Retroactively - Mainichi Shimbun - 17 Oct 46. Translator: R. Aoki.

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Full Translation:

The Ministry of Welfare announced on 16 October that Article 37 of the Labor Relation Adjustment Law will apply disputes in progress prior to 13 October, at which time the Adjustment Law was promulgated. Before this, there were two views; one maintaining that the new law would not apply to such disputes, the other, that it would. The decision of the Ministry of Welfare, which was announced after a previous arrangement with the Legislative Bureau, will affect the present disputes of electric workers' and of medical men's unions. The text of the announcement follows:

"1. Labor disputes in public utility enterprises involving strike, sabotage, lockout, etc., which were already in progress on 13 October, when the Labor Relation Adjustment Law went into effect, should be called off in accordance with the spirit of the Adjustment Law.

"2. The same disputes may not be resumed until 30 days after the disputants have applied for arbitration or after preparatory steps for compulsory mediation under Article 37 of the law have been commenced.

"3. The above provisions shall not apply to negotiations over labor matters not involving disputes as classified in the first paragraph.

"Reference: The Labor Relations Adjustment Law, Article 7. Labor disputes under the present law are those in which such acts as strikes, sabotage, lockouts, and other acts which interfere with the normal functioning of enterprises are resorted to, in order to realize their demands.

"Article 37: Employers or employees of public utility enterprises shall not be allowed to initiate disputes until 30 days after the party or parties involved have applied for mediation under Article 18 of the present law. However, this provision shall not apply to enterprises which were designated as public utility enterprises under Article 8 of this law after the disputes had commenced."

ITEM 14 The Prosecution and Labor (Sub-editorial) - Akahata - 31 Oct 46. Translator: M. Kawamba.

Full Translation:

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The exercise of judicial power against labor movement has become remarkably active recently. The prosecuting authorities are prompt and clever in their actions. They make the most of their experience gained through the application of the Public Peace Maintenance law which once existed in this country. In the case of the YOMIURI dispute, some fifteen workers were arrested under the direction of the prosecution and were jailed for several days until they were all acquitted.

What a strange thing it is that some members of a tough gang roamed the streets freely while striking workers were caught one after another only to be proved innocent later. It is as dangerous as wild beasts at large in the streets, to allow the police sergeants to beat the workers on the heads with flag poles. It is an indication of government without control of the law when the prosecution insists on the continuation of the lese-majeste case while disregarding the statement of the Judicial Ministry declaring the abolition of lese-majeste.

The interference of the prosecution in the strike of the Electric Worker's Union was especially crafty. Applying old regulations, they suppressed the worker's five minute lights-out strike, as well as their intention to suspend electricity to factories. The partial suspensions of electricity were tactics devised in the fullest consideration of the electric industry as a public utility and indicates how high electric workers hold the public welfare in esteem. When they are unable to resort to this means of protest after a possible fruitless negotiation, they will have no alternative but to bring about a strike in the real sense of its term. Is the prosecution prepared for such a situation?

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ITEM 10 Labor Standards Bill - Akahata - 8 Nov 46. Translator: J. Ide.

Summary:

One of the most heatedly discussed bills in the last session of the Diet was the Labor Standards Bill, for the interests of our two ruling classes, capitalists and landlords, will be greatly affected by it. In spite of the strong opposition on the part of labor and the Diet resolution adopted simultaneously with the passage of the bill, the Government abruptly put the bill into effect on 13 October, using a part of the resolution that suited its purpose. Against the strong protest published by the Central Labor Committee, Welfare Minister KAWAI said unreservedly that the Government had no moral and juridical obligations to consult with the Committee beforehand on the matter.

The Government is to submit the Labor Standards Bill to the next session of the Diet. All workers should beware of the future steps of the Government so as not to be cheated again.

Judging from the discussion in the public hearings, the Labor Standards Bill seems to be quite favorable for our workers. However, on the part of capitalists, the fairness of the projected bill is most undesirable. According to their reasoning, the capitalists will have to bear much burden in rehabilitating our war-torn economy should our labor conditions be promoted to the same standard as those of more progressive nations. However, their assertion is far from the truth. The Japanese capitalists have exploited our workers with colonial labor conditions, such as the lowest possible wages and longest possible working hours. Consequently, the internal market for our industry has been quite restricted, and this inevitably pushed our country to armed imperialism of wedging into the foreign markets. The purpose of the Labor Standards Bill is to clear away completely this historical background of our capitalism. At the same time, such a drastic action is the first premise for the future reconstruction of our country as a peace-loving nation.

One of the characteristics of the present-day strikes is that capitalists are endeavoring to maintain the minimum wages of workers at the 350 yen level. Behind such firm attitudes of the capitalists, there stands the Economic oligarchies. In order to justify their minimum wage system, they now formulate the calculating measures of calories necessary for human existence. Our workers will immediately see through their evil design.

On the other hand, the pensions paid by our workers for their future retirement have been completely transformed into war bonds. Our labor unions should do their best to study the existing labor pension system in our country. If their pensions are left solely in the hands of the Finance Ministry authorities, our labor unions cannot be said to be worthy of their names. Without establishing a complete pension system, the projected Labor Standards Bill will turn out to be only a scrap of paper. Workers! We should now embark on a campaign to make this bill more nearly perfect.

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ITEM 17 Revision of Labor Union Law Planned - Nippon Keizai Shimbun - 29 Nov 46. Translator: K. Ueda.

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Full Translation:

The Welfare Ministry authorities have decided to revise the Labor Union Law because during the nine months since its enforcement, the union movement has made a remarkable development and many points have been detected in the Law which do not conform to the actual state of affairs. On the 28th, questions were issued to one thousand of the unions and the employer corporations throughout the country, demanding their views and opinions concerning the projected revision be presented by December 15th. As the initial step, the Ministry is going to invite such labor organizations in the metropolis as the Congress of Industrial Organizations, the National League of Labor Unions and the Imperial Railway Workers' Union, together with such employer organization as the Eastern Employers' League, on 30th of this month, to ask their opinions.

On the other hand, the Economical Comradeship Society is going to hold an urgent plenary meeting on December 4th, at the TEIKOKU Bank, in order to decide its final attitude toward the question of harmonious co-operation between capital and labor. The meeting which was held on the 28th between the Society and the Congress of Industrial Organizations was carried out quite harmoniously and the Society has decided on a plan to develop an industrial restoration movement with the co-operation of labor and capital, forming a joint front with the National League of Labor Unions, the JAPAN Laborers' Association and the Congress of Industrial Organizations.

ITEM 6 Ministers' Opinions on Disputes - Nippon Keizai Shimbun - 10 Oct 46. Translator: K. Sato.

Full Translation:

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In reply to the interpellation, "What is the Government's policy toward labor disputes?" posed by NAKAYAMA, Taichi (KENKYUKAI), the ministers concerned stated as follows at the plenary session on the Upper House Wednesday:

Home Minister OMURA: We are making all proper efforts for the maintenance of public peace and order. In the new Constitution, freedom of assembly, association, and speech are defined in line with public welfare. We are studying the necessary draft law for the adjustment of the two points, which is scheduled to be introduced to the next Diet.

Communications Minister HITOTSUMATSU: State control of broadcasting was put into effect after various negotiations. The Government is, indeed, reluctant to take such coercive steps. The rights of labor are recognized in the labor Union law and the labor Relations Readjustment Law. However, actions should be limited as the provisions of other laws permit. It is quite reasonable that the Government should undertake to control extreme misconducts.

Welfare Minister KATAI: Should there be a general strike within the Government, as in the examples of the Government Railways and shipping, the Government will take a stand as a party concerned, and will formally attempt to settle the dispute. In the case of ordinary industries, however, the management is the opponent of the unions. Our principle in such instances is to expect an autonomous solution. We definitely respect the decision of the Labor Commission.

The Peace Maintenance Conference of ministers was held at 0845 hours at the Premier's official residence. In the course of the meeting, Director of the Police Bureau TANIGAWA of the Home Ministry gave reports on the present over-all control of the insane. Then, information was exchanged concerning state control over broadcasting and other general strikes. After deliberating on these subjects, the conference broke up at 1030 hours.

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PRESS COMMENTS

Monday, August 26

TENTATIVE DRAFT OF LABOR STANDARDS ACT

MAINICHI—A tentative draft of the "Labor Standards Act" has been published. It is a legislative project based on Article XXV of the new Constitution and framed by a subcommittee of the Labor Legislative Council.

The labor conditions stipulated in this draft indicate that for the first time in this country we shall have labor laws attaining the world level, including the establishment of an eight-hour system. Some provisions even pop up above the world level. For instance, the rule regarding physiological (menstruation) holidays for women workers is said to be the first of such measures ever to be stipulated in any country. But that in itself, of course, has little meaning. If one makes a collection of select labor legislations throughout the world and systematize them, he can get an ideal paper scheme. The draft act, as such, therefore, is merely an ideal of that character. It's quite immaterial how well an ideal has been set forth. How to translate that ideal into action. That is the whole crux of the matter.

No matter how well labor conditions are determined by law, it would not be so very difficult to find loopholes. Fortunately however, since the end of the war, a Labor Union Act has been legislated and labor unions have shown remarkable development, so that the bargaining force of workers to secure better labor conditions may be said to have greatly increased. Even so, in the case of small businesses, the employer has the upper hand. The labor unions cannot always reach out to them. In order to exercise strict surveillance against violations of labor contracts on the part of employers a specific machinery for so doing must be perfected.

On the other hand, there is also the question as to how these labor conditions on the world level are to be adjusted to the industrial reconstruction of a defeated Japan. Improvements in labor conditions are all to the good. But when it is recalled that even before the war a sort of social dumping had to be undertaken in order to secure the advance of Japanese commodities on the world market, it is to be asked whether Japanese industry, all but wholly ruined by the war and its after-effects, will have the strength to support the nearly ideal labor conditions. For the sake of democratizing Japan, of course, all difficulties must be surmounted in order to push our labor conditions up to the world level. For the time being, however, we shall perhaps have to make the proper adjustments.

In brief, Japan must make drastic changes in her capitalistic system if only to secure the labor standards projected in the draft. Giant strides must be made in social insurance and other general means guaranteeing livelihood to workers in order to maintain enterprise while improving labor conditions, and to remedy weaknesses in enterprise.

Moreover, the political forces behind all this, the political parties and the Government, must be essentially democratized or socialized. For instance, a Cabinet like the present one with its predilection toward reviving a prewar type of capitalism cannot hope effectively to enforce the Labor Standards Act even if it were legislated.

STARS & STRIPES AUG 27 1946

NCIO Strike Organ Scores Labor Law

Terms Government's Enforcement as Move to Suppress Legitimate Organizations

The Supreme Strike Policy Committee of the National Congress of Industrial Organizations Sunday termed the Government's enforcement of the Labor Relations Adjustment Law as nothing but a move to suppress legitimate labor organizations.

In an announcement issued in answer to the enforcement of the new law, the Committee said that various labor unions affiliated with the NCIO continue solidly to adhere to their fundamental demands which include, (1) Opposition to mass discharge of employes, (2) establishment of a minimum wage standard, (3) realization of an eight-hour working day; (4) conclusion of over-all collective agreements; (5) abolition of the income tax on earning; and (6) removal of the restrictions on the ¥500 living standard.

To such serious and sincere demands, the statement said the Government has countered with the allegation that our strife was a political movement having the ulterior object of overthrowing the Administration.

It pointed out that the Government carried out illegal round-ups of employes of the Yomiuri Shimbun, the Mainichi Shimbun and the Broadcasting Corporation of Japan.

Moreover, the statement emphasized, the Government is attempting to suppress our right to strike by enforcing the Labor Relations Adjustment Law.

Such a Government move would not lead to the solution of our demands but result in the protection of the interest of capitalists and repudiate labor's right to declare a walkout.

The Labor Relations Adjustment Law is essentially detrimental to labors' interest, and this is main reason why various labor unions have hitherto maintained their opposition to it, it said.

The statement concluded, "We will march forward toward the consummation of our demands for fundamental rights and, at the sametime, hereby declare an all-out battle against the strike suppression policy of the present Yoshida Cabinet."

NIPPON TIMES OCT 15 1946

EDITORIAL

Tentative "Labor Charter"

A tentative plan for the legislation of a Labor Code Law, or what should be called Japan's Labor Charter, has been made public. It is based on Articles 25, 26 and 27 of the New Constitution. All the provisions are the codification of the spirit articulated in such sentences in the Constitution as "All people have the right to work. . . . . Standards for working conditions shall be fixed by law. . . . . The right of workers to organize and to bargain and act collectively is guaranteed. . . . The right to own property is inviolable, but property rights shall be defined by law, in conformity with the public welfare. . . . . "

The plan is the brain child of the subcommittee of the Labor Legislation Inquiry Commission and has been publicized in order to invite public criticism extensively as in the case when the Labor Law was enacted. For this reason, it is to be referred to public hearings scheduled to begin early in September. Representatives of both labor and capital are to participate in these hearings. Then, after further sounding out public opinion and revising the text, the plan is to be introduced to the next regular Diet as a Government bill.

The plan defines the standards of labor conditions. It is an overall labor code in which the existing labor laws pertaining to factory, aid for workers victimized through accidents, the minimum age for industrial workers and the protection of labor are all blended. Upon the promulgation of this law, all the labor laws now in force are to be repealed.

The provisions relating to the protection of labor in laws relative to mining, seamen and business establishments are also incorporated in the new Labor Charter. In short it is a highly coordinated labor legislation of a wide range. Furthermore, without limiting its task to the protection of labor, it positively aims at determining the minimum conditions of labor. Therein lies the special feature of this plan in contradistinction to past negative labor laws.

We must, however, call attention to the fact that the labor conditions set forth in the draft are only the "minimum standards." In other words, these can be bettered, but never lowered.

Under the new Law, strict vigilance must be exercised over those employers who, in the past, used to exploit labor for a sort of "social dumping."

After all, in order to ensure the minimum standards of labor conditions as stipulated in the draft, a drastic reform of Japanese capitalism is an absolute prerequisite.

MAINICHI AUG 29 1946

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ECONOMIC SERIES: 1516 (Continued)

ITEM 21 Explanation of Labor Relation Adjustment Law - Mainichi Shimbun - 8 Oct 46. Translator: T. Okamura.

Summary:

The Labor Relation Adjustment Law (RODO KANKEI CHOSEI HO) which was approved at the recent Diet session, together with the Labor Union Law (RODO KUMIAI HO), which is now being enacted, as well as the Labor Standard Law (RODO KIJUN HO), which will be submitted for approval at the forthcoming session, regulate labor relations in our country. The Labor Relation Adjustment Law to which grave importance is attached as means which contribute toward democratization of economy, has the following stipulation:

(General Rules)

The only way in which JAPAN's economy which is in utter confusion following her defeat in the war can be restored is by an economic reconstruction in line with its democratization. The Labor Union Law aims at economic reconstruction by recognizing the rights to organize collective bargain, and to strike. This law which regulates prevention of labor disputes, and mediation and arbitration by democratic labor committees, legally recognizes the right to strike. However, since State administration and the daily life of the general public must be separated, the law prohibits disputes by government officials, and restricts similar actions by those who are engaged in public welfare enterprises which are indispensable to the public.

The law also provides a fundamental policy that prevention and settlement of disputes should be made through democratic negotiations by the parties concerned. Accordingly, although the law provides mediation and arbitration by labor committees, the parties concerned may also choose similar acts by individuals whom they mutually agree to select. In view of the provisions provided in the law, disputes arising from disagreement of political opinions are not regarded as labor disputes. Since production management rejects directives and orders issued by employers, the Government does not approve it as rightful dispute acts on the grounds that such actions hinder normal operation of production.

(Conciliation Mediation, and Arbitration)

Neither conciliation nor mediation have any restraining power while arbitration has. By this law, arbitration is provided to advise the competent parties to accept arbitration proposals, and to exercise compulsory arbitration in the case of disputes arising in public welfare enterprises. However, conciliation does not have such power as to exercise advices or compulsory arbitration.

Such a system as arbitration by arbitrators has been showing favorable effects in the UNITED STATES. Arbitrators, who are nominated by the chairman of the labor committee from among arbitrator candidates, must do their utmost for the settlement of disputes, by ascertaining the opinions of the competent parties. When they came to realize that there is no prospect for an amicable settlement, they should refrain from interferring in disputes.

Arbitration by labor committees is divided into voluntary and compulsory, according to whether or not arbitration is commenced by consent between both parties. Compulsory arbitration may be exercised in disputes among public welfare enterprises and similar cases comparable to them. Arbitration is also provided by the arbitration committees which the Labor Committees Commission. The former will draw up arbitration plans; show them to the parties concerned and advise them of their consent. When parties decline the proposed plans, the committees will make them public by pointing out reasons in order to have the decision made by public opinions.

Arbitration by labor committees having restraining power will be made only when consent of laborers has been obtained. Significance is being attached to the point that judgement given by the committees will have the same validity as labor agreements.

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ITEM 21 (Continued)

(Restrictions and Prohibition of Disputes)

From the fundamental principle that national economy and the daily life of the public should be protected, admitting that the right to wage strikes is authorized, the law provides such provisions as to authorize compulsory arbitration in case of disputes in public welfare enterprises. The law also prohibits any kind of action of strike without previous notification by laborers engaged in these fields. This does not necessarily prohibit disputes themselves but those without previous notification. Compulsory arbitration means that by democratic labor committees, but not coercion towards results produced by arbitration. Since its scope is limited, disputes in public welfare enterprises will be restricted to the least possible extent. Public welfare enterprises referred to are transportation, mail, telegraph and telephone, water service, electricity and gas supply, medical treatment and public sanitation which is indispensable to daily life of the public.

Compulsory arbitration in disputes of public welfare enterprises is made when one of the parties concerned proposes arbitration to labor committees, and the latter approves it, when labor committees resolves it necessary in accordance with their official power, and when arbitration is requested by the Government.

The period of previous notification for strikes is provided at 30 days after one of the striking parties files proposal of arbitration; after labor committees resolve arbitration necessary, and after arbitration is requested by the Government. This period is provided to give time to the public to prepare against possible strikes; to enable labor committees to collect further correct information, and chances for striking parties to reconsider themselves. Any action of strike after the expiration of the period is free, but that during the period it is subject to a fine of less than 10,000 yen to personals who are responsible for such actions.

Restrictions and prohibition of disputes arising from Government officials will be decided as to whether or not they are extremely detrimental to state administration.

Provisions regulating actions which obstruct or suspend normal maintenance and operation of equipment for the safety of human lives, will not be applied to the actions made in violation of equipment management regulations. Those who commit such action will be punished either by the criminal law, factory or mining industrial laws.

(Protection of Right to Labor)

The new law also provides that employers are not authorized to dismiss their employees, or give treatment which is disadvantageous to them on the ground that they have advocated or committed strikes, in the course of arbitration of disputes.

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ITEM 10 Comments On Labor Relations Adjustment Law By Welfare Minister Enforcement Supported by Public Opinion - Mainichi Shimbun 14 Oct 46. Translator: T. Ukai.

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Full Translation:

The Government's action in enforcing the Labor Relations Adjustment Law (RODO KANKEI CHOSEI HO) on the 13th, earlier than scheduled, in order to take measures against labor unrest, gave shock to various circles. On the 13th Minister of Public Welfare, KAWAI explained the reason for this action, along with his convictions in his policies to meet the labor unrest:

Question: In a discourse made by the Minister of Public Welfare and publicized on the 12th, in connection with the enforcement of the Labor Relations Adjustment Law, there was a phrase to the effect that the Law had been enforced prior to its expected date of enforcement due to various political reasons. We would like to know in detail the meaning of "political reasons".

Answer: The object of its early enforcement was to meet the expected walk out by electric industry workers. A walk out now will bring grave consequences. It will paralyze other industries, retard the nation's reconstruction, and will endanger everyday life of the people. It is fortunate that the law provides a regulation stating that a general walk-out is forbidden within Adjustment Law and the Labor Cooperative Law (RODO KUMIAI HO) should be enforced simultaneously. The object of the Labor Relations Adjustment Law is to apply(?) public opinion in disposing of labor troubles without harming public welfare. On this point, it is misunderstood to be a suppression law. There is a similar circumstance as stated above; that we had informed the Social Democratic Party of our intention to advance the date of enforcement of the law, and when I stated this in the Diet it was met with approval by the Home of Representative, thus we had come to assume that no objection was raised to its early enforcement.

Q: How will you guarantee the livelihood of workers who are to be restricted or forbidden in carrying out labor disputes in their favor, or of the livelihood of the workers in general?

A: In regard to public officials, we intend to draw up a draft bill including the setting up of committees in the ministries concerned. We intend further to present a draft bill of the Livelihood Standards Law (SEIKATSU KIJUNHO) to the next extraordinary diet session and the Unemployment Insurance Law (SHITSU GYO HOKEN HO) to the next ordinary diet session.

Q: What type of additional public enterprises are subject to Labor Relations Adjustment Law?

A: As there is a set of strict regulations we entertain no thought of adding any to the above law items regarding the designation of public enterprises.

Q: What policy will the Government take to meet the current labor unrest?

A: We have stated often in the diet session our basic principles regarding them. The rights of labor dispute and workers rights are recognized by the Constitution and therefore must be respected. But, if labor disputes should endanger public welfare, for example, public order, or invite unlawful acts, or menace fundamentally the stabilization of national life, the Government will be forced to take some effective countermeasures. One may see two aspects of our attitude to meet labor problems. The positive one is that when troubles occur and one party is the Government as in the case of the trouble by the State Railway workers or Communications workers, the Government will try to solve the trouble for itself. The second aspect is seen in the case when the trouble occurs in civilian enterprises. In this case the Government will expect the trouble to be solved independently between those concerned. However, troubles are not always desirable, so we sincerely hope the Labor Council will act for quick settlement, encouraged by the support of the public opinion.

Q: There is a strong opinion that the Government's denial of the production management gives rise to frequent strikes.

A: Such is not the case, that walk-out is resorted to, as a production management is impossible. Current strikes are political strikes. In my opinion the claim that their objective, for livelihood protection, is only a pretext. Current strikes

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ECONOMIC SERIES: 1528 (Continued)

ITEM 10 (Continued)

30 days beginning from the day on which a legal appeal is made to the Labor Committee (RODO IINKAI). Within this 30 days the public can provide for the general walk-out and a righteous public opinion may appear. If a general walk-out should be forced without due consideration of public opinion, it will bring about an independent problem. It will become a political strike, without any relation to an economic strike.

The attitude of the All Communications Workers Union (ZENTEI) is deliberate. The Union will not take to a general strike, but, if the solution becomes hard, a case similar to that of the electric industry workers will appear. We have advanced the enforcement of the said Law prior to its expected date giving consideration to these circumstances.

Q: The Diet requested that the law should be enforced with due consideration to political circumstances.

A: We interpreted this request to mean, the Labor Relations Adjustment Law and the Labor Standards Law (RODO KIJUN HO) should be enforced simultaneously. The object of the Labor Relations Adjustment Law is to apply(?) public opinion in disposing of labor troubles without harming public welfare. On this point, it is misunderstood to be a suppression law. There is a similar circumstance as stated above; that we had informed the Social Democratic Party of our intention to advance the date of enforcement of the law, and when I stated this in the Diet it was met with approval by the Home of Representative, thus we had come to assume that no objection was raised to its early enforcement.

Q: How will you guarantee the livelihood of workers who are to be restricted or forbidden in carrying out labor disputes in their favor, or of the livelihood of the workers in general?

A: In regard to public officials, we intend to draw up a draft bill including the setting up of committees in the ministries concerned. We intend further to present a draft bill of the Livelihood Standards Law (SEIKATSU HIJUNHO) to the next extraordinary diet session and the Unemployment Insurance Law (SHITSU GYO HOKEN HO) to the next ordinary diet session.

Q: What type of additional public enterprises are subject to Labor Relations Adjustment Law?

A: As there is a set of strict regulations we entertain no thought of adding any to the above law items regarding the designation of public enterprises.

Q: What policy will the Government take to meet the current labor unrest?

A: We have stated often in the diet session our basic principles regarding them. The rights of labor dispute and workers rights are recognized by the Constitution and therefore must be respected. But, if labor disputes should endanger public welfare, for example, public order, or invite unlawful acts, or menace fundamentally the stabilization of national life, the Government will be forced to take some effective countermeasures. One may see two aspects of our attitude to meet labor problems. The positive one is that when troubles occur and one party is the Government as in the case of the trouble by the State Railway workers or Communications workers, the Government will try to solve the trouble for itself. The second aspect is seen in the case when the trouble occurs in civilian enterprises. In this case the Government will expect the trouble to be solved independently between those concerned. However, troubles are not always desirable, so we sincerely hope the Labor Council will act for quick settlement, encouraged by the support of the public opinion.

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have definite meaning hidden behind them. We have no idea of changing our attitude toward the denial of production management.

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ITEM 5 The Labor Problem - Asahi Shimbun - 16 Oct 46. Translator: K. Murakami.

Full Translation:

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The only labor legislation that was presented to the Diet during the four months session was the Labor Relations Adjustment Law. During the entire session, however, the growing labor unrest was a constant source of anxiety both inside and outside the Diet. On 11 October, near the expiration of the session, Premier YOSHIDA, referring to the recent growing tendency towards general strikes asserted at the plenary session of the Lower House that obviously it was the abuse of the right to strike. "In case of an emergency", he professed, "the Government would take some resolute steps." On the 13th the day after the closing ceremony, the Government dared to make a hasty enforcement of the Labor Relations Adjustment Law despite the collateral resolution of the Diet. Thus, the labor problem has led to the most serious political issue for the present.

Up until the present situation, there had constantly been friction among the various labor groups, the Government and political parties in the Diet, and the active labor organizations outside the Diet. Now let us trace the progress of the labor trend up to the present.

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POLITICAL SERIES: 1374 (Continued)

ITEM 5 (Continued)

As to the Social Democrat's plan for the formation of the Democratic League for National Salvation, which had been brought over from before this session, the two labor parties were finally split in the middle of July when the Social Democratic Party declared they would sever connections with the Communist Party on the said plan. The bill of the Labor Relations Adjustment Law was introduced under these circumstances, and the Communist Party was shut out from the committee for the Labor Relations Adjustment Law. This greatly weakened the attack by the "class" parties against the Government, but still the opposition movements of the labor organizations outside the Diet were as fierce as ever. Demonstrators rallied almost every day, surrounding the Diet building.

Meanwhile, as the Government policy on the cancellation of war indemnities became clear, the anxiety of mass unemployment to be caused by the readjustment of enterprises became more serious to the labor class. The bill of the Labor Relations Adjustment Law was discussed in such a tense situation. Yet, its contents were not thorough enough to satisfy the general laboring masses.

The opposition parties, headed by the Social Democratic Party, stubbornly opposed this law, repeatedly emphasizing, "This is a suppressive law which aims to bar the Government and municipal official's unions from exercising the right of strike, prohibits the "surprise strike" in public works, and gives the bureaucrats the right to designate these public works." To this, the Government only explained, "This law is not for the protection of capitalists, but for the benefit of the general public," and "Any labor dispute should be solved on the basis of a co-operative understanding, and this law will not force any labor arbitration."

Importance should have been attached to the actual exercise of the law rather than to its form. In other words, we should have considered whether or not the immediate application of this law would foster the growth of the JAPANESE union movement. Concerning this point, SHIGA of the Communist Party at a Lower House plenary session on 5 September made a forcible argument saying, "It is said that there is a law just the same as this in some foreign country. The question is, however, how, by whom, and under what conditions is this to be enforced."

The Labor Relations Adjustment Law faced strong opposition by the labor unions. The non-Government factions headed by the Social Democratic Party, also were persistent in their opposition. They finally failed to check the passing of the law by a margin of two votes. No amendment was made to it except for the 3-point collateral resolution of the Liberal Party.

The labor union quarters seemed to have been discontented with the lack of influence of the Communist Party in the Diet and with the poor executive ability of the Social Democratic Party which was apt to waste energy in its party problems. This tendency became distinct towards the latter half of the session when the Diet took up the unemployment problem. A synthetic counter-unemployment policy is the very key to the solution of the labor problem, especially today when the Government's method for the readjustment of enterprises relative to the cancellation of war loss indemnities is threatening the general laboring masses, who are leading destitute lives under the oppression of inflation.

After the Government's announcement, dated 12 August on the cancellation of war indemnities, President ZEN of the Economic Stabilization Board professed, "We cannot expect the reconstruction of enterprises without disposing of surplus laborers." At the plenary budget session and at the Labor Adjustment Committee meeting, Welfare Minister KAWAI also announced his idea on the unemployment policy, which, however, was a mere relief measure through public works or engineering projects, which was far from labor's idea of full employment. The disputes by the Government Railway Workers' Union and the Seamens' Union were, so to speak, advance struggles by labor and capital against the

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ITEM 5 (Continued)

mass discharge policy of the Government. These disputes were able to reach a temporary solution only through concession by the Government authorities. Nevertheless, the labor unions under the Congress of Industrial Unions are still persisting in general strikes on the ground that the basic policy of the Government has not changed as yet.

At an extraordinary Cabinet meeting held on 2 October, the Government decided on the labor policies relative to the readjustment of enterprises, thereby clarifying the practical method for the disposal of employees in relation to the enforcement of the Enterprises Reconstruction and Readjustment Law. In contrast with the voice of labor which demands the reconstruction of enterprises and full employment, the Government still seems to attach importance to the early resumption of enterprises. Then, the question here is who has the practical measure for the realization of full employment.

If the Congress of Industrial Organization which is now directing the current strikes, has a concrete policy with which to back up their activities, it will be able to answer the criticism that it is acting for a certain political reason. The Congress, we remember, must have had the so-called "plan for the rehabilitation of production", which it passed at its recent first general meeting. The General Federation of Labor also has a plan of an industrial rehabilitation council. Rumor even says that there has already been an underground conference between the two organizations on the idea of "rehabilitation of production by the laborers." For the development of the labor movement, there are two ways: one is to foster the co-operation between the Congress of Industrial Unions and the General Federation of Labor; the other rests upon the shoulders of the Social-Democratic Party -- if this party, does away with its past indifferent attitude towards labor problems and takes up the unemployment problem more seriously, and if it presents a powerful political struggle, endeavoring to clarify the relation between the labor unions and the political parties.

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ITEM 2 Measures Taken Against Labor Disputes - Asahi Shimbun - 24 Oct 46.
Translator: A. Kawamura.

Full Translation:

When the public procurator aggressively began to regulate the current labor disputes, Public Procurator-general FUKUI held the following interview with press representatives at 1530 hours. (T: q...question; a...answer)

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Q. For what reason have the procurator's office authorities taken a firm stand against the disputes?

A. If the disputes continue, they will menace the public welfare and will arrest the development of all national industries, the only means for the reconstruction of Japanese economy.

Q. Why did you apply article 33 of the Electric Enterprises Law to the case?

A. Because it was covered by "other actions" in Article 33 of the law.

Q. But, isn't the authorities' action incompatible with the "lawful acts for disputes" in Article I of the Labor Law?

A. The Labor Law was enforced on 13 October, and illegality of a dispute action which does not exceed the legal 30 days is expressly provided for in Article 37. Such an action, therefore, can be dealt with by applying a certain provision of the Electric Enterprises Law, with no contravention of Article I of the Labor Law. I think, however, that the present strike directly contradicts Article 33 of the Electric Enterprises Law, without reference to Article 37 of the Labor Law.

Q. We have heard that the policies for controlling the disputes are now being discussed at the TOKYO procurator's office. Will the controls be carried out only in TOKYO?

A. No, they will be enforced throughout the country. We are going to advise the authorities of the electric industries, even to-night, in my name, or in the name of the chief of the TOKYO public procurator's office. If the disputes do not cease, drastic measures shall be taken to-morrow or the day after to-morrow, in remote places. Notice must have been issued already.

Q. Is the advice needed from a legal point of view?

A. No, but we advise only out of kindness; therefore, if the disputes are settled, we shall take no further action against them.

Q. The five-minute stoppage of electric current has already been settled, but isn't it contrary to regulation No. 311?

A. Whether it is contrary or not must be settled in the future, but, when the disputes stop and all industries resume operations, we shall not take action against them, by reverting to things of the past.

Q. What are the authorities' policies against labor disputes in general?

A. For the authorities' part, we are desirous of sound labor movements, but against illegal actions, we shall take drastic measures. As to the authorities' attitude towards labor disputes in general, it cannot be decided by the public procurator's office only. It will, however, be decided shortly, because it is now under consideration by the agencies concerned.

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ITEM 23 The Influence of Labor Relations Adjustment Law on Strikes - Asahi Shimbun - 13 Oct 46. Translator: S. Kinoshita.

Full Translation:

The Labor Relations Adjustment Law (RODO KANKEI CHOSEI HO) was suddenly put into effect on 13 October. Under the law, communications, electric power supply and such are specified as public utilities and workers engaged in these industries are prohibited from striking without giving previous notice. This will be very disadvantageous to labor's October offensive as called by the National Congress of Industrial Organizations (ZENKOKU SANGYOBETSU KUMIAI). What influence will the law have on the strikes which are now in progress?

I) Electrical industry workers' disputes:

The electrical industry is specified as a public utility in Article VIII of the Labor Relations Adjustment Law. Workers engaged in this industry cannot start any dispute action such as a strike, sabotage, closing a shop, or production control until thirty days after filing a request with the Labor Commission (RODO I-INKAI) for mediation. The Labor Commission will work out a plan for arbitration within fifteen days after it receives the request, and advise the parties concerned to accept the arbitration within ten days after it is presented. Even if the arbitration is not accepted in that ten day period, labor cannot go on strike for an additional five days. If the petition for the mediation is not filed by the parties concerned, the Ministry of Welfare is entitled to ask the Labor Commission for mediation. If the Labor Commission considers it necessary, it can intervene in the dispute as mediators. In the Labor Commission, management, labor and a third party are represented equally and the matter is discussed by these representatives. The Labor Commission, of course, has no power to enforce its decisions.

II) Communication Workers Union (TSUSHIN RODO KUMIAI):

If the Communication Workers Union acts in concert with the Radio workers, they, as workers in a public utility, are liable to the same regulations as the electrical industry workers.

III) The Radio Workers Union (HOSO RODO KUMIAI):

The union had already gone on strike when the law was put into effect and public utility provisions relating to a previous notice of strike is not applicable to it. It is not clear whether radio work will be included in the public utility category as specified in the law. However, it is possible that the Ministry of Welfare will arrange to have the Labor Commission designate it as a public utility on the ground that its dispute will greatly affect the daily life of the people. Moreover, the Ministry of Welfare can begin mediation through the decision by the Labor Commission, under paragraph five of Article XV of the law, on the ground that radio work is on a large scale and of a special character, and a dispute involving it will greatly affect the interests of the general public. Even in such a case, the strike can be continued and the mediation offered by the Ministry of Welfare lacks the power to require acceptance.

IV) The coal miners' disputes:

The coal mining industry is given the same treatment as public utilities, and as provided in paragraph five of Article XVIII, provisions relative to compulsory mediation will be applied. It can also be disignated as a utility work. Even so, the strike, which is now going on, can be continued and if labor refuses to accept the arbitration of the Labor Commission, no solution is possible under the Labor Relations Adjustment Law.

V) Newspaper workers' strike:

If the present newspaper workers' strike develops into a general strike, the compulsory mediation provided for in paragraph five of Article XVIII will be applied. Compulsory mediation by the Labor Commission should be made at an opportune time. Otherwise, it will serve only to make the matter more complicated.

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ITEM 13 Enactment of Labor Adjustment Law and Its Bearing on All-JAPAN Communication and Other Unions - Tokyo Shimbun - 13 Oct 46. Translator: K. Sasaki.

Full Translation:

In view of the far-reaching effects of the prevailing strikes, the Government deliberated on this matter at its special cabinet meeting on 12 October. As the result the Government decided to enact the Labor Relations Adjustment Law on 13 October. This law was met with general opposition from the workers when it was presented to the Diet, and it was originally decided to put it into effect at the end of this year, but in order to use it as a means to oppress strikes the Government advanced the date of enforcement.

The Government's intention seems to be as follows:
1. Compulsory Adjustment Under Article 18, Item 5 of the Labor Adjustment Law, stipulates: "When public utilities are impeded, or when a strike by its very scope and nature causes acute pressure on public utilities, Administrative Government Offices are to take preventative measures against the labor councils." Thus a measure is provided for compulsory settlement with the Government's support.

Public Utilities referred to under Article 8 are listed as follows; transportation, postal service, telegrams, telephone, water-supply, electricity, gas medical service, public hygiene. Besides the above, if a minister recognize that a labor dispute is endangering or making difficult the daily life of the public, that particular type of work may be considered a public utility for a period of one year by the vote of the Central Labor Committee.

On 8 October the Electric Industrial Organization and the All-JAPAN Communication Service Workers Union published declarations for strikes. The type of work coming under these two Unions as well as mines, radio, and food manufacturers may be designated as public utilities by the authority of the competent Minister and compulsory settlement becomes possible. However, adjustment is different from arbitration. By means of the former provision the Government is only authorized to present an adjustment draft to those concerned, and has no power to control. Its authority in this respect is limited.
2. Prohibition of strikes without notice: A public benefit workers are not allowed to go on strike until the 30th day after the declaration of a strike (Article 37). The All-JAPAN Coal Miners Union HOKKAIDO chapter, and the Radio Workers Union HOKKAIDO chapter, and the Radio Workers Union who are already on strike will not be affected by the Labor Adjustment Law although they may be designated as public utility workers. However, the All-JAPAN Communication Service Union which planned a strike on 5 November will be restricted by this Adjustment Law. The Electric Industry Workers' Union will also become a problem.
3. Prohibition of the Governmental officials' strikes:- Prohibition of the Governmental officials' and restriction of public utility workers' strikes are the two great aims of the Labor Adjustment Law. A law provided to prevent official's strikes may lead the Cabinet to fall. Since there was no clearly written law this enforcement of the Adjustment Law became necessary.