A quick glance at the latter document showed that it was in effect the withdrawal or rescission of No. 674 for which we were ~~working unbeknownst to Mr. Iba~~ looking. Notification No. G-32 indefinitely suspends the application of the pay decrease features of Notification No. 674 during "the process of establishing a standard for those (union activities) which require a reduction in pay and those which do not require a reduction in pay." Permission to engage in union activities must, however, still be secured. Under its terms, those employees who attend the "general meeting" of the union will be allowed to do so in pay status.

TE

THOMAS ELIOT
Personnel Specialist

TE:rj
Att: 3

NPA - Union

file

CIVIL SERVICE DIVISION
Government Section

20 April 1949

MEMORANDUM FOR: Mr. Blaine Hoover, Chief, Civil Service Division

SUBJECT : Activities of NPA Union

Mr. Roser has just reported to me that during his trip through the NPA Building today, 20 April, he discovered notices posted around the halls and several of the rooms advising the employees of NPA that a songfest would be held in Room 174, NPA Building, and urging members of the union to be present. Room 174 is one of the witness rooms attached to one of the equity hearing rooms. The purpose of the songfest is to teach the union membership the words and tune of the "Internationale".

Mr. Roser instructed Mr. Kanatsugu to remove the signs and to advise the union in no uncertain terms that they could neither use the hearing room nor the witnesses' or judges' rooms.

It looks as if the NPA Union has gone Communist with a bang.

W. Pierce MacCoy

W. PIERCE MacCOY
Deputy Chief
Civil Service Division

WPM:jb

4/25/49 Discussed with NSA

Jap Gov. RR. Wkrs Union

file

CIVIL SERVICE DIVISION
Government Section

19 April 1949

MEMORANDUM FOR: Mr. Blaine Hoover, Chief, Civil Service Division

SUBJECT : Conference with Mr. Kato, President of the Government Railway Workers Union

1. In pursuance of your suggestion I met this afternoon, together with Messrs. Shively and Narumi, Mr. Kato.

2. Mr. Kato stated that he was leaving shortly for Kotohira, in Shikoku, for a convention of the Government Railway Workers Union at which some thousand persons would be present. At the last elections of the union the Leftists made unprecedented gains and would be strongly represented at this meeting. Mr. Kato desired to have, if possible, an encouraging statement from Mr. Hoover to assist him in presenting the need for implementing the 9-point program and interpretation of Gen. MacArthur's letter. Mr. Kato specifically stated that the problems he had in mind dealt with:

1. The 48 hour system
2. The reorganization and retrenchment program
3. Separation pay

3. I informed Mr. Kato that Mr. Hoover was very sorry that he could not meet with him but that he had just returned from a trip and was exceedingly busy. It did not seem possible at this time that Mr. Hoover could cope with the preparation of any statement in this short period of time. Mr. Kato offered to remain over a day in order to obtain a statement. He pointed out that he had already received one from Mr. Heppler and hoped he could also have one from Mr. Hoover.

4. Mr. Kato stated that he expected to return about the 29th and would appreciate having an opportunity of meeting Mr. Hoover and reporting to him on the convention.

5. Mr. Kato's attention was drawn to Mr. Hoover's letter addressed to Dr. Asai which was made public and which summarized the situation to date.

MacDonald Salter

MacDONALD SALTER
Chief, Classification
& Compensation Branch

MS:jd

CIVIL SERVICE DIVISION
Government Section

18 April 1949

MEMORANDUM FOR: Mr. Blaine Hoover, Chief, Civil Service Division

SUBJECT -: Requested Conference with Mr. Kato

This is an addenda to my memorandum dated 15 April in which I advised you that Mr. Kato wished a conference with you. Today, 18 April, Mr. Sato telephoned to state that Mr. Kato was in Dr. Asai's office and was again inquiring as to whether it was possible to have a conference with you.

It appears that there is to be a General Conference of the Railway Workers' Union in Kyushu on Friday, 22 April, and Mr. Kato wished to be able to report to this conference that he had discussed certain matters with you. Failing this, he wondered if you would be willing to address a message to him which he could read to the conference. Unfortunately, he did not indicate any subject matter for such a message.

It seems that Mr. Kato has called on Mr. Hepler, Labor Division, ESS, with a similar request, and that Mr. Hepler has provided such a statement for Mr. Kato. At the same time, Mr. Kato requested Mr. Hepler's assistance in securing an audience with you. Mr. Hepler instructed Mr. Kato to take such a matter up with the NPA and request that they intercede for him with you.

I explained through Justin to Mr. Sato that you were out of town today, 18 April, but this matter would be called to your attention immediately upon your return and we would attempt to get a reply to Mr. Kato through Dr. Asai on Tuesday, 19 April.

W. PIERCE MacCOY
Deputy Chief
Civil Service Division

WPM:jb

CONFIDENTIAL

CIVIL SERVICE DIVISION
Government Section

18 April 1949

Eliot
File
4-19-49

MEMORANDUM FOR THE RECORD

SUBJECT: Communist-Dominated Union Creates Disturbance at Osaka Demonstration March - 2 April 1949

CIS spot intelligence report concerning the JFTU-sponsored demonstration which took place in Osaka on 2 April confirms Osaka Police Chief Suzuki's statement that the demonstrators were warned against disorderly conduct by their leaders before the march took place.

CIS report also reveals that a branch of the All Japan Metal Industry Workers Union participated in the march and in the principal instance of sitting down on the pavement in opposition to police efforts to maintain order. This union (Zen Nippon Kinzoku Rodo Kumiai) is considered by CIS to be one of the most strictly Communist-dominated unions in Japan.

The invitation from the Soviet Trade Union Conf. was first reported as an invitation from the "metal workers Union". May have been juicaway.

TE

THOMAS ELIOT
Personnel Specialist

TE:jd

C O N F I D E N T I A L

CIVIL SERVICE DIVISION
Government Section

18 April 1949

Elliot
File
4-19-49

MEMORANDUM FOR THE RECORD

SUBJECT: Communist-Dominated Union Creates Disturbance at Osaka Demonstration March - 2 April 1949

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Personnel Specialist

TE:jd

C O N F I D E N T I A L

CIVIL SERVICE DIVISION
Government Section

18 April 1949

Eliot
File
4-14-49

MEMORANDUM FOR THE RECORD

SUBJECT: Communist-Sponsored "Defense" Rally
Yokohama (Keihin) Area - 5 April

Several days ago the press carried reports of a rally of various "democratic" and labor union groups for the defense of livelihood rights, etc. which took place in the Yokohama area between Tokyo and Yokohama.

CIS spot intelligence reports (reported orally to the undersigned by Mr. Fesperman of CIS) indicate that a deliberate attempt was made to excite police action against demonstrators. At a pre-rally meeting of the Communist organizers of the demonstration, plans were made to stage zig zag tactics during the march. A report on the march itself states that marchers zig zaged violently, purposely running into the police, but according to the report the police did not retaliate in any way and no police vs. demonstrators disturbances occurred.

According to CIS reports a meeting of the organizers of the rally was held afterwards at which expressions of disappointment in the failure to react on the part of the police were made and it was agreed to pin their hopes for exciting police violence on the May Day demonstrations.

rationalization of failure now.

T.E.

THOMAS ELIOT
Personnel Specialist

TE:jd

CIVIL SERVICE DIVISION
Government Section

15 April 1949

MEMORANDUM FOR: Mr. Blaine Hoover, Chief, Civil Service Division

SUBJECT : Mr. Kato, Railway Workers Union

On Friday, 15 April, Mr. Sato called at my office to advise that he was carrying a message from Mr. Kato of the Railway Workers Union through Dr. Asai in which Mr. Kato had requested an audience with you.

Dr. Asai is recommending and rather urging that you permit Mr. Kato to call upon you in view of the fact that he heads the rightist wing of the Railway Workers Union. His contacts with Dr. Asai have, Mr. Sato assures me, always been very courteous and gentlemanly, and Dr. Asai feels that something is to be gained by encouraging an open friendliness with Mr. Kato.

As you know, my personal feelings are to the contrary on this point since I do not feel that we can logically maintain a fair attitude as far as the public mind is concerned if we are openly friendly with the leaders of the rightist unions while refusing to grant audiences or conferences to radical leaders.

We have already found out to our sorrow that it is exceedingly unwise to have conferences with the radical leaders since we are consistently misquoted in the newspapers, and particularly in the radical newspapers, after such conferences.

I find that I personally like Mr. Kato and rather feel encouraged after a conference with him and, therefore, I have a tendency to lean toward granting his conference; however, my sense of equity gets in my way when I recognize that it is impractical for us to grant the same consideration to the opposition representatives and that in actuality it is decidedly unwise and dangerous for us to conduct conferences with the radical leaders. Mr. Kato is awaiting word through Dr. Asai as to whether you will grant him an audience and if so the establishment of the time and date.

W. Pierce MacCoy

W. PIERCE MacCOY
Deputy Chief
Civil Service Division

WPM:jb

CONFIDENTIAL

CIVIL SERVICE DIVISION
Government Section

April 5, 1949

MEMORANDUM FOR: Mr. Blaine Hoover, Chief, Civil Service Division

SUBJECT : Unauthorized Use of Communication Channels by Zentei.

1. Reference is made to memorandum of the same subject dated March 30, 1949.

2. Mr. Joseph Hash of Telecommunications Division stated over the telephone that he has been informed that on 31 March, Zentei paid ¥130,000 on account for its telephone bill. It will be noted that this amount represents approximately one-tenth of Zentei's unpaid balance.

3. Mr. Hash reports that he is further informed that there will be a meeting between the union and the ministry which will probably take place at the end of this week, at which it is expected that some agreement will be reached as to the payment of the remainder of Zentei's bill. Mr. Hash will inform us of what takes place.

THOMAS ELIOT
Personnel Specialist

TE:vr

CONFIDENTIAL

Union Activities - Gov. Emp

Mrs Hopper
Last minute info.

CIVIL SERVICE DIVISION
Government Section

5 April 1949

WBB
4/7/49

MEMORANDUM FOR: Mr. W. Pierce MacCoy, Deputy Chief
Civil Service Division

SUBJECT : Employees Exclusively Engaged in the Business of Union Organizations

Reference is made to your memorandum to Mr. Hoover, above subject, dated 1 April 1949.

In accordance with our conversation of this date I called Mr. Sato, Director-General of NPA, into this office and discussed various phases of the law regarding the legality of payments that had been made to employees engaged in union activities. Mr. Sato stated that after his conversation with you, and upon returning to his office, he made a study of Law 46 as revised and certain articles of the National Public Service Law, and that he concurred in the fact that payment of area allowance was in violation of the Law, there still being a question as to the legality of payment of family allowance.

Mr. Sato was requested, per your instruction, to draft a rule covering all phases of pay and allowances as far as these employees are concerned and to submit the draft to this office for review. It is believed that the rule should be issued under the provision of Article 101 of the NPSL, in which case there would be no chance of a misinterpretation of the provisions of Law 46 as revised inasmuch as the NPSL supersedes Law 46 in all cases where there might be a conflict.

Mr. Sato was requested, because of the urgency of the situation, to give priority attention to the drafting of this rule and its submission to this office.

JESSE B. BETTIS
Compensation Specialist

JBB:jd

GOVERNMENT SECTION
CIVIL SERVICE DIVISION

1 April 1949

MEMORANDUM FOR : Mr. Blaine Hoover
Chief, Civil Service Division

SUBJECT : Employees Exclusively Engaged in the Business of Union Organization.

Attached is a statement prepared by the Secretariat of the Cabinet which was issued to all vice ministers at the Vice Ministers' Conference, summarizing meetings of October 6-7, 1948. This copy was secured for this office by Mr. Sato, Executive Director of the National Personnel Authority covering the question which was raised by a report submitted by Mr. Sato which indicated that the Ministry of Transportation was paying area and family allowances to 647 national government employees who were engaged in full time union activities.

You will note that in the second paragraph it states:

> " *** no pay shall be issued under Article 2 of Law 95 of 1948 (Law Concerning Salaries and Other Pays of Government Employees from June 1948 Onwards) and Article 21 of the Law 46 of 1948 (Law Administering the New Pay of Government Employees)."

Upon referring to Article 21 of Law 46 of 1948 it is discovered that it states in effect that employees who are absent from their duties without approval shall be reimbursed in compliance with Article 7 of Law 12 of 1948. In checking this law it is found that the statement is made that employees who are absent without approval shall not receive their pay. However, the Japanese term used in this Article to mean "pay" is interpreted legally to mean only "base pay". Mr. Sato assured me that any Court called upon to make a decision on Article 7 of Law 12 of 1948 would rule that the instructions to pay employees for unapproved absences would cover only non-payment of base pay and would not include non-payment of allowances.

Therefore the Ministry of Transportation is legally correct in paying its national government employees engaged in full time union activities their regular area and family allowances while withholding their base pay. Conversely all other ministries are acting illegally when they are withholding area and family allowances covering similar situations and should any employee of another ministry file a claim

against such ministry as an employer, in the courts of Japan, he would be awarded all of his area and family allowances for the period in which it was withheld. It therefore would appear that it will be necessary to have an amendment made to Law 46 of 1948 to adequately cover this point to be sure that national government employees engaged in full time union activities receive no monies whatsoever from the government during their period of union activities.

In this connection it is interesting to note that in a recent intercept, a representative of the NCIU states that if the Labor Ministry attempts to follow Mr. Hepler's instructions to the effect that national employees engaged in full time union activities shall receive no pay from the national government during such period of activities, that the Labor Ministry would exceed its authority and would violate the provisions of the collective agreement between the Ministry and the NCIU. The speaker goes on to state that the Ministry would exceed its authority because the rights of labor unions are established only by the Labor Committee (Rodo-Inkai) and adds that non-payment of full time union workers' wages would be illegal under Japanese law. He states that Mr. Hepler's instructions to the Labor Ministry haven't much significance since "things are different here; this is not America."

W. PIERCE MacCOY
Deputy Chief
Civil Service Division

WPM/hm
Attachment

If absent without authorization to engage exclusively in activities of an employees organization:

Discipline (in meantime allowances are paid)

If absent on leave for same purpose —
of 7 Supp prov of law № 12 of 48 doesn't apply — if is with authorization.

Therefore either full pay must be granted or provision must be made for — an alternative. It is proposed to specify no pay of any sort by rule of NPA.

Question — can this be done by rule of NPA?

Sato, Dir Gen of NPA says "yes"

12 Apr 49.

GOVERNMENT SECTION
CIVIL SERVICE DIVISION

1 April 1949

MEMORANDUM FOR : Mr. Blaine Hoover
Chief, Civil Service Division

SUBJECT : Employees Exclusively Engaged in the Business of Union Organization.

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*

* see footnote.

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W. Pierce MacCoy

W. PIERCE MacCOY
Deputy Chief
Civil Service Division

WPM/hm
Attachment
cc: Mr. Salter

Mr Sato changed this story after this memo was written and indicated that he had been granting leave from the law before it was amended thereto. Esterson's comments are correct.
WPM
4/19

* The area allowance based on base pay is not to be paid during the absence " " " " " family allowance is to be paid " " "

see law.

For Sato 4/13/44

Employee Exclusively Engaged in the Business of
an Employee Organization

October 6, 1948: Arrangement arrived at a conference of section chiefs in charge of personnel affairs or employee relations.

Ditto : Arrangement arrived at a vice-ministers' conference.

October 7, 1948: Understanding given by a Cabinet conference.

With respect to employees exclusively engaged in the business of an employee organization, until such a time as a revision of the National Public Service Law or rules of the National Personnel Authority provide otherwise, the observance of the following treatment is to be strictly enforced:-

With respect to the treatment of employees exclusively engaged in the business of an employee organization, the same is as laid down by the decision of a vice-ministers conference of August 5 last (for which decision understanding was given by a Cabinet conference of August 10 last), but to those employees who have still failed to return to their place of work after the expiration of the final time-limit for such return (August 31 of this year for employees of non-operating agencies of government and September 30 of the same year for employees of operating agencies of government) no pay shall be issued under Article 2 of the Law No. 95 of 1948 (Law concerning Salaries and Other Pays of Government Employees from June, 1948, Onwards) and Article 21 of the Law No. 46 of 1948 (Law Administering the New Pay of Government Employees). Law #12 (1948) art. 7

Verbal understandings (October 7, 1948)

Measures concerning employees exclusively engaged in the business of an employee organization:

1. Since the prescribed time-limit has already expired, no recognition is given to the existence of any employees exclusively engaged in the business of an employee organization of the type existing hitherto. Accordingly, utmost effort is now to be made to speed up the return of such employees to their

place of work, and pay will be issued to those employees who actually return to their place of work by October 15 next (vide Note below), but, as regards those who do not on the contrary return to their place of work, not only no pay will be issued to them but also some disciplinary action will be taken against them. However, in cases where unavoidable circumstances exist in a nation-wide organization, and employees present, within the limitations of but one employee for each 1,000 members of any given employee organization, their desire to exclusively engage in the business of the employee organization to the head of their employing agency of government not later than October 15 next after mutual understanding between the individuals and the employee organization involved, the employees concerned will merely be stopped the issue of their pay, but will not be administered any disciplinary action referred to above.

Note: As to the treatment of returned employees on the advanced date of issue of pay for the first half of October, such pay will be issued to those who returned to their work not later than the day preceding that of its issue, and to those who subseqnently return up to the 15th pay will be issued when they have actually returned.

2. For the purpose of eradicating cases where employees have returned ostensibly or pretend that they are in the place of work but actually engage exclusively in the business of their employee organization, stricter control is to be exercised in this respect in the future.

C O N F I D E N T I A L

CIVIL SERVICE DIVISION
Government Section

30 March 1949

MEMORANDUM FOR: Mr. Blaine Hoover, Chief, Civil Service Division

SUBJECT : Unauthorized use of Communications Channels by Zentei

Reference is made to memorandums on the same subject dated 22 March and 23 March, 1949.

Your attention is invited to the attached itemization of Zentei telephone bill. This represents charges and payments for service in Tokyo only. It was furnished to Mr. Joe Hash of Telecommunications Division, CCS by Mr. Nakayama of the Telephone Exchange Section, Ministry of Communications. Explanation of the items shown on the attachment is as follows:

The three telephone numbers listed at the top of the page are furnished to the Shiba Park Headquarters of Zentei free of charge by the Communications Ministry for purposes of liaison between the union headquarters and the Ministry. Local service on these three telephones is free to the union but any long distance calls are charged for.

The five telephone numbers shown in the next line are subscription telephones furnished to the union on the ordinary business basis with charges customarily applied to any subscriber.

The first column of the table shown under "Situation for collection of charges" shows the month, commencing with September 1948. The second column shows the minimum charge or basic rate applicable to the five subscription telephones. The third column shows the message rate on local calls from the five subscription telephones at ¥2 per call. The fourth column shows the toll call rate for all long distance telephone calls both on the "liaison" phones and on the five subscription phones. The fifth column shows the total of columns 2, 3 and 4, which represents the total bill for each month (Note the tremendous increase in telephone charges after November 1948). The sixth column shows the date on which payment of the bills was accomplished (the bills are rendered on the 10th of the month and must be paid by the 20th of the same month; it will be noted that two of the three bills which have been paid were paid late). The total at the bottom of the fifth column represents the amount of the bill still unpaid.

As noted in the referenced memorandums, the Communications Ministry notified the union that unless they paid their bill by the 20th of March their telephone service would be cut off. Apparently the union succeeded in stalling the Ministry, stating that Mr. Yamaguchi, Vice-chairman of the Zentei Executive Committee, the only union official competent to settle

C O N F I D E N T I A L

arrangements for payment of the bill, was out of town. The Ministry has not yet cut their service in any way.

Upon Mr. Yamaguchi's return to Tokyo several days ago, a representative from the Tokyo Telephone Exchange is said to have visited him at the Shiba Park Headquarters and asked for payment of the telephone bill. Mr. Yamaguchi thereupon inspected the union's books and told the representative that the union could not pay the whole bill but might be able to pay one-tenth of the bill (it will be noted that one-tenth of the unpaid balance is less than any currently incurred bill since December 1948). No agreement was reached with the Tokyo Exchange representative. Mr. Yamaguchi is said to have stated that he wished to discuss the matter and reach an agreement with Mr. Suzuki, Vice-minister of Communications. It is expected that this meeting will take place in the next day or so if it has not already taken place (Mr. Nakayama was requested by Mr. Hash to see Mr. Suzuki and find out exactly how matters stand from him and report back).

Mr. Nakayama stated that "no other union would have been allowed to run their bill into arrears to this extent". He also stated that Zentei is scheduled to hold a central committee meeting next month at which time the matter of union use of telephones will be discussed.

Mr. Hash stated that next year's budget has handicapped the development of telecommunications terrifically and that the unpaid amount of Zentei's phone bill represents needed revenue. He expressed the attitude that the five subscription telephones and the long distance service on the three "liaison" telephones should be cut off for Zentei and issued to parties who are willing and able to pay the charges.

Mr. Hash and the undersigned concluded the interview with Mr. Nakayama and stepped over to Mr. Roche's desk. Mr. Roche was told the essential facts of the interview. According to Messrs. Roche and Hash, the Telecommunications Division is not in a position to recommend discontinuance of telephone service to Zentei since their interests are on the technical rather than on the business side. They appeared eager to have the Government Section step into the situation and arrange for such discontinuance of service (the reasons for CSD's interest in this whole matter have not been explained to the Telecommunications Division). Mr. Roche wanted to step into Mr. Wardell's office and arrive at some decision immediately, but since it was then after five o'clock this idea was easily put off.

Mr. Hash expressed the opinion that Mr. Wardell, Chief of Telecommunications Division, and a representative of the Government Section should meet with Mr. Suzuki immediately in order to bring about the discontinuance of Zentei's telephone service before Zentei's Mr. Yamaguchi gets to him and the Ministry is committed to any arrangement in favor of continued use of long distance and subscription telephones by the union.

COPY

C O N F I D E N T I A L

It is recommended that the Government Section, or other competent GHQ agency, initiate the necessary action to discontinue Zentei's telephone service and that this be placed on a purely business basis. Zentei should be required to pay the unpaid balance of their bill before they are given any further chargeable telephone service. These telephones, and revenues derived from them, are badly needed by the Japanese Government.

THOMAS L. ELIOT
Personnel Specialist

TLE:jd

COPY

I. Telephone Number

43-2495 43-2581 43-2594

Subscription for Business
free of charge
Chargeable Subscription

43-2970 43-2971 43-2972 43-2973 43-2974

II. Situation for collection of charges

Month	Basic Rate(5 Sub.)	Message Rate	Toll Call Rate	Total	Date of Payment
9	2,400	4,346	11,252	17,998	Jan. 31, '49
10	2,400	3,698	9,270	15,368	Oct. 19, '48
11	2,400	2,888	7,158	12,396	Nov. 30, '48
12	2,400	2,764	180,114	185,278	
1	2,400	4,274	287,114	293,788	
2	2,400	3,732	592,116	598,248	
3	2,400	3,110	305,998	311,508	
				1,388,822	

Jap. Govt, Cabinet Order 201

file

W Pr
4/19/49

CIVIL SERVICE DIVISION
Government Section

29 March 1949

MEMORANDUM FOR: Mr. W. Pierce MacCoy, Deputy Chief, Civil Service Division

SUBJECT : Ruling Concerning Use of Government Building Office Space by Labor Unions.

1. Attached is a copy of proposed regulations which were subsequently incorporated in Cabinet Order Number 201. As you will note, at the bottom of said draft there are two remarks, the second of which is a specific item which we have been searching for relative to any legislation or formal action taken relative to labor unions occupying government office building space.

2. After receiving this proposed draft from Mr. Kanatsugu, Chief of Office Services Section, I inquired further as to the source of this draft. I was informed that it was drafted by the Cabinet Planning Section and after some discussion was then approved by the Vice-Ministers Conference. It was then brought to you for approval or suggested revisions. You are reported to have sent it back to the Vice-Ministers Conference with the suggestion that it be revised and apparently following your recommendations some changes were made on the draft approved and eventually embodied in what is now Cabinet Order 201.

3. The "remarks" in the draft, however, were not incorporated in the Cabinet Order but were given orally to the Chiefs of the Personnel Sections and to the unions of each Ministry by the Vice-Minister of the respective ministry.

4. There is no date on the draft but I am informed that Cabinet Order 201 which was dated July 31, 1948, was promulgated shortly after the draft was approved.

Foster B. Roser

FOSTER B. ROSER,
Examination Specialist.

FBR:mvb
1 Encl

File

31 March '49

Civil Service Division
Government Section

Mr Peterson

29 March 1949

MEMORANDUM FOR THE RECORD

SUBJECT: Government Employees on Full Time Union Activities.

On 28 March 1949, Mr. Sato, Executive Director of NPA presented the attached survey on employees exclusively engaged in the work of government employee organizations and a resume drawn from the survey. The survey indicates the agencies, whether employees of such an agency are exclusively engaged in union activities, and whether or not they are compensated - as well as where such compensation is drawn. While the resume indicates that quite a few agencies have employees that are working full time on union activities, in the majority of cases these individuals are not receiving any pay from the national government but rather are drawing their salaries from the unions. In other words, the ministries have apparently permitted the individuals to enter on furlough or leave without pay status, thus retaining their positions for them while permitting them to be utilized full time for union duties. In the case of the Ministry of Transportation, however, the record indicates that they have 674 employees exclusively engaged in union activities, who, while they are not drawing base pay from the government, are receiving their area and family allowances. The Attorney General's office indicates they have six employees exclusively engaged in union activities who are receiving full compensation from the national government. Two Kodans are listed in the same category, the Oilstuff Distribution Kodan with one employee on full pay, and the Solid Fuel Distribution Kodan with 5 employees on full pay. The record indicates however that in this latter organization, the employees have been advised that their pay will stop at the close of business 31 March 1949. Sato informed me that the Kodans had received their information relative to instruction on government employees engaging in union activities while receiving full pay much later than the ministries and that therefore there was some justification for their slowness in complying. Such justification, however, does not apply to the Ministry of Transportation or the Attorney General's office.

There is a question relative to the number of employees shown as engaged in union activities in the Ministry of Transportation as well as to the method of their pay which I have requested Mr. Sato to check

and which he will report on at a later date.

W. PIERCE MacCOY
Deputy Chief
Civil Service Division

WPM/mw
1 attch.

cc: Mr. Salter

Cent Files

6-12-49

Civil Service Division
Government Section

24 March 1949

MEMORANDUM FOR : Mr. Gordon Peterson

SUBJECT : Union Officials and Workers on Government Payrolls.

1. I direct your attention to the attached file on this subject.

2. Will you please clear with the National Personnel Authority and submit to me not later than 25 March 1949:

1) A proposed plan of action for enforcing the following provision of Article 101 National Public Service Law,

"Personnel of the service shall not, while receiving pay of the national government, perform duties or carry on activities for or in behalf of the employee organizations."

2) A proposed rule implementing - if in the opinion of the National Personnel Authority such is necessary and advisable - the following provision of Article 101,

"However such personnel may perform activities approved by the provisions of Article 98 under conditions or circumstances approved by the Authority or prescribed by rules of the Authority."

3) Any related recommendations or comments which you desire to make.

3. Kindly attach file with your recommendations.

Blaine Hoover

BH;mw

BLAINE HOOVER
Chief
Civil Service Division

GOVERNMENT SECTION
CIVIL SERVICE DIVISION

24 March 1949

MEMORANDUM FOR : Mr. Blaine Hoover
Chief, Civil Service Division

SUBJECT : Union Officials and Workers on Government Payrolls.

Reference is made to Point #1 of your memorandum of 22 March on the above subject.

In Article 101, the National Public Service Law places a restriction on government employees relative to conducting full-time union duties which reads in part as follows:

> "Personnel of the service, except in cases authorized by rules of the Authority shall give their full working time and occupational attention to their duties and perform only those duties which it is the responsibility of the national government to perform. ***** Personnel of the service shall not, while receiving pay of the national government, perform duties or carry on activities for or in behalf of the employee organizations. However, such personnel may perform activities approved by the provisions of Article 98 under conditions or circumstances approved by the Authority or prescribed by rules of the Authority."

The pertinent part of Article 98 referred to in Article 101 is as follows:

> "**** Through such organizations, personnel of the service may designate representatives of their own choice and negotiate subject to the procedures of the Authority with proper authority for conditions of work and for other lawful purposes including social and welfare activities, provided, however, that such negotiation does not include the right of collective agreement with the government ***** "

While no specific reference was made in Cabinet Order #201 to full-time union activities, the explanatory notifications issued by the Cabinet with Cabinet Order #201 do carry specific references to this subject. The pertinent part of the notification issued by the Cabinet Secretariat to government unions under date of 11 August 1948 reads as follows:

"3. Persons specially engaged in the business of labor union who have been authorized under the old labor agreement and others, are hereafter not authorized, nor is the payment of salary allowed to said persons. Your union is, therefore, requested to devise proper means for those persons to return to their offices without delay. The government also intends to give them best possible facilities with regard to their returning to offices."

There was simultaneously a notice issued by the Cabinet to all ministries and independent government agencies under date of 11 August 1948 entitled, "On Interpretation and Dealing with Cabinet Order #201" which contained a direct reference to the subject matter. In Section III, paragraph 4 we find the following:

"4. Since the letter (General MacArthur's letter of 22 July 1498) stated that public servants are 'used for the exercise by government of the people's sovereign power ---- owe unconditional allegiance to the public trust ----" on those specially engaging in the businss of labor union are not recognized on the basis of labor unions, such persons as hitherto authorized, lose necessarily their raison d'etre. As to the measures to be taken for those persons, the Government decided that it's agencies should notify to that effect to the unions or persons return to the offices without delay. The head of each agency is, however, authorized to allow them to engage in the business of labor union concerned, providing for a certain period (by the end of August for personnel of non-operative unions and by the end of September for those of operative unions)." NOTE - Reference to General MacArthur's letter added by writer for clarification.

On the same date, 11 August 1948, the Cabinet issued a memorandum to all ministries and independent agencies under the title "Principle on Dealing with Article 1, Paragraph 2 of Cabinet Order #201 concerning Labor Agreement in Government Agencies." The paragraph referred to in Cabinet Order #201 issued 31 July 1948 reads as follows:

"2. All acts heretofore taken by the government in personnel matters affecting public servants will be valid so long as they do not violate the spirit of the limitations imposed by the present Cabinet Order or were not taken in contravention of such limitations."

The paragraph in the Explanatory Memorandum pertinent to the subject reads as follows:

"6. Activities of Labor Unions.

"1. Person exclusively devoting himself in union's business is not allowed. (Article 101 of the Public Service Law; Decision of the Cabinet Council held on June 4, 1948)"

"2. Activities of labor union during working hours; is not allowed as a rule."

As a side-light it is interesting to note that under date of 4 December 1948, Dr. Asai, President of the National Personnel Authority addressed a memorandum to you on the subject of "Scope of Application of Cabinet Order #201" in which he pointed out that on and after the effective date of the revised National Public Service Law, that Cabinet Order #201 would not be applicable to national public employees in the regular government service and also that neither the restrictions of the National Public Service Law nor Cabinet Order #201 would be applicable to national public employees in the special government service. He stated, however, that Cabinet Order #201 would still be applicable to local public employees. These statements were later verified by Mr. Sato of the Attorney General's office.

As far as I can ascertain, this is all that has ever been issued on the subject of national government employees conducting union activities.

W. Pierce MacCoy
Deputy Chief
Civil Service Division

WPM/hm

GOVERNMENT SECTION
CIVIL SERVICE DIVISION

23 March 1949

MEMORANDUM FOR : Mr. Blaine Hoover
Chief, Civil Service Division

SUBJECT : Union Officials and Workers on Government Payrolls.

Reference is made to point #2 in your memorandum of 22 March on the above subject.

Mr. Sato, Executive Director of the National Personnel Authority has been requested to secure as full a report as possible relative to the information which you have requested. He states that he possibly can have a rough report for us by Friday, 25 March. However, I explained that we wished as full a report as possible, broken down as to ministries and independent agencies. Therefore he will attempt to secure all of this information for us by Monday or Tuesday of next week.

W. PIERCE MacCOY
Deputy Chief
Civil Service Division

WPM/hm

CIVIL SERVICE DIVISION

U R G E N T

WPMcC
3/23/49

22 March 1949

MEMORANDUM FOR: W. Pierce MacCoy
Deputy Chief

SUBJECT: Union Officials and Workers on Government Payrolls.

Will you please be so kind as to give me at the earliest possible date a report covering:

1. Present provisions of the law, cabinet orders, NPA rules and other background material relative to the present supposed control of union workers on government time.

2. A report from NPA as to the extent to which these regulations have been enforced and the general condition with respect to this practice.

Blaine Hoover

BLAINE HOOVER
Chief
Civil Service Division

BH:mw

CIVIL SERVICE DIVISION
Government Section

2 April 1949

MEMORANDUM FOR: Mr. Blaine Hoover, Chief
Civil Service Division

SUBJECT : Implementation and Enforcement of Article 101

In accordance with your request, NPA was advised to revise its draft of Rule 15-3 in order to grant leaves of absence instead of temporary retirement for the purpose of allowing personnel to engage exclusively in the business of an employee organization.

Yesterday Mr. Okabe delivered the accompanying revised draft of Rule 15-3 and also a draft of Directive No. 9, modified slightly to make it compatible with the foregoing rule. Mr. Okabe reports that the commissioners have agreed upon these two instruments and the attached draft of Rule 14-1 which has required no change since submitted to you on 29 March.

14-1 & 9 attached to memo of 2 April

The dates contained in the drafts are only suggestive and have not received the attention of NPA.

GORDON W. PETERSON
Organization Specialist

GWP;jd

Att

CONFIDENTIAL

1) ~~M. Mackey~~
2) Mr Nourse
3) File

CIVIL SERVICE DIVISION
Government Section

23 March 1949

W Pm
3/23

MEMORANDUM FOR THE RECORD

SUBJECT: Unauthorized Use of Communications Channels by Zentei

Reference is made to memorandum on the same subject, dated 22 March, 1949.

Mr. Mishigawa, a Japanese liaison representative of the Telecommunications Division, CCS, reported to the undersigned by telephone this morning as follows:

1. He had contacted the Communications Ministry official in charge of telephone rates whose responsibility it is to compute Zentei's telephone bill.

2. The rate-setting official reported that Zentei and the Ministry of Communications had reached an agreement "in principle" that Zentei's telephone bill of two million yen was to be paid in installments. In the meantime telephone service for the union is being allowed by the Communications Ministry.

3. No details regarding the time or installments involved in the settlement of the bill have as yet been agreed upon due to the fact that the chairman of Zentei is out of town and will not return until March 26. At this time negotiation on the amount of installments, the frequency of their payment, and the time to be allowed will be commenced.

4. Mr. Mishigawa reports that the union is alleged to have proposed settlement of the bill in 10 monthly installments. The Ministry is alleged to have objected to this arrangement on the basis that no provision is made for the payment of current telephone bills which amount to four or five hundred thousand yen each month and is insisting upon payment of the union's telephone bill through December 31, 1948 in the "first installment".

Mr. Mishigawa stated that he would follow through and secure information on whatever details are arranged after Mr. Yamaguchi's (chairman of Zentei) return to Tokyo. The undersigned requested information as to the method by which Zentei's telephone bills are computed and Mr. Mishigawa agreed to secure this as well.

TE

THOMAS ELIOT
Personnel Specialist

TE:jd

CONFIDENTIAL

CONFIDENTIAL

1) H. MacCoy
2) Mr. Hoover
3) File
T.E.

CIVIL SERVICE DIVISION
Government Section

22 March 1949

WBR
3/23

MEMORANDUM FOR THE RECORD

SUBJECT: Unauthorized use of Communications Channels by Zentei

The flagrant unauthorized use of government communications facilities by Zentei (National Communications Workers Union) has a long history dating from the beginnings of Zentei some three years ago. Briefly summarized this Communist dominated union moved right in and utilized franked official mail privileges of the Communications Ministry, two or three telegraph circuits, and local and long distance telephone lines for purposes of directing union business throughout Japan and disseminating union information bulletins. In October 1948 the Ministry of Communications informed the union that their use of these communications facilities at no cost was unauthorized and that they would be billed for any future use of long distance telephones and telegraph channels.

Reference is here made to Secret Comment Sheet JP/TOS/4475 which reveals that the Communications Ministry notified the union some time around the first of March 1949 that it would be given until March 20 to pay its telephone bill which at that time amounted to ¥2,000,000. Inquiry through Mr. Roach of the Telecommunications Division, CCS, discloses that the Communications Ministry compromised and has agreed to accept installment payments on the union's telephone bill in arrears. Further details on these arrangements are being secured and will be entered in the record in the near future.

Mr. Lisman, Chief of the Postal Division of CCS, made the following comments with regard to Zentei's use of communications channels:

1. That Zentei had also been making unauthorized use of free mail privileges of the Communications Ministry but that he believed that the union had been forced to discontinue this practice. The undersigned pointed out to him that the above mentioned Comment Sheet was an instance in itself of the unauthorized use of the franked mail and that so far as he had noticed the union's use of this channel was continuing in about the same proportion as it had over the past year and a half.

2. That any effort on the part of the Communications Ministry to control the situation was probably doomed to be ineffectual or a complete failure due to the fact that first line and middle level supervisors were in large part either sympathetic to the union, members of the union, or completely cowed by and submissive to the union.

Mr. Blagg, Chief of Technical Operations Section, CCD, states (and the undersigned has observed in Comment Sheets) that both Kokutetsu and Zentei

CONFIDENTIAL

have been making occasional use of "train mail". Mr. Blagg believes that the use of this method of communications will increase due both to the curtailment of telephone and telegraph privileges and to the fact that this type of mail has not heretofore been subject to censorship. "Train mail" is equivalent to the American Express Company and the only authorized use of "train mail" to date as a mail facility has been by newspapers in forwarding news dispatches. Mr. Blagg stated that starting next week Civil Censorship Detachment was going to begin systematically to censor "train mail" in order to discover to what uses this media of communications is being put.

T.E.

THOMAS ELIOT
Personnel Specialist

TE:jd

File
4-18-49

17 March 1949

Unions Affiliated with the Natl. Labor Union Liaison Council

Total: 4,382,625

The following is a list of these unions and their number of members:

Government Railway Workers' Union	624,000
Japan Teachers' Union	499,000
All-Japan Communications Workers' Union	370,000
Japan Federation of Coal Mine Workers' Unions	270,000
Japan Federation of Public Office Workers' Unions	250,000
All-Japan Coal Workers' Union	190,000
All-Japan Metal Workers' Union	180,000
National Council of Government Employees' Unions	150,000
Japan Electric Power Workers' Union	140,000
All-Japan Seamen's Union	120,000
National Federationof Bank Workers' Unions	123,000
Japan Federation of Construction Workers' Unions	111,918
Japan Federation of Private Railway Workers' Unions	111,000
All-Japan Central Council of Public Corporation Workers' Unions	110,000
Japan Express Company Workers' National Union	96,000
All-Japan Electric Industry Workers' Union	80,000
Food Distribution Corporation Workers' Union	82,000
All-Japan Chemical Workers' Union	80,000
All-Japan Shipbuilding Workers' Union	75,000
All-Japan Metal Mine Workers' Union	75,000
National Federation of Agricultural Land Committee Employees Unions	72,000

National Revenue Office Workers' Union	60,000
All-Japan Automobile Workers' Union	58,500
National Federation of Ammonium Sulphate Workers' Unions	42,680
All-Japan Federation of Motor Transport Workers' Unions	42,000
National Federation of Allied Forces Workers' Unions	31,000
All-Japan Agricultural Organization Workers' Union	25,000
All-Japan League of Harbor Workers' Unions	29,000
Press Workers' Union of JAPAN	26,000
All-Japan Engineering and Building General Workers' Union	20,000
All-Japan Occupation Forces Workers' Union	20,000
National Council of Pharmaceutical Workers' Unions	20,000
All-Japan Printing and Publishing Workers' Union	20,000
All-Japan Council of Marine Products Workers' Unions	24,000
National Council of Petroleum Workers' Unions	17,000
National Council of Cement Workers' Unions	17,000
All-Japan Electric Wire Workers' Union	16,350
Council of Coal Mine Workers' Unions	16,000
National Federation of Life Insurance Workers' Unions	15,000
All-Japan League of Lumber Workers' Unions	14,000
National Council of Gas Workers' Unions	12,355
Council of Economic Organization Workers' Unions	1,000
Japan Screen and Theater Workers' Union	11,000
National Federation of Printing Bureau Workers' Unions	9,300

Federation of Tokyo Metropolitan Office Workers' Unions	6,500
National Meteorological Employees' Union	5,700
Japan Cold Storage Workers' Union	4,660
Civil Maritime Commission Workers' Union	4,300
All-Japan Council of Medical Workers' Unions	4,074

file: Labor Unions

GOVERNMENT SECTION
CIVIL SERVICE DIVISION

file
WPM
4/5/49

16 March 1949

MEMORANDUM FOR : Mr. Foster B. Roser
Examination Specialist

SUBJECT : Unions Occupying Government Office Space.

Pursuant to our discussion of 15 March relative to the supplying of office space, office equipment and facilities such as telephones, lights, etc. to government unions by government agencies, I distinctly remember working on a Cabinet Order with representatives of the Cabinet Secretariat, which was issued, I believe, in either November or December 1948.

This Cabinet Order specifically barred government unions from utilizing government office space for strictly union offices and if I remember correctly, further denied the assignment of office equipment such as desks and chairs and office utilities such as telephones and lights to be supplied to government unions at the expense of the national government.

Might I suggest that you request Mr. Sato, Executive Director of the National Personnel Authority to produce a copy of this Cabinet Order for our files.

W. PIERCE MacCOY
Deputy Chief
Civil Service Division

WPM/hm

Mr. Hoover
file

CIVIL SERVICE DIVISION
Government Section

15 March 1949

MEMORANDUM FOR: Record

SUBJECT : Union Meeting in Imperial Plaza

A general union meeting of very broad representation was held this morning in the Imperial Plaza. Participants were primarily laborers with many students and a few government employees from the Ministry of Transportation, Communications and possibly other agencies.

This was a general demonstration by unions including unions of private employees against:

1. Personnel reductions,

2. Withholding of pay by private employers (a demand by the unions to pay our salaries as soon as possible). Apparently employers, anticipating a reduction in subsidies, are withholding employees' pay.

MacDonald Salter

MACDONALD SALTER,
Chief, Classification, Compensation Branch.

MS:mvb

CIVIL SERVICE DIVISION
Government Section

10 March 1949

MEMORANDUM FOR: The Record

SUBJECT : Participation of Japan in the World Federation of Trade Unions

1. In April, 1947, Japan was visited by a delegation from the Preparatory Committee of W.F.T.U. France, Russia, England and the United States were represented in this delegation. This delegation made contact with the National Liaison Council of Labor Unions (Zenroren) which is a Communist-dominated super "holding company" of left wing unions in Japan.

2. Zenroren proceeded to establish within its organization an Executive Committee Council For The Dispatch of Delegates to the WFTU Convention under the chairmanship of Watanabe, Michio. The objective of this council was, by propagandizing organized labor in Japan, to prepare Japan for participation in W.F.T.U. at such time as it might receive a formal invitation from the W.F.T.U. An invitation to participate in the second convention of W.F.T.U. to be held in Brussels in March, 1949, was received in Japan 9 July, 1948, but was not delivered to Zenroren (Watanabe) until 27 September 1948. Zenroren has alleged that the delay in delivery of this invitation was engineered as a form of sabotage by reactionary interests.

3. On 9 November 1948, Watanabe and three other delegates from the aforementioned Council interviewed Mr. Amis of the Labor Division, E.S.S. with regard to securing SCAP approval of Japanese participation in W.F.T.U. Mr. Amis is credited with saying that under the present international situation as well as under the present labor situation in Japan it will be impossible for Japan to participate. This interview is said to be one of a series of such contacts by Zenroren with the Labor Division to secure SCAP approval.

4. The efforts of the Council to sell the idea of participation to organized labor in Japan have, generally speaking, resulted in a markedly unenthusiastic response. Such enthusiasm as exists being largely a beating of drums on the part of the leadership of left wing and Communist dominated unions. The Japanese Federation of Labor Unions has refused to associate itself with any move to participate in W.F.T.U. at the present time for two reasons: First, the unreadiness of Japanese unions to take part in any international movement of labor and, second, the fact that SCAP sanction has not been secured for the participation in view.

5. At the conference of the executive board members of W.F.T.U. held in Paris on 19 February 1949, the United States, Britain and the Netherlands delegates withdrew from W.F.T.U. stating substantially that W.F.T.U. had become a sounding board for Communism. It is alleged by leftist sources that during the past two years the second convention of W.F.T.U. which was originally scheduled for 1948, was postponed because of the reluctance of the western democratic representatives to convene what would be a Communist-dominated convention. With regard to American representation in W.F.T.U. it is said that the A.F.L. would not participate and that the C.I.O. participated with the objective of "infiltrating" the theretofore Communist-dominated W.F.T.U. and converting it to a bona-fide international labor organization.

6. Upon the withdrawal of the British and American delegates from W.F.T.U. in February, 1949, Zenroren and other sponsors of Japanese participation in W.F.T.U. became even more worried about the possibility of securing SCAP approval for Japanese participation. As a result they bent every effort to enlist the participation of J.F.L.U. and the so-called independent labor unions of Japan in order to give the appearance of a general national labor representative movement.

7. Regarding the nomination and election of Japanese representatives to the W.F.T.U. convention, Zenroren assembled a panel of some 30 or 40 likely nominees which was circulated to the various national union headquarters for further dissemination to their national memberships. Each union was to vote on approximately 6 of the panel of Zenroren nominees. A consolidation of representative union returns and the vote for candidates shows the following in the order of their popularity:

Dobashi,
Kan, Makato
Suzuki (G.R.W.U.)
Kawaguchi
Kameda
Watanabe (Zenroren)
Sato (Zenkanko)
Tsutsura
Takayama
Araki (Nikkyoso)
Kato (G.R.W.U.)
Shigemori
Hishi (jichiroren)

The final panel of candidates would be composed of the 20 or so nominees ranking highest on the basis of the votes of the various unions. The final election of representatives was to have been held in January but

due to lack of enthusiasm and interest on the part of Japanese labor unions and to the last minute hope of broadening the base of union participation to include J.F.L.U. and independent unions, the election has been postponed to 31 March 1949. A fund-raising campaign consisting of the assessment of 2 yen from each union member is being conducted at the same time in order to accumulate sufficient funds to finance the travel of union representatives to the convention. This postponement was made possible by the fact that the W.F.T.U. convention was also postponed until 27 June 1949 at which time it will be held in Milan, Italy.

8. It is of interest that the Central Council of Soviet Labor Unions sent a new years greeting to Zenroren which was responded to with equal cordiality on the part of Zenroren.

THOMAS ELIOT,
Personnel Specialist.

TE:mvb

GOVERNMENT SECTION
CIVIL SERVICE DIVISION

Subj
Equity Procedures

2 March 1949

MEMORANDUM FOR : Mr. Blaine Hoover
Chief, Civil Service Division

SUBJECT : Planned Union Disturbances at First National Personnel Authority Public Hearing.

After you left Dr. Asai's office, an employee of the Public Information Bureau came in to report that he had just received advice from several friends of his who are newspaper reporters, that ZENKAN-KORO (All Japan Workers Union) is planning a concerted drive on the public hearings on Thursday, 3 March.

The Union is expecting to have several thousand members lined up in front of the National Personnel Authority building commencing at 0500 hours on Thursday to assure that their Union will pack the hearing room. It was also their intention to smuggle a microphone into the room, which would be attached to a loud speaker in the street and one of their number intended to broadcast direct from the hearing room.

The National Personnel Authority has already contacted the municipal police board who has promised to furnish at least two squad cars of police officers to maintain order in the street. The union has apparently been advised of the size of the hearing room and they intend to demand a public hearing on a completely public basis, in that if the room is too small to hold all of the people who want to attend, that the procedings should be broadcast to the assembled crowd. I, of course, issued orders that no microphone was to be permitted within the hearing room except those which will be utilized by the broadcasting company and will be set up before the hearing opens to make a transcription of the hearing. This transcription will be controlled by CI&E.

Police officers will be available to clear the building of an undue overflow from the hearing room if this becomes necessary. Such officers will be utilized only at the request of the National Personnel Authority and if the exigencies of the situation dictate.

At my request, Mr. Sato, Executive Director of the National Personnel Authority checked the Minor Offenses Law to ascertain whether there was a clause covering a middemeanor of loitering in public buildings. Article 13 of this Law covers the point sufficiently that the

police could be utilized without question to clear the halls of excess personnel if it becomes necessary.

I instructed Mr. Sato that if the union crowd lined up quietly but insisted on staying after the hearing room was filled, that he should send an official of the National Personnel Authority down the line to take the name of each individual and the place of his employment in the government. The various government offices so represented are then to be checked to ascertain whether these individuals are absent from their official duty on approved leave -- if not, disciplinary action is to be ordered.

W. PIERCE MacCOY
Deputy Chief
Civil Service Division

WPM/hm

March 7 1949

Mr Sutter

CIVIL SERVICE DIVISION
GOVERNMENT SECTION, GHQ, SCAP

Dear Mr. BRAIN HOOVER

In january this year Mr, HABU, Chief of the Personnel Section, NPA officially met me and, showing a document written in English to the effect that no office of NPA shall be furnished to the employees union declared that the union should evacuate the office which was used by the union at that time under the shown decision made in conformity with GHQ directive. However, we, the union, having no place to remove, made consultation with Mr. KANATSUGI, newly appointed chief of the Personnel Section and removed to the present office, which is a lavatory in the middle of February.

On March 3 we were further requested by Mr. KANATSUGI, on the basis of the recommendation by GHQ, so we were told, to evacuate from the present office.

We shall be much obliged if you will grant answer to the following questions on this subject;

1. Is it not desirable for a government agency to furnish a room to the employees union as office?

2. Even for money can a government agency not furnish a room to the employee union as office?

Here we would like to express our opnion on this subject.
It help very much in maintaining good relations between office and members of the union to locate the union office at the most convenient place for its members as possible. If the union office is far from members in its lacation, Leaders of the union will necessarily be issolated from its members, resulting in the will of the members Especially in a country like Japan at present where union-conscious-

ness of the union members is very low, union might be victim of extremely leftiest or rightiest leaders who intend to drive the union against the will of the mass of members.

On the other hand, the trade union of the present Japan does not have financial ability enough to afford to build or borrow office by themselves. If its office is furnished by a political party or some kind of organization which is willing to help unions, there might be great danger that the union should be manipulated by the will of such a party or organization.

In this connection, we are of the opnion that the most desirable step under the present situation is for the government agency to furnish with or without charge rooms to the union as office.

Ki Kuwabara

Kanae KUWABARA
Chairman, Excutive Committee
Npa Employees Union

SECRET

Thomas Eliot
Anti-National Personnel Authority 26-8927

Government Section G-2

1

February 25, 1949

1. This office has observed, during the past several weeks, development of a campaign on the part of Japanese government employee unions, the object of which is to discredit and obstruct the program activities of the National Personnel Authority and confuse government employees and the general public with respect to the motivations and responsibilities of the Authority.

2. In order that effective advice and guidance may be rendered by this office to the National Personnel Authority for the purpose of neutralizing the aforementioned campaign, it is requested that the following types of information be furnished in the form of a report at the earliest possible date.

(1) The extent to which the "campaign" appears to be centrally directed and coordinated by the Communist party.

(2) The pattern and media by which such direction and coordination is effected by the Communist party.

(3) A summary of the particulars relating to public personnel administration and the institution and programs of the National Personnel Authority which may be brought out in directives emanating from the various echelons of the Communist organization, together with illustrative examples excerpted from such directives.

(4) The degree to which each of the national government employee unions is Communist-dominated by reason of Communist leadership and rank and file membership.

(5) The key individuals instrumental in planning, coordinating, and directing the "party line" as it affects government personnel, unions of government employees and the prestige of the National Personnel Authority and effectuation of its programs.

---------- C. W. ----------

SECRET

C O N F I D E N T I A L

CIVIL SERVICE DIVISION
Government Section

24 February 1949

MEMORANDUM FOR THE RECORD

SUBJECT: Special Investigation Re Anti NPA Publicity

A review of the recent press translations of the past three weeks indicates that a program directed against NPA, based on their actions or actions attributed to them, is being developed by the following unions:

a. All Japan Communication Workers Union
b. Government Railway Union
c. National Council of Government Employees
d. An association of National Revenue Officers Union and Ministry of Finance Union
e. General federation of Government & Public Workers Union
f. Teachers Union (not militant at the moment)
g. National Congress of Industrial Organizations
h. National Trade Union Congress (an association of the National Council of Government Employees and the National Congress of Industrial Organizations)

The means by which their programs are being disseminated is through the use of:

a. Presentations at meetings, principally headquarters activities
b. Newspaper articles and publicity
c. Government Railway Journal articles
d. Akahata and Rodo Sensen Communist papers
e. Posters

Actions directed against NPA consist of criticism of the following:

a. Undemocratic and unilateral issuance of rules without public hearings
b. Establishment and enforcement of 48 hour work week
c. The recalculations effected under the ¥6307 conversion
d. The imposition of a classification system on employees
e. Prohibition of strikes and collective bargaining by public servants
f. Bureaucratic and inefficient attitude in the determination of area allowances

In addition criticism is also being levied against the following which are being associated with actions of NPA:

a. Any organizational reform of the government
b. Any mass discharges of government employees
c. Any revision of the labor laws

It is to be noted that the Government Railway Journal specifically criticized the ¥6307 program as bad since no one else supported it but NPA. An article issued in the Government Railway Journal proposes the organizing of a nation-wide canvassing of union employees by the use of the balloting process to determine public attitude toward NPA. Should the balloting express a vote of non-confidence this will be presented to the Diet with the proposed action of initiating impeachment proceedings.

These union activities reflect some additional attitudes:

a. A drive to establish a minimum wage, which at the moment is being proposed as ¥5600 per month for 18 year old workers.
b. Opposition to earned-income tax and other similar taxes imposed on the masses
c. A not too determined expression to repeal the NPSL
d. Opposition to any increase in railway fares and postal rates
e. Support of subsidization by government to prevent business failures and labor unrest

The efforts of these unions are being directed to reach workers not only in goverhment but also in the manufacturing establishments and the farms and to citizen groups. An effort is being made by the National Trade Union Congress to develop its own political party to be affiliated with the Socialists but to be directed against Communists. Communists are making a direct effort to recruit intellectuals on the theory of their influence in the community in the orient.

The general tone of the news releases indicates some substantial dissatisfaction by the rank and file within the unions as expressed by an effort on the part of certain groups in both the National Communication Workers Union and the National Revenue Officers Workers Union to secede from their organization. Mr. Kato, the Labor Minister, advocates democratization of labor unions and particularly their elections.

164,000 Communist members
$7,000 pay dues.

MacDONALD SALTER
Chief, Classification
& Compensation Branch

MS:jd

3/1/49

CONFIDENTIAL

Files
III 3.

CIVIL SERVICE DIVISION
Government Section

23 February 1949

MEMORANDUM FOR THE RECORD

SUBJECT: Special Investigation Re Anti NPA Publicity
Meeting of NPA

A joint conference was held this afternoon among Messrs. Hoover, MacCoy, Salter, Shively, Peterson, Tindale, the Commissioners of NPA, and Director-General Sato, to discuss the present labor relationships situation as it may affect NPA.

Dr. Asai, Chairman of NPA, summed up the situation as follows:

The unions in the government:

a. Were very pessimistic last December as to the outcome of the proposed wage adjustments. With the passage of the ¥6307 pay level legislation NPA prestige became very high.

b. Are now somewhat skeptical toward NPA in view of the action pertaining to the 48 hour work week and the elimination of illegal pay increases at the time of the adjustment to the ¥6307 pay level.

c. Have apparently been infiltrated by Communists since:

1. They are now approaching NPA in the typical Communist manner of "wave tactics" all day.

2. Mass telegrams are being sent to the Commissioners.

3. Batches and quantities of letters are being directed to NPA.

4. Mass and multiple meetings are being held criticizing NPA and to take a vote of confidence. (This vote is proposed for 20 March 1949)

Dr. Asai stated that the concensus of opinion in the political arena is that the Communist gains can be substantially attributed to:

a. The passage of amendments to the NPSL controlling strikes and collective bargaining.

b. The establishment and enforcement of the 48 hour work week just prior to elections.

c. The effect of pay adjustments aggravated by bad pay administration on the part of management.

The attitudes of the various political parties seem to be as follows:

a. The Social Democratic party does not feel itself responsible for the amendments to the NPSL nor for the pay adjustments included in the New Pay Law. They feel that these pay adjustments were inserted in the New Pay Law by action of the government itself. They have neither a positive nor a negative attitude toward NPA.

b. The Farmers, Democrats and Social Democrats were united and as a group generally support NPA. However, the passage of the 48 hour work week has split this group and no substantial support is really forthcoming at the moment.

c. The Democratic Liberals are not friendly towards NPA because:

1. They feel that NPA was directly responsible for the elimination of the ¥5300 pay level bill considered by the conservatives as the maximum amount of money the government could afford to pay.

2. NPA is considered the opposition party to the Cabinet.

Dr. Asai is greatly concerned about the attitude of the 5th Diet towards NPA and wishes to emphasize his work to acquire good working relationships by the new Diet.

Upon questioning Dr. Asai indicated that the Democratic Liberal party was very much interested in breaking up Communist influences and should the NPA attack the Communists they would be supported by this party. Dr. Asai had some reservations, however, on this last point. Since the party itself was not a solid party in view of the action of Yoshida in attempting a coalition which was done without consulting the Democratic Liberal party, the situation will be tested in the Diet and at that time the solidarity of the party will be determined and correspondingly the parties response to NPA. Dr. Asai stated that the NPA is afraid of the impeachment proceedings, not from the point of view that they would be completed but from the point of view of loss of prestige by the initiation of such action and the resultant confusion created in the minds of the employees and the public. He expects that, should a vote be taken, the fact that the employees in general do not know the correct information about NPA would result in a lack of confidence vote.

Questioned as to what the NPA program was with respect to this situation, Dr. Asai indicated only certain defensive tactics that were being considered:

a. Developing a program of answers to anticipated inquiries and actions by the Diet, particularly in view of the impeachment question being raised in the Diet.

b. The issuance of a directive to the ONPA ordering them to correct their bad administration with respect to:

1. Assuring employees that they will ~~be assured~~ receive a full ¥6307 average pay.

2. The adjustment of any unbalance caused by the 48 hour week.

3. The use of any surplus funds that might be available from appropriations for salaries and wages to attain a complete ¥6307 pay level.

It was pointed out to the NPA that aggressive action and offensive tactics were needed at this time. The intended actions of the Communist controlled unions must be neutralized and if possible placed in disrepute. To accomplish this it is suggested:

a. Find the errors in the administration of pay by the ONPA and upon this make recommendations to the Diet to adjust salary schedules effective December 1, 1948 to assure a ¥6307 pay level.

b. Give wide publicity to the correction of this error in administration and affirmative tactics behind such action.

c. Analyze carefully current cost of living situation with the intent of complying with the provisions of the NPSL, that if a 5 per cent or higher change in the cost of living has occurred a recommendation for pay adjustment will be made to the Cabinet and the Diet.

The NPA upon questioning stated that the publicity for the Communists is coming principally from two sources - one the Akahata press and the other the Government Railway Journal in which the impeachment processes were outlined.

Further action which could be undertaken of an aggressive measure would be the passage of an NPA rule concerning the registration of unions. Such a rule might be passed at a time which would cause embarrassment to the whole organization being carried out for the purpose of the impeachment vote.

Furthermore the rule should contain provisions concerning the conduct and supervision of elections on a democratic basis. It is believed that should this be initiated the control by individual Communists of union management will be broken or even eliminated. Passage of the rule prior to 20 March 1949 might place these Communist controlled unions in the position of not being registered by that date, or in other words, not being recognized as legal organizations which would have the authority to carry out such a balloting program.

A suggested timing on some phases of this aggressive program could be as follows:

a. Issue today or tomorrow a statement showing that the NPA had ordered the ONPA to collect, compile and present to them by a given date statistics concerning the distribution of government employees by grades and salary steps. This information was needed in order to verify and determine the extent to which the ¥6307 pay level has or has not been attained. Furthermore, indicate in this statement the present delay which has occurred in the presentation of these statistics and urging all employee organizations to get behind this submittal of statistics such that the NPA will have adequate information to act immediately upon recommendations for the Diet.

b. Between this period and the 15th of March continued publicity should be issued of an affirmative nature explaining the functions, purposes and activities of the NPA.

c. Issue a rule concerning the registration of unions about 15 March.

d. Announce a reduction in the work week to 44 hours for the government service.

e. About the same time as it is necessary to adjust the salary schedules to attain a full ¥6307 pay level, issue the recommendations to the Cabinet and the Diet as evidence of the sincerity of NPA in the interests of government employees.

f. At the same time issue a statement indicating that statistics and analyses are being made on the cost of living which indicates the need for some upward adjustment in the pay schedules, which will be initiated within a few days.

g. On March 18 or 19 issue a statement and recommendation concerning the increase in pay indicated by the increased cost of living.

MacDONALD SALTER
Chief, Classification
& Compensation Branch

MS:jd

Dir Hoover

Mr. Salter
Mr. Tindale
Mr. Shively WRB 2/21/49

February 18, 1949

To:

Mr. W. Pierce MacCoy,

Deputy Chief of Civil Service Division,

Government Section, GHQ, SCAP

I beg to enclose herewith for your information a newspaper article of the Kokutetsu Shimbun (Government Railway Journal).

Sato Tomoo

Sato Tomoo

Director-General
of
National Personnel Authority

This is a great bit of drivel (nonsense) if I ever saw it.
wonderment looks like some (NPA) publicity could be directed to good effect on this.
Why not ask the tax-payer how he likes all of the over-staffed govt. ~~offices~~ offices
to be forced to continue to hire all of these employees thru pressure from a favored minority.
On many similar questions.

WRB
2/21/49

February 18, 1949

Extract taken from February 12 issue of Kokutetsu Shimbun (Government Railway Journal)

Balloting for Impeachment of the National Personnel Authority Commissioners

With respect to the rules and directives which are still announced in an undemocratic manner, notwithstanding a strong protests filed by the unions and a demand that rules of the National Personnel Authority should be decided by democratic management, such as the holding of public hearings, etc., the General Federation of Government and Public Workers Unions held a meeting of its executives on the 10th isstant, and decided that an individual industrial organization should examine the question of voting for the impeachment of the N.P.A. Commissioners and then approach the Diet with the result of the voting.

In the Government Railway Workers Union the proposal was submitted by Vice-Chairman Kikukawa to the 27th meeting of its Executive Committee on the 11th instant, at which it was unanimously decided to call to account the undemocratic management of the National Personnel Authority as well as its bureaucratic and inefficient attitude which had been displayed in the determination of the area allowances.

This has attracted attention as a first struggle against the non-discharge of the duty of protecting employees as shown in the National Public Service Law, which 2,600,000 government and public employees have picked, and the Government Railway Workers Union will probably hold a secret balloting of its entire members on or about March 20 next. This is not of the nature of a movement to follow the sponsor blindly like one to obtain signatures, but they intend to hold a general meeting at each work place level to seriously discuss

the matter and to submit the result to the Diet so as to strongly to appeal public opinion.

Although it is provided by law that the Diet brings impeachment action against a N.P.A. Commissioner, our intention is that we make known the united wishes of the 2,600,000 government and public employees who are directly concerned with the matter. The request given to each industrial organization by the General Federation of Government and Public Workers Unions follows:

"The object of the National Public Service Law is to assure the people democratic and efficient administration of their public affairs by establishing basic standards including adequate measure to promote the welfare and interest of personnel which shall be applicable to all official positions and places of employment in the national public service and by providing that personnel shall be so selected and directed in a manner consistent with democratic practices as to promote maximum efficiency in the performance of public duties (Article 1 of the National Public Service Law).

And it is provided that, in order to ensure the thorough-going enforcement of this Law and attain its objectives, the National Personnel Authority is created and charged with prime responsibility for enforcement of this Law (Article 3 of the same Law).

However, as the National Personnel Authority, composed of three Commissioners, is given very wide powers, it will become, if a false step is taken, a hot-bed for the emergence of a third bureaucracy which will vitally affect public employees in the execution of their duties as well as their livelihood, thereby not only lowering the efficiency in the execution of official business itself, but also necessarily determining even the course of democratization of Japan.

The fact that dissatisfaction is pervading in every place of

work in connection with the hours of work, position classification plan and area allowances is but a plain expression of opposition against the self-complacent compulsory methods of the National Personnel Authority. Moreover, considering that there was absolutely nobody who supported the compensation system making ¥ 6,306 as the pay base which was published in November last, we cannot but shudder to think of the future of the National Personnel Authority.

Therefore, in order that the public employees, who are most keenly feeling the pinch of such self-complacent tendency of the National Personnel Authority, may determine on their own accord as to confidence or non-confidence in the N.P.A. Commissioners by free expression of their will, make the result widely known to the general public for their criticism, arouse their concern in the matter and reflect it in the fifth Diet, we have decided to put to votes the question of confidence in the N.P.A. Commissioners as per the following and ask you to extend your cooperation to our project.

1. Date of ballot - March 20, 1949.
2. Voters - Liaison Council of All-Japan Government and Public Workers Unions.
3. Method of voting:
   (a) Each union is to set up a ballot supervision committee which will supervise the voting in a democratic way.
   (b) Each union is to hold, at each place of work, a critical speech meeting as reference for the votfng and make those present to freely express their opinions for confidence or non-confidence.
   (c) The ballot supervision committee of each union is to take steps to make the purport of this voting throughly known by posters and other means.

(d) The ballot supervision committee of each union is to take every care not to restrict the free expression of the voters' will.

(e) The voting is to be made by a signed ballot so as to make it a responsible expression of will.

4. Ballot paper:

Ballot papers as per the annexed form are to be prepared and distributed by each union.

5. Expression of will:

Mark "O" for confidence and "X" for non-confidence are to be used.

6. Means of collecting ballots:

(a) Collection is to be made by a subordinate organization of each union and the result of summation is to be reported to each union headquarters by the end of March next.

(b) The ballot papers are to be separated into those for confidence and non-confidence, each separately bound in volume, and keep in custody of each local chapter, district chapter, etc. so as to be ready for immediate submission to the Headquarters upon receipt of a directive.

7. Others:

(a) Voters will not suffer disadvantage or receive benefit whichever vote they cast.

(b) Voters are merely responsible for the matter of confidence or non-confidence, while the responsibility for any situation arising out

of it will be assumed by the headquarters of each union.

(c) Publication of the result/to or its inspection by outsiders may not be made in the absence of a directive from the headquarters of each union.

Lastly, a directive and other notifications in connection with the above to local chapters will be issued shortly by the headquarters after studying the request of the General Federation of Government and Public Workers Unions."

GOVERNMENT SECTION
CIVIL SERVICE DIVISION

6-14-49
Files
WPM
3/8/49

18 February 1949

MEMORANDUM FOR : Mr. Gordon Peterson
Organization Specialist

SUBJECT : Case of Mr. Tsutsura (Violation of Order Concerning Full-time Union Employees.)

The attached reply from Mr. Sato does not touch the point in question at all.

This office is not interested in his contributions to a political party but rather in a point mentioned in Mr. Eliot's memorandum to me of 7 February which was referred to you when I requested the National Personnel Authority investigation.

Mr. Okabe had reported that his office had information that while Mr. Tsutsura was assigned to the Director- General's Office of the Coal Distribution Kodan, he did not report for work due to his activities as a "labor member" of the Central Labor Relations Committee. This report gave the appearance that maybe Mr. Tsutsura's actions were in conflict with Article 101 of the National Public Service Law.

It will be appreciated if you will call this to Mr. Sato's attention and ask that this particular point be clarified.

W. PIERCE MacCOY
Deputy Chief
Civil Service Division

WPM/hm
Attachment

Explained to Sato 21 Feb '49 - Report requested [illegible].

no action to be
taken at this time
WPM
3/8/49

National Personnel Authority [redacted]

To:

February 18, 1949

Mr. W. Pierce MacCoy,

Deputy Chief of Civil Service Division,

Government Section, GHQ, SCAP

WPM 2/18/49

In re Tsutsura Wataru

With reference to the act of Tsutsura Wataru, we have first of all to consider whether this case is a violation of the National Public Service Law.

It is thought that the first part of Paragraph 1, Article 102 of the National Public Service Law prohibits any person in the service to solicit or receive any subseription or other benefit for any political party or political purpose, but does not prohibit him to make a subscription himself to a political party, and so long as the rules of the National Personnel Authority referred to in the latter part of this provision do not prohibit a subsciption to a political party, a subscription to a political party is not prohibited.

Accordingly, it is thought that the fact of Tsutsura Wataru having subscribed Yen 1,000 to a local chapter of a political party does not constitute a violation of the National Public Service Law.

Next, we have to consider the case in relation to the Law Regulating Political Contributions and Expendutures (Law No. 194 of 1948). In Paragraph 1, Article 32 of the Law Regulating Political Contributions and Expendutures, there is the following provision:

"In case a person who holds a public office (including one who holds an elective public office) has made any contribution in connection with an election of candidates for public office, he shall file,

within ten (10) days counting from the date of contribution, a written report setting forth his name, occupation and place of work as well as the amount of the contribution, the date and the name of the person (or the organization) to whom such contribution was made, with the Election Management Commission having control over business affairs of the election concerned."

If Tsutsura Wataru had submitted the report referred to above, his action does not constitute a violation of the ~~National Public Service Law~~ *Law Regulating Political Contributions and Expenditures*, but, if he had not done so, he will be liable to penal servitude not to exceed three years or a fine not to exceed fifty thousand yen under Item 9, Paragraph 1, Article 39 of the same law. Further, as regards investigations on this point, according to Article 52 of the same law, the Election Management Commission may demand the production of a report or pertinent data on the case, and more detailed investigations may be instituted by the Public Procurators' Office, the National Rural Police Headquarters, etc.

Lastly, as the person involved is affiliated with the Communist Party and there is danger of leakage of information, it is thought essential to proceed with investigations with utmost caution. The Election Management Commission has not yet been notified of the case.

Sato Tomoo

Sato Tomoo

Director-General
of
National Personnel Authority

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Sato Tomoo

Sato Tomoo

Director-General
of
National Personnel Authority

GOVERNMENT SECTION
CIVIL SERVICE DIVISION

14 February 1949

MEMORANDUM FOR : Mr. Gordon W. Peterson
Organization Specialist

SUBJECT : Case of Mr. Tsuzura.

It will be appreciated if you will give me a report on the requested investigation by the National Personnel Authority of Mr. Tsuzura by 16 February.

This does not need to be a final report if the National Personnel Authority has not completed its investigation. However I should like to know the progress of the investigation by that date.

W. PIERCE MacCOY
Deputy Chief
Civil Service Division

WPM/hm

GOVERNMENT SECTION
CIVIL SERVICE DIVISION

14 February 1949

MEMORANDUM FOR : Mr. Gordon W. Peterson
Organization Specialist

SUBJECT : Case of Mr. Tsuzura.

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W. PIERCE MacCOY
Deputy Chief
Civil Service Division

WPM/hm

Mr Peterson

CIVIL SERVICE DIVISION
Government Section

7 February 1949

MEMORANDUM FOR: Mr. W. Pierce MacCoy, Deputy Chief
Civil Service Division

SUBJECT : Violation of Order Concerning Fulltime Union Employees

Attached hereto are two "intercepts" relating to the activities of a Mr. Tsuzura. There is also attached a brief history of his career in the government compiled by the Investigation Bureau of NPA.

According to oral information furnished by Mr. Okabe of NPA, Mr. Tsuzura is assigned to the Director General's Office of the Coal Distribution Kodan but does not report for work due to his activities as a "labor member" of the Central Labor Relations Committee. You will note that on January 25, 1949. Mr. Tsuzura was made chairman of the executive committee of the Japan Coal Distribution Kodan Employees' Union. (See attached summary of personal history).

THOMAS L. ELIOT
Personnel Specialist

TLE:jd

Att.

Have NPA investigate this case and give us a written report. Upon receipt of the report we will advise them as to what action should be taken in Mr. Tsuzura's case.

WPM
2/10/49

National Personnel Authority

To:

February 23, 1949

Mr. W. Pierce MacCoy,

Deputy Chief of Civil Service Division,

Government Section, GHQ, SCAP

In re Tsutsura Wataru

Referring to the fact that Tsutsura Wataru, an employee of the Coal Distribution Kodan, is seving as a member of the Central Labor Relations Board, since a member of the Central Labor Relations Board is in the regular government service, I think the whole issue boils down to a question of holding a concurrent position, which should be judged according to the Rule No. 8-2 of the National Personnel Authority. Paragraph 2 of that rule provides that, in case approval of the National Personnel Authority for concurrent appointment has not been obtained within 60 days from January 15, 1949, the effective date of the rule, such concurrent appointment will automatically terminate; and, in the case of Tsutsura Wataru, the Central Labor Relations Board will have to request the approval for his concurrent appointment within the prescribed time-limit, in which event the National Personnel Authority will decide the issue on the merits of the case.

According to information received, there are indications that Tsutsura Wataru will not be re-appointed in the forthcoming change of the membership of that board.

Report still due on question of whether T.W. is, in fact not attending to his Kokusai duties.

Sato Tomoo

Sato Tomoo

Director-General
of
National Personnel Authority

SUPREME COMMANDER FOR THE ALLIED POWERS

Files
III. 3. a

Col. Johnson, 26-6995

Report on All Japan National Medical
Care Facilities Employees Union

PH&W

Government Section
ATTN: Mr. Blaine Hoover
Chief, Civil Service Div.

15 February 1949

1 1. Forwarded herewith is copy of memorandum for record prepared in this Section upon the receipt from the Ministry of Welfare of the confidential information contained therein, regarding alleged actions of All Japan National Medical Care Facilities Employees Union.

2. The movement has been increasing during the past two years until it has reached the present peak as outlined in the accompanying memorandum.

3. The facts as presented are called to the attention of Government Section for reference to the National Personnel Commission, if such action is deemed advisable, as a violation of the National Public Service Law.

1 Incl:
a/s

- C. F. S. - - - - - - - - - - - - - -

Mr. Blaine Hoover 26-8925

2 From: Govt. Sec. To: PH&W Date: 28 February 1949

1. Contents noted.

2. This matter has been referred to the National Personnel Authority for further investigation.

1 Incl:

- C. W. - - - - - - - - - - - - - -

CONFIDENTIAL

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
Public Health and Welfare Section

HGJ/pb
11 February 1949

MEMORANDUM FOR RECORD

SUBJECT: Report on Meeting of All Japan National Medical Care Facilities Employees Union, held at the National Sanatorium, Saitama, 11 - 12 January 1949

1. Mr. Takada, Chief of the Personnel Bureau, Japanese Ministry of Welfare, rendered the following report regarding the subject meeting, stating that the information he was imparting had come to him through confidential sources.

2. The All Japan National Medical Care Facilities Employees Union was recently formed by the amalgamation of the unions of employees of national sanatoria and national hospitals. As far as is known, the union has a membership of about 30,000, including doctors, nurses and other employees in national medical institutions, which is about the entire staff of all national hospitals and sanatoria. A monthly membership fee of more than ¥50 and less than ¥100 is charged. The union is organized around a central executive committee. Headquarters of the union is in Tokyo, located in a building owned or leased by the union, near the Nakano Sanatorium. The headquarters consists of a central office, clerical staff and a central committee of 100 members. Delegates are elected from local unions in hospitals and sanatoria to attend general meetings. Attendance at the meeting in question consisted of 71 elected delegates, members of the executive and central committee, making a total of 133 persons present.

3. Mr. Takada reports that the tone of the meeting was wholly Marxist. Speeches placed emphasis upon the rapid decay of the capitalistic system, and power being invested in the people. The people should, therefore, realize that unless the working classes become invested with political power, palliatives such as increase in wages and improved working conditions will be of no avail. To promote this theory, the following resolutions, drawn up by the executive committee, were presented to the meeting, and over the expression of considerable opposition, were unanimously passed.

a. To carry out an educational program to promote class consciousness.

b. To change the present strategy of the union, that of negotiating with central authority, to that of fighting with the local authorities of each institution. "Fight at the lowest level, instead of the highest."

c. That petitions should be presented in the form of demands, not of appeals, and that no recognition should be given the director of a hospital as a superior officer as a representative of invested authority.

d. In dealing with the directors, petitions should be backed up by power and not necessarily by facts. Data should be prepared only favorable to the petition. Effort should be made to find circumstances in the private life of the director unfavorable to him, and this should be used as a means of force to gain the ends desired (Mr. Takada states that this has been done in the past in the case of Ministry officials).

e. In case the problem is too big to be settled at a low level, effort will be made to persuade the director to join the union side in order that he may present their demands to a higher level.

f. In order that the central committee will have power to exercise control of all institutions, the dissemination of information between the organizations in the various hospitals and sanatoria of Japan should be encouraged.

g. To encourage connections with other types of labor unions and with farmers, in order to strengthen whatever demands are made.

h. To fight for suppression of authority, by placing emphasis on strong organization. To encourage formation of similar organizations in private and prefectural institutions.

i. In reference to policy towards general election it was agreed:

(1) To support parties based on communism and socialism.
(2) Not to support any other party, specifically the liberal party, democratic party, or cooperative party.
(3) To encourage a movement for the union of communists and socialists parties in order to make a common front against the conservatives.

4. It is the opinion of Mr. Takada that 90% of the employees belonging to the union do not agree with these principles, but are easily led, and succumb to the opinion of the minority. The chairman of the union is a third-class government secretary, and is known to be a non-communist, but the three physicians, vice-chairmen, are strong characters, and dominate the union. All three are suspected

but not known, to be members of the communist party. One other member of the central committee is suspected, but not known, to be a member of the communist party.

5. It was brought out in conversation with the Ministry Official (Mr. Takada) that the recent policy of the Welfare Ministry relating to transfer of patients from over-crowded national hospitals to less congested institutions, in order to make beds available for the treatment of tuberculosis cases, originally met with opposition on the part of both patients and hospital employees. Recently, there has been a shift in favor of the movement by both groups, which is believed to be due to the recognition of the advantage which can be taken by the communist element of planting communist cells in strategic points throughout the national hospital system.

6. It was called to the attention of the Ministry of Welfare that the resolutions presented and adopted at this meeting were clearly in violation of instructions regarding the conduct of government employees as outlined in a letter from the Supreme Commander for the Allied Powers to the Prime Minister, under date of July 22, 1948, relative to the National Public Service Law. Excerpts from this letter are particularly applicable to the present case. To quote: "The studies now completed on various laws relating to this subject may reveal omissions to deal adequately with the situation. They fail to afford positive safeguards against minority pressure upon the authority and integrity of government." Also: "The rapid and unprecedented gains labor has made in Japan during the occupation attest my own awareness of the vital importance of trade unionism to modern life, and the historical significance of the trade union movement throughout the world in correcting many of the abuses associated with modern industrial economy. In government, however, this movement has but limited application, and cannot substitute for or challenge duly constituted executive, judicial and legislative agencies exercising the sovereign power.

"It is true that in all industrialized countries specific pressure groups exist, representing not only the interests of labor, but also those of business, finance, agriculture and the professions. Although such pressure groups contend for power and influence in a democracy, they are transcended by the fundamental concept of national unity. The public is not considered merely the residual members of the community who do not belong to such specific pressure groups, but consists of all the people and the public interest is synonymous with the general welfare.

"If this fundamental concept of the constitution declaring the unity of the people and the supremacy of the public interest is to be preserved inviolate, no part of the power of government can be delegated to or ursurped by any private group whatsoever."

And further: "It is axiomatic that a government which abdicates its sovereign power is no longer responsible...By its very nature, as a private entity, the labor union does not possess the attributes of government."

7. It was firmly brought to the attention of the Ministry of Welfare that it is incumbent upon the Ministry to exercise its duty in carrying out the instructions of the Supreme Commander as outlined above and to enforce the provisions of the National Public Service Law. The Ministry was advised to conduct a thorough investigation of the union and the individuals responsible for drafting the resolutions leading to the relief from government service under the provisions of the National Public Service Law of those individuals who are found guilty of having violated provisions of the Law. Certain of these provisions were specifically called to the attention of the Ministry as applicable to the present case. The comments made in reference to these articles of the Law were enunciated for the purpose of calling to the attention of the Ministry Official the opinion of the undersigned as to how the articles have been violated.

a. Article 1. states: "The object of this law is to assure the people democratic and efficient administration of their public affairs by establishing basic standards which shall be applicable to all official positions and places of employment in the national public service, and by providing that personnel shall be so selected and directed in a manner consistent with democratic practices so as to promote maximum efficiency in the performance of public duties."

(COMMENT: The union, by its own actions, is not conducting itself in a manner consistent with democratic practices when it announces a policy of force, blackmail and defiance of invested authority. neither can such action promote efficiency in the performance of public duties.)

b. Article 86. outlines action permitted personnel concerning improvement in working conditions. "Personnel of the service may present application to the commission relative to salary, wages or many other working conditions, and ask that they be accorded appropriate administrative action by the commission or the head of an employee agency of government."

(COMMENT: This wording is specific. It does not permit of demands, and it further limits application for collective action relative only to salary, wages and working conditions.)

c. Article 97. Personnel of the service shall subscribe to the oath of office as provided by the rules of the commission. "Duty to obey laws and orders and orders of superiors."

(COMMENT: Clearly violated by the adoption of the resolutions.)

d. Article 98. Personnel of the service shall not strike or engage in delaying or other dispute tactics against the public of Japan represented by the National Government as employer or resort to delaying tactics which reduce the efficiency of governmental operations, nor shall

personnel of the service or other persons attempt, conspire to effect, instigate or incite such illegal actions.

e. Article 102. In regard to restriction of political activities, no person in the service shall solicit or receive or be in any manner concerned in soliciting or receiving any subscription or other benefit for any political party or political purpose.

8. The Ministry was requested to make a report to this office regarding the progress of the investigation.

HARRY G. JOHNSON
Colonel, MG
Chief, Medical Services Division

2-7-49
File - NPA personnel

CIVIL SERVICE DIVISION
Government Section

7 February 1949.

MEMORANDUM FOR: Mr. Blaine Hoover, Chief, Civil Service Division

SUBJECT : Guidance of NPA Employees' Union

Mr. Kuwabara, Chief Executive of the NPA Employees' Union, called on me last week and this morning telephoned to find out whether anyone within the Civil Service Division is, and will in the future be, in a position to give his union some guidance in its formative period, acting in a capacity similar to that of Luther Steward who had several conferences with them.

Mr. Kuwabara was told that if his organization is to receive any such assistance from the Civil Service Division he will be so notified.

GORDON W. PETERSON
Organization Specialist

GWP:jd

Mr. Peterson — to see me
Ask him
return
see written
2/9/49
me

2-7-49
J.P. Ebbeck

CIVIL SERVICE DIVISION
Government Section

7 February 1949

MEMORANDUM FOR: Mr. W. Pierce MacCoy, Deputy Chief
Civil Service Division

SUBJECT : Violation of Order Concerning Fulltime Union Employees

Attached hereto are two "intercepts" relating to the activities of a Mr. Tsuzura. There is also attached a brief history of his career in the government compiled by the Investigation Bureau of NPA.

According to oral information furnished by Mr. Okabe of NPA, Mr. Tsuzura is assigned to the Director General's Office of the Coal Distribution Kodan but does not report for work due to his activities as a "labor member" of the Central Labor Relations Committee. You will note that on January 25, 1949. Mr. Tsuzura was made chairman of the executive committee of the Japan Coal Distribution Kodan Employees' Union. (See attached summary of personal history).

THOMAS L. ELIOT
Personnel Specialist

TLE:jd

Att.

GOVERNMENT SECTION
Civil Service Division

Mr Pierce

7 February 1949

MEMORANDUM FOR : Mr. Blaine Hoover
Chief, Civil Service Division

SUBJECT : Labor Ministry Issues Criteria on Labor Unions.

Attached is a copy of press translation from Nichi-Nichi Shimbun which certainly settles some questions in favor of the operation of NPSL. You will note that the notice issued by the Labor Ministry states that under certain conditions, "labor unions will not be recognized and will be ordered to dissolve." I note that all managerial and supervisory personnel are to be hereinafter eliminated from membership in unions. They even specifically include, "those persons who have authority to employ, transfer or discharge workers". This would take in all levels of supervisory personnel. It also includes all guards who would guard the property of the office or offices involved. Further, I note that any union which acquires expense money for its operation shall likewise not be recognized and thereby forced to dissolve. They define "expense" very specifically and include therein payment of salaries of officers of the union where such an official is engaged exclusively in union business and payment of or permitting free use of the organizations facilities for telegrams , telephone service, business offices utilized by the union, et cetera. While this notice issued by the Labor Ministry is very evidently aimed at industrial companies, it certainly can be utilized to cover government offices as well. I am furnishing NPA with a copy of this translation and will suggest to Mr. Tindale that the Public Information Bureau be instructed to prepare large posters for display throughout NPA offices calling the employees' and the public's attention to the salient points of the order issued by the Labor Ministry.

W. Pierce MacCoy

W. PIERCE MacCOY
Doputy Chief
Civil Service Division

WPM:mw
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EXCERPT FROM PRESS TRANSLATIONS & SUMMARIES (JAPAN) [illegible]39, 4 Feb 49

ITEM 12 Labor Ministry Issues Criteria on Labor Unions - Nichi Nichi - 4 Feb 49.
Translator: N. Kobayashi, (GS)

Full Translation:

The Labor Ministry yesterday clarified its interpretation of Article 2 of the Labor Union Law, now in force, as a yardstick for examining the qualifications of labor unions. It is feared that a strict application of this yardstick may result in considering a number of the existing labor unions as company unions.

This criteria was clarified in a notice issued under the name of the Vice-minister of Labor, and it was sent to the governors of all prefectures throughout the country. It aims at the acceleration of the democratization of labor unions and the fostering of their independent status. It is regarded as an advance notice of the impending revision of the Labor Union Law.

The yardstick for the examination is as follows:

1. A union, which lacks a union covenant and regulations of its own, which has neither a decisive nor an executive organ, or lacks an accounting setup, shall not be regarded as a labor union.

2. A labor union shall be an organization formed by the workers of their independent will. Therefore, a union which permits the participation of persons who are regarded as representing the interests of the employer, shall no longe be recognized as a labor union. Persons who will not be permitted to join a labor union include those who occupy managerial or supervisory positions, who are engaged in some secret capacity for the company, or who take part in making decisions relative to working conditions, such as the following:

a. An officer of a company, a director of a corporation, and so on.

b. A manager of a factory, chiefs of personnel and accounting sections, and others who are in contact with confidential information relative to personnel affairs and labor relations.

c. Those persons who have authority to employ, transfer, or discharge workers, or who have authority to make decisions on the company's policies for production, accounting, labor relations, and other matters.

d. Senior officials of the labor department.

e. Secretaries and others who are engaged in secret business relative to personnel affairs and labor relations.

f. Guards whose duty is to guard a company

3. A union which acquires its expense money mostly from subsidies from the employer, shall not be regarded as a labor union. Such subsidies include:

a. Wages paid to those union officials engaged exclusively in union business, and all other monetary and other kinds of allowances paid to them, regardless of the form in which they are paid.

b. Services to be offered free of charge to officers and officials of a labor union, such as motor cars, telegrams, telephones, traffic facilities, lodging, business offices, meals, and the like. However, not falling under this category are services offered to union officers and officials while negotiating with the management regarding the union's complaints, for less than two hours a day during working hours.

4. A union which aims to promote friendly relations among its members, or which is engaged chiefly in a cultural movement or in mutual assistance among its members, or which is occupied exlusively in political activities, shall not be qualified as a labor union, according to Article 2 of the Labor Union Law.

GOVERNMENT SECTION
Civil Service Division

7 February 1949

MEMORANDUM FOR: Mr. Thomas K. Tindale

SUBJECT: Labor Ministry Issues Criteria on Labor Unions.

Attached is a copy of translation from February 4 issue of Nichi-Nichi Shimbun on the above subject. You will note that it is an official issuance of notice by the Labor Ministry to all labor unions and settles very nicely some of the questions which have been plaguing government offices. While this issuance is aimed at unions of private enterprise, I am sure can be used with equal effectiveness to cover government offices and I think we should proceed on the basis that it does. I should like to suggest that you discuss the matter with Mr. Sato of the Public Information Bureau, and suggest that large, attractive posters be prepared noting the salient points of this Labor Ministry issuance and that these posters be placed throughout the NPA building for the edification of NPA personnel and the general public. This matter of my suggestion has been called to the attention of Mr. Hoover.

W. Pierce MacCoy
Deputy Chief
Civil Service Division

WPM;mw

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Press Translation

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2. A labor union shall be an organization formed by the workers of their independent will. Therefore, a union which permits the participation of persons who are regarded as representing the interests of the employer, shall no longer be recognized as a labor union. Persons who will not be permitted to join a labor union include those who occupy managerial or supervisory positions, who are engaged in some secret capacity for the company, or who take part in making decisions relative to working conditions, such as the following:

a. An officer of a company, a director of a corporation, and so on.

b. A manager of a factory, chiefs of personnel and accounting sections, and others who are in contact with confidential information relative to personnel affairs and labor relations.

c. Those persons who have authority to employ, transfer, or discharge workers, or who have authority to make decisions on the company's policies for production, accounting, labor relations, and other matters.

d. Senior officials of the labor department.

e. Secretaries and others who are engaged in secret business relative to personnel affairs and labor relations.

f. Guards whose duty is to guard a company.

3. A union which acquires its expense money mostly from subsidies from the employer, shall not be regarded as a labor union. Such subsidies include:

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Item 12 (Continued)

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Subject personnel file

CIVIL SERVICE DIVISION
Government Section

17 January 1949

MEMORANDUM FOR: Mr. Blaine Hoover, Chief, Civil Service Division

SUBJECT : Political Activities of Government Employees

I received a telephone call for Mr. Peterson from Mr. McLean of the Legal Section of the Yokohama Military Government Team, who asked whether the NPA had yet defined "political activities" under Article 102 of the National Public Service Law by rule.

I told him that to my knowledge the NPA had not yet passed such a rule.

T.E.

THOMAS ELIOT
Personnel Specialist

TE:jd

Jap Govt Union - Act
Gov Emp file

CIVIL SERVICE DIVISION
Government Section

17 January 1949

MEMORANDUM FOR: Mr. Blaine Hoover, Chief, Civil Service Division

SUBJECT : Report of Political Activity of Government Workers in Takamatsu

Mr. John Shively telephoned your office at 0930 this morning to report that in the absence of a definition by rule of the Authority of political activity under Article 102 of the NPSL, an extremely liberal interpretation is being made by government workers' unions. Mr. Shively's report is that the Government Railway Workers' Union and the Communications Workers' Union are active in holding rallies at which political platform "planks" are denounced or supported and that public support in such rallies is being promoted for the Communist Party.

THOMAS L. ELIOT

TLE:jb

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
Government Section

7 January 1949

MEMORANDUM FOR : Brigadier General Courtney Whitney
Chief, Government Section

SUBJECT : "No Strike" Provision.

The following information is provided for your office, pursuant to request made by phone from Major Napier to Mr. MacCoy.

1. Cabinet Order #201 which was issued pursuant to General MacArthur's letter of 22 July 1948 contained the "no strike" provision and covered both national and local employees.

2. The Attorney General's office advised the Civil Service Division that with the promulgation on 3 December 1948 of the Amendment to the National Public Service Law, Cabinet Order #201 ceased to be effective relative to national government employees.

3. Since the National Public Service Law covers only national government employees, while Cabinet Order #201 covered both national and local government employees, the Cabinet Order remains in effect relative to local government employees. The Attorney General's office advised that the Cabinet might issue a new Cabinet Order to clarify the situation surrounding local employees, however, it was not legally necessary.

4. The National Public Service Law divides national government employees into two categories of "special service" and "regular service" and the provisions of the law governing the activities of employees cover only those of the "regular service;" therefore, the "no strike" provision of Article 98 is specific in its restfictions of the activities of the national government employees in the "regular service." It should be noted, however, that those in the "special service" are not under the restrictions of the National Public Service Law and since the Cabinet Order #201 ceased to be operative over national government employees as of the date of the promulgation of the National Public Service Law, there are now no restrictions relative to stfike on those national government employees designated as belonging to the "special service."

5. Since Kodans have been placed in the "special service" until 1 April 1949 there exists no restriction relative to strike activities on the part of the employees of these organizations until they are placed under the purview of the National Public Service Law, effective 1 April 1949.

SUMMATION

Local government employees are restricted from strike activities by Cabinet Order #201. National government employees, except those in the "special service" and Kodans, are restricted in strike activities by Article 98 of the Amendment to the National Public Service Law, effective 3 December 1948. Employees of Kodans are not restricted in strike activities by either law or Cabinet Order at the present time.

BLAINE HOOVER
Chief
Civil Service Division

WPM/hm

5. Since Kodans have been placed in the "special service" until 1 April 1949 there exists no restriction relative to strike activities on the part of the employees of these organizations until they are placed under the purview of the National Public Service Law, effective 1 April 1949.

SUMMATION

Local government employees are restricted from strike activities by Cabinet Order #201. National government employees, except those in the "special service" and Kodans, are restricted in strike activities by Article 98 of the Amendment to the National Public Service Law, effective 3 December 1948. Employees of Kodans are not restricted in strike activities by either law or Cabinet Order at the present time.

BLAINE HOOVER
Chief
Civil Service Division

WPM/hm

File
III. 3.

CIVIL SERVICE DIVISION
Government Section

January 7, 1949

MEMORANDUM FOR: Mr. Blaine Hoover, Chief, Civil Service Division

SUBJECT : Petitions by Unions for Increase in Wages based on Increase in Hours of Work.

1. Attached herewith is:

1. A petition by Locomotive Engine Drivers and Firemen and Electric-car Crewmen.
2. A petition by National Communication Workers Union.

2. These were submitted to the National Personnel Authority and have been given to Mr. Hasume, head of Salary and Wage Section for his review and comments. Mr. Hasume was specifically instructed under no circumstances to comment or express an opinion to any group of employees on matters of this nature. He is to review and make his technical comments to the National Personnel Authority and allow them to take any action or make any statements they deem necessary.

MACDONALD SALTER
Chief, Classification and Compensation Branch

MS:vr
Att:

Labor Union

File 12-30-48

CIVIL SERVICE DIVISION
Government Section

30 December 1948

MEMORANDUM FOR: Mr. James R. Bell, Chief Organization Branch

SUBJECT : Some Opinions Advanced by Mr. Luther C. Steward

1. It is definitely undesirable for the National Personnel Authority to attempt to "blue print" in advance a complete system of regulations and control devices designed by the "ivory tower" method to meet all needs with respect to organizations and unions of government employees.

2. The best approach for NPA to take in carrying out its responsibilities for the supervision and control of employee organizations is, to use Mr. Steward's own words, the "velvet glove" and to develop and apply specific regulations and controls only as demonstrable need for them arises.

3. It should be the objective of the NPA, through its contacts with employee organizations and through the regulations and controls which it issues and exercises, to stimulate healthy, legitimate, employee organizations and to provide a frame work within which such organizations can be kept on an even keel.

4. Those regulations which it is necessary to issue in order to establish basic control over the continuance of existing employee organizations and the development of new organizations should be simple, straight-foreward and in the nature of guides sufficiently flexible to avoid inequity and oppressiveness. Compliance with such regulations on the part of unions should be considered prima facie evidence of legitimate operation. Upon their enforcement NPA should then gradually apply tests of legitimacy of operation, objectives, and organization in the course of contacts which would arise with representatives of these employee organizations.

5. Mr. Steward suggested the development of investigative techniques and the orientation and instruction of staff members of NPA in the use of such techniques for the purpose of securing information regarding actual union attitudes and methods of operation. In this connection he advised the development of a hand-book which would set forth criteria by which compliance on the part of employee organizations with NPA regulations and policy could be judged and a possible means of testing good faith on the part of such organizations.

6. In Mr. Steward's opinion the constitution of a union of government employees should set forth first of all the attitude and intent of the union; next the methods to be used in achieving its objectives and finally the essentials of a democratic organization which include

a. Dues and initiation fees which are not prohibitive,

b. The election, tenure, and recall of officers,

c. Initiative and referendum procedures,

d. Provision for the correction of the unions on administrative processes.

THOMAS ELIOT
Personnel Specialist.

TE:mvb

CIVIL SERVICE DIVISION
Government Section

23 December 1948

MEMORANDUM FOR: Mr. MacDonald Salter, Chief
Classification and Compensation Branch

SUBJECT : Union Contract Provisions Regarding Hours of Work

Approximately half the union contracts for government employees list working hours as one of the matters subject to deliberation by the management council. A few contracts specify that employees shall work the "usual government working hours". Three contracts have specific provisions regarding working hours. The pertinent articles are given below.

~~Specific provisions re tour of duty:~~

The All-Japan Civil Engineering Workers Union of the Construction Board

Art. 8. The working hours shall be as a rule 8 hours a day (including a recess of less than an hour).

The Government Railways Workers' Union

Art. 15. The standard of working hours shall be eight (8) hours per diem, including one (1) hour or less of rest period; the actual working hours shall be as scheduled in the accompanying table.

Art. 16. The hours for sleep at night for the workers performing twenty-four (24) hour work shall be at least four (4) continuous hours.

Art. 52. The standard of working hours for the personnel in maritime service shall be eight (8) hours per diem (with a recess of one (1) hour or less included). But their hours of duty, as well as their off-duty, off days, etc. shall be scheduled separately by the Government Railways Shipping Management Council in accordance with their respective service routes.

Annex No. 1. Working Hours

Class of Service	Service Detail	Working Hour
Daytime Service		Eight (8) hours per day (recesses for one (1) hour or less included)

Continued.

Annex No. 1. (Cont.)

	Special (long period) daytime service	Average eleven (11) hours per day
	Twenty-four (24) hour service (shift to shift), --followed by twenty-four (24) off-hours	a) Average twelve (12) hours per day b) Overnight work (eight p.m. to five a.m. (20.00-5.00), with above four (4) continuous hours of complete rest
	Service on relay system (a chain of different kind of duties performed in relays)	Each working period is to be determined by peculiarity of each of the assorted duties
	Alternative service on day-and-night shift basis	Average twelve (12) hours per day
	Three-shift service	Average eight (8) hours per day
Overnight work		Rule for daytime service applicable
	1. Crew on train	Average eight (8) hours per day (hours for preparation and waiting included)
	2. Crew on locomotive	
	(a) Crew on steam engine	Average seven and half ($7\frac{1}{2}$) hours per day (ditto)
Car service	(b) Crew on electric engine	Average eight (8) hours per day (ditto)
	3. Crew on electric train	Average seven and a half ($7\frac{1}{2}$) hours per day (ditto)
	4. Crew on motor bus or truck	Average eight (8) hours per day (ditto)

Annex No. 1. (Cont.)

Out of workers in 24 hour service, marshalling-men, signal men, pointsmen, couplers and apprentices thereof and reserve yardmen at chief stations or marshalling yards, as well as the same kind of workers and others at similar places particularly busy of work are to be placed in the three-shift service now. (i.e. this procedure is to be applicable to 30% or so of the workers in 24 hour service)

OFF-WORK

Workers of any kind of service are entitled with no exception to one (1) off-day per seven (7) days.

General Communications Workers Union

Art. 5. As for working hours, maximum is set to eight hours biding a day and forty eight hours a week. However, the working hours in operating offices shall be decided otherwise within the limits above mentioned in the conference of A and B. (See Memorandum 3 and the list annexed)

Memorandum 3

1) Shortening of heavy labor hours (physical and spiritual) and of labor hours at dangerous work shall be deliberated upon at Management Committee.
2) Specially leisurely labor hours can be calculated at discount and converted into normal service hours stated in Article 5, but this convertment should be minimized and shall be deliberated upon concretely at Management Committee

Art. 6. Concerning the child and woman labor, concrete provisions based on the Draft of the Labor Standard Law, shall be enacted in the conference of A and B. (See the No. 1 of annexed documents)

The Japan Teachers Unions
(The All-Japan Congress of Teachers' Unions)
(The National Federation of Teachers' Union)

Art. V. The service hours of teachers will be as follows:
1. Service hours will be 42 hours per week.
2. Four hours a day will be the basic standard for teaching hours of each teacher.
3. With regard to other kinds of service hours, A and B will discuss and decide them within the limit set above.

Art. VI. Twenty days per year will be set aside for the purpose of free study.

The Japan Teachers Unions (Continued)

Memorandum, Item 6. Members of the unions who are suspended from service will be given the whole amount of salaries and allowances just as in-service members.

The Federation of the Labor Unions of the Workers in the Printing Bureau

Art. 4. The labor hour will, as a principle, be set forth at eight hours on duty (inclusive one hour to be granted for recess); the duty hour may, however, cogently be changeable, with the result of consultation to be obtained between "A" and "B", in accordance with the quality of labor involved, and in adaptation to seasonal demand, provided as regards the labor hour for the person in service of guard, etc. some specific settlement may be obtained with the mutual consultation on both sides.

Memorandum. The duty hour will be maintained at forty-four hours a week as is the custom now current.

NORA MAE BORTHICK
Classification Specialist

NMB:jb

CIVIL SERVICE DIVISION
Government Section

23 December 1948

MEMORANDUM TO: Mr. MacDonald Salter, Chief
Classification and Compensation Branch

SUBJECT : Union Contract Provisions Regarding Separation Pay

Conditions for payment of separation pay were not provided in detail in the union contracts for government employees. Practically all union contracts provided that matters concerning compensation shall be subject to consultation of the management council. The word for "compensation" has been translated as salaries, wages, pay, allowances, etc.; however, I believe that the inclusive term "compensation" conveys the meaning intended. The term "severance pay" is not always used. However, the Japanese term for "retiring allowance" might conceivably include severance pay. The articles concerning retiring allowance are given below.

The All-Japan Civil Engineering Workers Union of the Construction Board

Art. 6. A shall be under obligation to establish by the mutual agreement with B, a system of retiring allowance of which the whole sum is borne by A.

The Government Railways Workers' Union

Sec. 1, Art. 11. A shall establish by negotiating with B a retirement allowance system in which A bears the entire expense.

Sec. 2, Art. 14. In case of an employee's death or retirement, when claimed by the entitled person, A shall pay within a week the wages for the employee concerned, and A shall also pay off or give back within a month the retirement allowance, savings, or any other kind of money or articles which rightfully belongs to the same employee.

General Communications Workers' Union

Note: Although this contract is missing from the file, it has a clause similar to Article 6 of The All-Japan Civil Engineering Workers Union of the Construction Board.

The Labor Unions' Federation under the Jurisdiction of the Headquarters of Traffic Construction

Art. 13. In case of the death or retirement of an employee, A shall, when requested by a claimant, pay the wages within ten (10) days and shall pay or give back the severance pay, savings and the money and other articles belonging to the said employee within a month.

The National Federation of Customs Officials Unions

Art. 5, Item 1. Matters relating to the general basic standard of pays (salary or wages and allowances), bonuses, severance pay and other treatment to the members.

The Federation of the Labor Unions of the Workers in the Printing Bureau

Art. 6. Upon the consultation obtainable between "A" and "B" the system of retirement allowance for the employees to be granted in full burden of "A" will be established.

NORA MAE BORTHICK
Classification Specialist

NMB:jb

General Headquarters
SUPREME COMMANDER FOR THE ALLIED POWERS
Government Section
Civil Service Division

9 December 1948

MEMORANDUM FOR THE RECORD

SUBJECT: Struggle Manifesto

Requested Mr. MacCoy to secure from the National Personnel Authority by noon Friday, 10 December 1948, legal opinion as to whether Struggle Manifesto of 8 December is in violation of the National Public Service Law. The original and only copy in Japanese that we have was given to Mr. MacCoy and I requested that it be returned to this office.

BH:mta

BLAINE HOOVER
Chief
Civil Service Division

Secured + legal opinion secured from NPA.
WBr

STRUGGLE MANIFESTO

In order to protect the work, we have been leading the minimum standard of living, and have been earnestly working since last August. However, the reactionary Government showed a complete insincerity, enforced Potsdam Ordinance, and established the reactionary National Public Service Law. The Government deprived us of the basic right to protect the right of livelihood which is necessary for us to protect the work. Furthermore, the Government rejected our minimum wage demand of 7,300 yen, and 2.8 months' deficit replenishment money, and finally denied us the year-end adjustment money expecting us to spend the year-end without anything. It has even announced the 300,000 reduction in the civil service personnel.

Thus, the Yoshida Cabinet will enslave the workers, destroy the industries, and ultimately deny the independence of race. We have been tolerating up until today, but we cannot tolerate any longer. Now is the time to dissolve the reactionary Diet immediately. We will start the struggle immediately in order to have the Diet which will truly represent the working class. To achieve the aim, we issue a great warning to the reactionary Government and the Reactionary Diet, and we are determined that we do not hesitate even to strike to arouse all the people.

The administrators of the subordinate organizations have already given support to the demands of the union. They are coming to Tokyo in order to realize the demands. We will unite all the democratic influences to protect the basic rights of workers. We will take the lead, and fight to the end by demanding the immediate payment of the minimum 7,300 yen wage, of the deficit replenishment money, the immediate abolition of the National Public Service Law, and the immediate dissolution of the corrupt Diet.

8 December 1948

All Japan Communications Workers Union

Copies to:

Messrs. Hauge
Williams
Hoover

Declaration of Resistance

by All Communication Workers' Union

8 December 1948

We have sincerely been endeavoring since August to maintain with our lowest standard of living and our enterprise. Despite this fact, the reactionary Government showing no sincerity whatever, has enforced the Potsdam Cabinet Order and enacted the reactionary National Public Service Law with utter disregard of the public opinion of the world. Thus the Government has deprived us of even the fundamental right to maintain our living necessary for the upkeep of our enterprise. Furthermore, it has turned down our minimum demand for the lowest wage of ¥ 7,300 and for the special allowance equal to 2.8 monthly wage to fill up our family budget deficiency. It has gone as far as to tell us to face the new year with nothing to wear by snatching from us the year's end adjustment tax, and to announce the dismissal of 300,000 government and public officials. The Yoshida Cabinet will thus enslave workers, destroy industry and eventually deny the independence of our race.

We have stood up to it thus far. We can do so no farther. The moment has arrived for the reactionary National Diet to be immediately dissolved and in order that it may become a National Diet truly representative of the working classes, we propose to commence our fight immediately. To this end, we are resolved even if we have to resort to strike in order to send a stunning