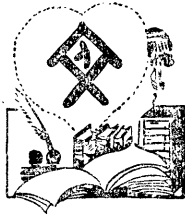


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中國政府關於交通四政勞工事務設施之狀況





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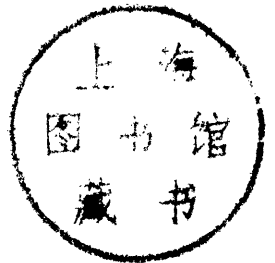
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中國政府關於交通四政勞工事務設施之狀況

其一 鐵路職工教育狀況



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中國政府關於交通四政勞工事務設施之狀況

其一 鐵路職工教育狀況

大戰而後勞働問題殆已成爲社會與政治問題之中心中國勞働者之程度頗幼稚故所謂勞働問題與歐美各國無不差異惟中國鐵路職工在國內勞働界極占重要地位其人數亦較繁衆查京奉線全路工人計有一萬四千七百九十八人京漢線全路工人計有六千三百九十二人京綏線全路工人計有七千四百五十一人津浦線全路工人計有五千五百九十二人其他各路職工共計約五萬餘人對於此等鐵路職工施以相當之補習教育殊感必要故交通部于民國九年卽創辦鐵路職工教育其主旨一以增進職工之智識技能一以培養職工之道德品性

交通部創辦鐵路職工教育約分三時期一，籌備時期二，進行時期三，改革時期

(一) 籌備時期 交通部施行鐵路職工教育之計畫實始於總長葉恭綽氏次長鄭洪年氏其時爲民國九年十月(一九二一年)在交通部內設立鐵路職工教育籌備處由路政司長兼充籌備主任(即現任交通次長鄭洪年)規畫一切并派員調查津浦京漢京奉京綏四路工人之數目種類年齡籍貫住所工作時間教育程度生活狀況於是擇定四路工人最多之地方著手開設學校又以職工教育師資難得于籌備之初卽開辦職工教育講習會招集具有師範學校畢業及專門學校畢業資格者九十六人入會講習分學校講演圖書新聞四科授以職工教育學大要職工心理學大要國音學綱要國音實習鐵路大要社會政策職工衛生學新聞學圖書館學講演學及教授實習等科講習期爲四星期畢業後卽分派各路充當各項教育職務此卽籌備時中之大概情形也

(二) 進行時間 自籌備完竣以後卽在四大鐵路設立學校計每路三所其所設學校之地點如左

京漢鐵路	長辛店	鄭州	信陽州
京奉鐵路	豐台	唐山	山海關
京綏鐵路	南口	張家口	豐鎮
津浦鐵路	天津	濟南	浦鎮

此項鐵路職工學校不收學費職工入學所用書籍及各種學校用品均由學校供給工人工作之餘不費分文得此求學之地莫不歡欣鼓舞入學工人異常踴躍如津浦路濟南職工學校入學職工多至五百九十八人其餘各校大都在二百人左右可謂盛矣至學校以外之教育則有講演團于工人較多之車站籌備開辦講演每路十所計

京漢鐵路 長辛店 保定 石家莊 順德 鄭州

黃河南岸 信陽州 駐馬店 廣水 漢口 江岸各站

京奉鐵路 豐台 天津車站 天津總站 塘沽 唐山

山海關 錦州 溝帮子 新民 皇姑屯 各站

津浦鐵路 滄州 德州 濟南 泰安 兗州

徐州 蚌埠 明光 浦鎮 浦口 各站

京綏鐵路 西直門 南口 宣化 鷄鳴山

張家口 大同 豐鎮 平地泉 竹枝山 各站

四路共計四十所當時因職工教育逐漸發達遂改籌備處為鐵路職工教育委員會直轄于路政司自此進行程序更為有系統有組織于辦理學校編製教材圖表之外復發行旬刊分給各路工人閱覽此即進行時期中之大概情形也

(三)改革時期 民國十一年春因國內政變交通當局更迭鐵路職工教育遂停頓兩年有餘迨民國十三年冬首創鐵路職工教育之業恭維鄭洪年復任交通總次長對于鐵路職工教育更熱心提倡以為歐戰以後勞動問題直接影響于工商業間接影響于政治社會中國工商業雖未甚發達而鐵路職工寔為交通事業之中堅如欲增進其生產能力工作之效果業務上之勤勞均非施行教育不可乃恢復鐵路職工教育委員會鄭氏為委員長除施行補習教育及巡迴講演之外復擬注重訓育如公眾道德公眾衛生及遵守時間服從法律一一加以訓練并依職工年齡分別施行教育例如年齡在四十以上者則注重星期講演年齡在三十以上者則注重星期講演及工作餘暇時之講堂教育年齡在二十以上者則注重補習式之職業教育是于因人施教之中寓訓練普及之意蓋體驗目下鐵路職工情形採用此法較為適當其他如體育場之運動亦擬特別設施

此即改革計畫之大概情形也

按諸一九二四年第六次國際勞工大會「利用工人暇時條陳案」內所列教育問題及注意傭工身體康健各節與民國九年（一九二一年）中國交通部提倡鐵路職工教育之旨深相符合蓋以交通總長葉恭綽氏鄭洪年氏均素注重勞工教育次長鄭洪年氏新近發表之政見曾述及勞工問題以爲宜從根本上主張教育主義其意固不僅在鐵路職工應施以相當之教育即對於全國勞工亦冀以教育之方法加以陶冶使成爲健全之國民并希望世界勞工程度幼稚之各國咸以勞工教育爲培植勞工生活之基礎以確保世界永久之和平則和平條約勞動條款之規定應有實效可觀茲將民國九年（一九二一年）交通部實施鐵路職工教育大綱規定各條及新近計畫摘要列表如左

▲鐵路職工教育計劃表

鐵路職工教育

師範教育

鐵路職工教育講習會(養成實施鐵路職工教育之教員)

學校教育

普通學校
收容未曾受普通教育或受普通教育尚未完全者授以完全普通教育

補習學校
收容已受普通教育之工人授以鐵路職業教育

講演團
演說
電影
幻燈
留聲機

學校以外之教育

圖書館
總圖書館
分圖書館
巡迴文庫

職工雜誌
曾發行職工旬刊

閱報室

公共體育場
現在計劃中

中國政府關於交通四政勞工事務設施之狀況

其二 關於勞工法案之擬訂事務

中國政府關於交通四政勞工事務設施之狀況

其二 關於勞工法案之擬訂事項

交通部統轄路電郵航四政所屬職工具有特殊情形與一般勞工不同故勞工法案之編製不得不於暫行工廠通則以外另有特殊之規定惟四政工人數以鐵路工人為最多一切管理及組織亦均較有統系業務情形尤關重要特先就鐵路職工擬訂通則即所謂鐵路工廠法是也其中規定為限制幼年工之工作支付工資之保障等項均係參酌現行工廠通則及各路現行辦法擬訂他如工作時間一項則因本國國情工人習慣及鐵路業務上之關係與他國情勞迥異故規定每日工作不得逾十小時此外各種單行法規如養老撫卹療養等均經訂有草案擬再斟酌盡善定期實行茲將鐵路職工通則附錄如左

國有鐵路職工通則草案

第一章 總則

第一條 國有鐵路關於職工事項除法令別有規定外依本通則行之

民有鐵路關於職工事項得準用本通則之規定

第二條 本通則所稱職工以鐵路長期雇用之工人為限其短期雇工包工及差役侍役等不在此例

第二章 雇用

第三條 職工非經考驗合格不得雇用

第四條 凡年齡未滿十四歲者不得雇用併不得收為工徒

第五條 凡職工自十四歲至十八歲為幼年工滿十八歲以上為成年工

第六條 職工之黜陟賞罰依考績規則定之

第七條 職工非因過失解雇者應於一星期前通知之

第三章 工作及休息

第八條 幼年工祇准從事於輕便工作

第九條

凡易生危險之工作不得令幼年工從事

第十條

職工因病或受傷時得酌量情形減少或停止其工作

第十一條

職工工作時間每日平均不得逾十小時其因時序或作業上之關係得增減之

第十二條

職工每月至少應給予二日之休息其不能中輟之工作應規定輪替休息之日期

第十三條

國慶日特別紀念日及春秋等節得各准職工休息一日

第十四條

因特殊事故或業務關係得減少或停止前二條所列休息日期

第四章 工資

第十五條

職工工資應以通用貨幣支付之

第十六條

工資於每月特定期間一次付給

第十七條

休息日不扣工資

第十八條

於休息日工作者加給一日工資延長工作時間者加給延長時間之工資但輪班工作者不在此例

第十九條

為職工謀儲蓄或保險及其他一切利益得於工資內酌量提取代為保存詳細辦法另定之

第五條 待遇

第二十條

職工於具備法定條件時得受領養老金其規則另定之

第二十一條

職工於鐵路營業獲有餘利並合於定章時得受領年終獎勵金

第二十二條

職工具有特長或特殊勤勞者得受領獎章褒狀或其他獎勵

第二十三條

職工藝術優良勤於業務素無過犯者於解雇時得給予資歷證明書

第二十四條

職工得令其補受相當教育

第二十五條

鐵路對於職工之公共場所應為衛生防險及慰安上之相當設備

第二十六條

職工因工作致疾或致殘廢死亡者應予相當治療或給予撫卹金

第二十七條

職工對於鐵路認為有妨害其利益時得陳訴於路局對於路局之處分認為有不當時陳訴於交通部

第六章 責任

第二十八條

職工應遵守鐵路一切法令並盡其心力忠實為鐵路服務

第二十九條

職工對於鐵路一切產業應妥慎保管倘因故意或過失而致遺失毀損者應負賠償之責

第三十條

職工因故意或過失致傷害人民生命財產或路產者除應負刑事民事上責任外路局得因其情節施行處分

第七章 附則

第三十一條

關於職工之各項規則另定之

第三十二條

本通則自公布日起施行

中國政府關於交通四政勞工事務設施之狀況

其三 現行撫恤規則及擬訂草案等事項

中國政府關於交通四政勞工事務設施之狀況

其三 現行撫卹規則及擬訂草案等事項

關於「中外傭工遇險時平等待遇公約草案」所載勞工災害撫卹事項就交通部所統轄之路電郵航四政而言工人撫卹事項向有單行章程規定者各鐵路局大都均與員司合併規定行之已久如京漢鐵路管理局現行員司工役撫卹暫行章程規定遇險身故給予特別撫卹其最多額則爲月薪之十二倍京綏鐵路管理局現行撫卹暫行規則規定遇險身故給予卹金其最多額亦爲月薪之十二倍其有特別情形如奮勇盡職有益於路務得酌量情形加倍給予特別卹金其他各路大致相同現因各路規則未能一律經訂有國有鐵路職工撫卹金規則草案及國有鐵路職工療養規則草案等擬詳加考慮以期妥善逐漸公布施行

關於電政所屬工人撫卹事項規定於工匠雇用規則工匠因工作致病或受傷者准給假休養不扣工食並得酌給醫藥費致殘廢者得給予每月工資五倍至十倍之一次卹金並得酌給川資因工作致死死亡者得給半年至一年之工資額數之卹金年老不堪服務退休者並有給予一次撫養金之規定

郵政所屬工人撫卹事項規定於郵政網要因工作致受傷害給予現支每月工資十倍之卹金因病身故并有治喪費之規定航政所屬工人屬於商業雇傭性質者俱從其契約之所定關於水手撫卹規則等現正着手擬訂

現行各項撫卹規則凡屬工人原無國內外人之分惟雇用外人工作者大都均用契約方式關於撫卹事項其待遇自較優厚更不待言

計 附

津浦鐵路撫卹工役人等章程

京綏鐵路員司工匠撫卹暫行規則

京漢鐵路修正撫卹暫行章程

四洮鐵路員役撫卹暫行章程

膠濟鐵路員司工匠撫卹暫行規則

修正一等電報綫工匠雇用規則關於撫卹各條

修正電話局工匠雇用規則關於撫卹各條

國有鐵路職工撫卹金規則草案

國有鐵路職工療養規則草案

津浦鐵路撫卹工役人等章程

第一條

各機器各車頭各輪船司機司火司舵水手以及各處各段各站工匠等人如在工作因受重傷登時殞命查係本局自雇之人當差已滿五年及逾一年以上者均卹洋五十元半年者四十元三月者三十元其非本局自雇之人（即指把頭及包工人等包雇日工月工而言）則按照此項工期卹款核減六成給卹仍令其雇主補足以示體卹如其人並無家屬即由局核給棺埋費三十元無庸卹若給家屬居住遠方除先由局發給棺埋費二十元外其餘恤款仍俟家屬到後取保具領以杜浮冒

第二條

前項工匠人等如在工作因受重傷致成殘廢不克謀生查係本局自雇之人當差已滿一年者及逾一年以上者均恤洋三十元半年者二十元三月者十元其非本局自雇之人則按照此項工期卹款核減六成給恤仍令其雇主補足

第三條

前項工匠人等如在工作因受重傷致成半廢查係本局自雇之人當差已滿一年及逾一年以上者均恤洋二十元半年以下者均恤洋十元其非本局自雇之人則按照此項工期卹款核減六成給恤仍令其雇主補足

第四條

前項工匠人等若明知危險奮勇忘身因之殞命者應按照第一條辦法給恤以示褒獎

第五條

所有前項人等應行議恤者均須有各該總管段員工程司及醫員出具切實證據方准稟請本局核奪不准稍涉浮冒或有輕聽該把頭包工人等任意冒稟等事至給恤之時應由家屬出具領狀到各該處段請領如

第六條

殘廢半廢而尙能行動者仍令本人自行具領以免侵蝕頂胃之弊

以上所議恤款係專指工匠人等因傷殞命及成殘廢與半廢者而言若因公僅受微傷或傷重而並未成廢尙能醫治者准其隨時赴本局所設醫院求診概不收取醫費以示格外體恤

第七條

以上各章程僅指工匠人等而言其員司或有意外之變應由該處該段該工程司另將受傷受病情形稟候核奪

京綏鐵路員司工匠撫恤暫行規則

一 本路員司工匠因公遭險或因病身故者暫依本規則各規定撫恤之

二 本路撫恤已故之員司工匠以在路服務年限及最近一月所得之薪津爲標準給予一次恤金

三 凡因公遭險身故者無論係一時疏忽或不可抗力所致一例給予恤金於左

(一) 在路服務未滿三年者給予六個月薪津辛餉

(二) 在路服務滿三年以上不及六年者給予八個月薪津

(三) 在路服務滿六年以上不及十年者給予十個月薪津

(四) 在路服務滿十年以上者給予十二個月薪津

四 若於服務時發現危險確係有益於路務奮勇盡職因之殞命者除照前條撫恤外得由該管首領聲敘事實呈請特別

撫恤至多以三個月薪津爲限如在路服務已滿十五年以上並得呈請至六個月爲限

五 凡因病故者給予恤金於左

(一) 在路服務未滿一年者給予一個月薪津

(二) 在路服務滿一年以上不及二年者給予兩個月薪津

(三) 在路服務滿二年以上不及三年者給予三個月薪津

(四) 在路服務滿三年以上不及六年者給予四個月薪津

- (五) 在路服務滿六年以上不及十年者給予五個月薪津
- (六) 在路服務滿十年以上者給予六個月薪津
- 六 凡平時盡心任事勞績懋著在路服務已滿十五年以上者如因病身故除照前條撫恤外得由該管首領聲敘事實並請特別撫恤至多以兩個月薪津為限
- 七 凡工匠員役於因公遭險或因病身故時如每月辛餉尙不及十元亦以十元計算照給恤金并酌量情形給予棺木一具或折給棺木費十元
- 八 臨時雇用各項小工夫役如確係因公遭險身故者得由該管首領詳敘事實比照第三條第四條之規定辦理但因病身故者即給予棺木一具或折給棺木費十元概不另予撫恤
- 九 本規則於部訂撫恤章程頒行後廢止之
- 十 本規則自公布之日施行

京漢鐵路修正員司工役撫恤暫行章程

- 第一條 本路員司工役人等因病或遭險身故者其撫恤章程未經部頒以前暫依本章程之規定辦理
- 第二條 凡本路員司在差不及三年因病身故者給予兩個月恤滿金三年以上給予三個月滿五年以上四個月滿十年以上五個月滿十五年六個月滿二十年七個月滿二十五年以上八個月至十個月
- 第三條 凡本路員司工役在差不及三年遭險身故者給予五個月恤金滿三年給六個月滿五年給八個月滿十年以上得由該管首領聲敘明白呈請特別撫恤但至多不得逾十二個月
- 第四條 凡工匠夫役無論因病或遭險身故其月辛不及十元者亦按十元計算并得酌量情形加給棺木費十元
- 第五條 本章程自公布日施行

四洮鐵路員役撫恤暫行章程

第一條 本路員司工匠等有左列各款情形之一者應照本章程撫恤之

一因公受傷致死者

二因公受傷致成殘廢終身不能服務者

三在職亡故者

四因公受傷致成殘廢治療後尙能服務者

五因公受傷治療復原仍能繼續服務者

第二條 員役因公受傷致死者按照撫恤金額表一級之規定分別給予恤金并給喪葬費員司四十元至八十元督工匠役三十元至四十元

第三條 員役因公受傷致成殘廢終身不能服務者按照撫恤金額表二級之規定分別給予恤金

第四條 員役在職亡故者按照撫恤金額表三級之規定分別給予恤金并給喪葬費員司二十元至四十元工匠役十元至二十元

第五條 員司因公受傷致成殘廢治療後尙能服務者按照撫恤金額表四級之規定分別給予恤金如不能服原職務時酌予調派他項職務

第六條 員役因公受傷治療復原仍能繼續服務者不給恤金

第七條 第二第三第五第六各條所定之公傷情形醫藥費准由路局支給其預計治療後仍能服務者并准於傷養期內免扣薪資

前項養傷期間免扣薪資至多不得過三個月如十個月內療養痊愈仍能服務時仍准其復職

第八條 凡依前條規定請由路局支給醫藥費須呈驗醫院證明書（詳細註明某人於某日因某傷由某處送入本醫院醫治至某日治愈出院共計住院若干日有歷次治療証足資查驗茲特出具証書俾資証明）歷次診療証及收據

第九條 員役確實因公受傷時宜由本管領袖人員證明轉請該管處長許可送至本路設立醫院或就近相當醫院

診治

第十條 合於第一條之規定應予撫恤者第一款及第三款須由死亡者之遺族或其親戚具第一號請願書第二款

及第四款第五款須由本人具第二號請願書并連同各項憑証呈請本管處長詳叙事實轉請局長核奪

第十一條 員役服務明知危險奮不顧身因而殞命或受傷致成殘廢者得按撫恤金額表應得撫恤金額加倍給與

第十二條 員役死亡如無家屬應由本路酌給喪費殯殮不另給恤如無家屬或居住遠方即由本局先行酌墊棺殮費

俟其家屬到局領恤時由恤金內如數扣還

第十三條 員役死者家屬或親戚領恤時須先得現充本路員司二人出具保證書方可給領以杜虛冒

第十四條 本章程自公布之日實行

膠濟鐵路員司工匠撫恤暫行規則

第一條 本路員司工匠(包括司機等各項匠役在內)因公受傷或在職亡故者按照本規則撫恤之

第二條 傷痕輕重分左列五等

一等 重傷死者

二等 雖未致死而終身殘廢者

三等 雖未殘廢而終身不能服務者

四等 雖能服務而身體毀傷不能復原者

五等 身體毀傷治療後仍能復原繼續服務者

第三條 撫恤金額依附表之規定並依下列情形分別核給

一 因不可抗力而罹前條各項傷痕者依第一表金額按等核給

二 因過失而罹前條各項傷痕者依第二表金額按等核給

- 三 因病亡故或老死者依第三表金額核給
- 四 明知危險不顧身因而傷亡者除喪費外依第一表加倍核給
- 五 非本路自雇之人(即指把頭及包工人等包雇日工月工而言)合於該四項之情形按各該項之規定減半核給

第四條

因不可抗力或過失而罹第二項傷殘者在療養期內未經免職以前依下列之規定給與休業撫卹金

- 一 按月計薪者按原薪支給

- 二 按日計薪者按日額減半支給

第五條

罹五等傷殘者雖有復原希望而療養滿三個月仍不能繼續服務時仍行免職準用四等例核給撫卹金其休業撫卹金即自免職之翌日起停給

第六條

喪費一項除重傷致死者業經規定外其因病亡故或老死者概不發給喪費亦不另給棺殮費但員司人等如無家屬得由局臨時酌給棺殮費無庸給恤若家屬住居遠方即先由局酌墊棺殮費在於應給恤金內扣還所餘恤款仍俟該家屬到局取保具領以杜浮冒

第七條

合於第一條之規定應行議恤者須經各該管處長段長工程師廠長及醫士證明其死亡者由死者遺族或其親戚具第一號請願書領取傷者由本人具第二號請願書呈請本局核准後支給具領恤金時須覓相當之保證人出具領收證

第八條

本規則自呈准公布日施行

修正一等電報線工匠雇用規則關於撫恤各條

第十四條

工匠因病不能服務時准給病假在半月以內免扣工食半月以外按日扣算

第十五條

工匠確因工作致疾或受傷者准給假休養不扣工食但至多不得逾兩個月

第十六條

工匠服務滿三年並未請假者准休息一個月如曾經請假積算不滿一個月者亦准休息但須扣除請假天

第三十九條

數照給工食均不以請假論如不願休息者獎給工食一個月或照應休息天數獎給
工匠服務在十年以上年齡過五十歲確因精力衰弱不堪服務而令退職者得由本管巡綫總管照左列分
別請核給一次勞金

服務十年以上十五年以下者二個月

服務十六年以上二十年以下者三個月

務服二十年以上者四個月

第四十條

工匠因工致疾或受傷者証實後得由巡綫總管酌給醫藥費但數逾十元以上者須檢同醫生診斷書酌量
輕重呈請核給

第四十一條

工匠在差積勞病故服務滿三年者照現支工食數發給撫卹金一個月滿五年者二個月滿十年者四個月
嗣後每滿五年遞加一個月其因工受傷立時斃命者給以半年至一年工食之撫卹金前項之撫卹金由該
故工人直系親屬具領取具領據呈部備查

工匠在差身故一律給以棺殮費洋三十元

第四十三條

修正電話局工匠雇用規則關於撫卹各條

第十四條

工匠確因工作致疾或受傷者准給假休養不扣工食但至多不得逾兩個月

工匠服務滿十年以上年齡過五十歲確因精力衰弱不堪服務而令退職者或服務滿三年以上積勞病故
者得按其服務年齡給予每三年應得現支工食一月之卹金

第二十六條

工匠因工受傷者証寔後得由該管長官酌給醫藥費但數過十元者須檢同醫生診斷書酌量輕重呈請核
給

第二十七條

工匠因公受傷致成殘廢者得由該管長官酌量其服務年齡殘廢程度呈部核給現支工食五個月至十個
月之一次卹金其願回原籍者並准核給川資

第二十八條 工匠因公慘死得者由該管長官酌量其服務年齡呈部核給現支工食八個月至十六個月之撫卹金前項

之撫卹金由該故工人直系親屬具領取具領據呈部備查

第二十九條 工匠在差身故一律給以棺殮費洋三十元

國有鐵路職工撫恤金規則草案

第一條 凡屬國有鐵路職工通則第二條所列之職工有左列各項情形之一者給予撫卹金

一因工作受傷殞命者

二因工作受傷已成殘廢不能任事者

三因工作受傷已成殘廢尙能任事者

四服務滿若干年在職病故者

第二條 因工作受傷殞命者除照本規則第六條服務年限給予卹金外一次給予原薪三年之撫卹金

第三條 因工作受傷已成殘廢不能任事者除援照本規則第六條各款服務年限給予卹金外一次給予月薪二年

之撫卹金

第四條 因工作受傷已成殘廢尙能任事者一次給予原薪兩個月之撫卹金傷愈後由該局酌予以相當之職如不

願就職改爲一次給予原薪一年之撫卹金

第五條 職工若明知危險而以確有益於路務奮勇盡職因之殞命或受重傷者應由路局呈請特別撫卹

第六條 職工在職病故者按左列之區別給予撫卹金

一服務在三年以內者給予月薪三個月之撫卹金

一服務在三年以上者每年遞加月薪半個月之撫卹金未滿一年者亦以一年計算

第七條 服務年限均自任職之日爲始並應將前後服務各機關之年限合併計算但以在國有鐵路服務並有相當

證明者爲限

第八條 月薪數目不滿十元者應以十元計算

第九條 職工應領卹金如自願分期領受或由路局代為存儲者仍應照給利息

第十條 由遺族受領撫卹金者如無指定之受領人時依法定親屬之順序辦理

第十一條 臨時雇工在工作時病故者可酌給棺木如有第二條第三條第四條第五條之情形時得參照本規則辦理

惟不適用第六條之規定

第十二條 本規則施行細則由各路局酌擬呈部核定

第十三條 本規則自公布日施行

國有鐵路職工療養規則草案

第一條 鐵路職工患有傷病得醫員單據及該管首領證明合於左列情形之一者依本規則療養之

一 因工作受傷

二 因公受病

三 通常患病

第二條 因工作或因公傷病分最重大重輕微三種

第三條 因工作受傷甚重身體有殘廢之虞者作最重例

第四條 受傷雖重不致身體殘廢或因公受病甚重者作次重例

第五條 皮膚輕傷作輕微例

第六條 療養之假期應依左列之規定

一 最重病之療養假期至多不得逾三個月

二 次重病之療養假期至多不得逾兩個月

三 輕微病之療養假期每次至多不得逾十日全年積算不得逾一個月

四 通常患病之療養假期得適用前款之規定

第七條 職工療養在法定假期內照支原薪逾限時如有醫員單據認爲尙須療養并經該管首領酌量情形准予續

假若干日內仍作爲法定假期

第八條 療養之費用均由路局支給之最重病並得適用撫卹金規則第三條及第四條之規定

第九條 凡不正當之傷病醫藥費應歸自備假期內停止全薪逾限開除

第十條 職工患最重病醫員認爲須移地療養經該管首領之許可其費用及假期各事仍得適用本規則辦理

第十一條 各路有未設醫院者應由該路局指定其他醫院按照本規則辦理

第十二條 臨時雇工之傷病經該管首領之許可得參酌本規則辦理

第十三條 本規則自公布日施行

中國政府關於交通四政勞工事務設施之狀況

其四

補助職工經濟及職工儲蓄養老之計畫

中國政府關於交通四政勞工事務設施之狀況

其四 補助職工經濟及職工儲蓄養老之計畫

當民國九年（一九二二年）交通總長葉恭綽氏路政司司長卽今次長鄭洪年氏既以鐵路職工教育爲根本之急務復爲助長鐵路職工經濟能力起見提倡鐵路工人消費組合通令各鐵路局試辦現在如吉長鐵路株萍鐵路等均已有消費組合之組織是項消費組合所以補助工人經濟能力助長工人儲蓄爲益非淺各路因時事關係已辦者尙屬寥寥近已飭令擬訂國有鐵路職工消費組合試辦大綱以備通行各路積極提倡慮工人能力薄弱不易組織擬由鐵路局派員幫同辦理以資補助又慮倡始之初組合資本不易湊集擬暫由各鐵路局撥款補助明定限制以示標準組合採辦物品運費則酌予減半其他須補助之處則由各鐵路局予以相當之便利物品售價自可比普通市價爲低每年盈餘照資本及購買額分配於組員仍作爲資本給息分潤餘利各組員無異憑空得着一份儲金且儲金本額與利息復得遞年倍增之利益年數愈多所得利益亦愈大組員脫離組合時則本利全數給還其有益於工人生計實非淺鮮至關於鐵路職工儲蓄及養老金事項曾擬有國有鐵路職工儲蓄規則草案及國有鐵路職工養老金草案等尙待修改路政司司長劉景山現正搜集歐美各國鐵路工人儲蓄保險成規籍與各草案參互考証以期盡善再行逐漸呈請公佈施行

附 錄

國有鐵路職工消費組合試辦大綱草案

國有鐵路職工儲蓄規則草案

國有鐵路職工養老金規則草案

國有鐵路職工消費組合試辦大綱

二

第一條

國有鐵路職工消費組合應遵守本大綱之規定

國有鐵路職員及警察組織消費組合或與工人聯合組合時本大綱各規定均準用之

第二條

國有鐵路職工消費組合以節約經濟助長貯蓄爲主旨應由組合員自行組織但爲進行便利起見得由路局派員輔導之

第三條

國有鐵路長期雇傭之工匠工役均得爲組合員

第四條

組合員應負擔之資本以國幣一元爲最低額十元爲最高額其總額由各該路定之

第五條

組合員認繳之資本不足供採辦物品之支出時得由路局撥款暫墊但其總額不得逾二千元

第六條

職工消費組合採辦物品以鐵路工人日常生活必需者爲限其種類由各該局定之

第七條

消費組合採辦物品經過本路及聯運各路應納運費准予酌減但不得逾原定運價二分之一

第八條

消費組合出售物品平價標準以比較各該地方普通市價減低百分之五爲率

第九條

職工消費組合應於各該路工人住居最多之處設置事務所並得酌設分所

第十條

組合員購買物品以本身及其家屬需用者爲限不得代買或轉買

違反前項規定者停止其一個月至六個月之購買權利

第十一條

組合員需用物品應將種類額數通知事務所由事務所調查確實分別發給領用憑摺作爲購物証據

第十二條

組合員購買物品俱用現金並由組合事務所隨時憑摺計數

第十三條

消費組合關於採辦物品出入款項等事項應製備簿冊詳細登記逐日清結妥爲保管以備檢查

第十四條

消費組合每屆年終爲一會計年度結算總帳所得餘利除事務所開支資本利息及酌提辦事人員獎金外餘款撥作基金按照所投資本及購買額數平均分配作爲組合員增加之資本

第十五條 組合員脫離組合時應將其所出之資本及歷年應得之餘利照數發還

第十六條 消費組合事務所應設董事幹事及監察其人數由各該路酌定呈部核定

第十七條 前項職員三分之二由組合員互選三分之一由路局指派

消費組合事務所應設經理副經理各一人執行一切事務理由各該局於董事幹事中指派副經理由董事幹事互選

第十八條 董事幹事監察之任期定為一年均為名譽職不另支薪

第十九條 消費組合每年應開大會一次召集全體組合員報告全年總賬及議決重要事項每月應開常會一次召集

董事幹事及監察議決一切進行事項

第二十條 消費組合事務所各項帳冊每月應由監察檢查一次遇必要時各該路局長得臨時派員檢查

第二十一條 消費組合每屆年終由各該路局長將經過狀況詳細呈部其開辦時應將開辦情形及職員姓名呈部核准

第二十二條 消費組合事務所詳細規則得由各路遵照本大綱擬訂呈部核定

第二十三條 本大綱自公布日施行

國有鐵路職工儲蓄規則草案

第一條 凡國有鐵路服務之職工應按照本規則繳納儲金

第二條 各路局應每月比照職工儲金額數提出同數金額作為補助金

第三條 職工應按左列成數繳納儲金

一 工資在三十元以下者月儲百分之一

一 工資在四十元以下者月儲百分之二

一 工資在五十元以下者月儲百分之三

一 工資在六十元以下者月儲百分之四

一工資在六十元以上者月儲百分之五

第四條

職工因進級加薪或工資有變更時應隨時按照其所支薪額繳納儲金

第五條

職工如因特別事故工資偶有增減時其儲金成數仍照原有工資計算

第六條

職工應繳儲金按月由會計處於工資中扣存發發收據交由該管首領轉發本人收執

第七條

路局應提之補助金於每月發工資時連同職工儲金同時劃撥一併存儲

第八條

儲金補助金應按月由會計處於工資發出後三日內彙總撥存殷實銀行存儲生息其銀行由局長呈請交通部指定之

通

第九條

儲金積至多數時得由本部酌量情形設立儲蓄銀行

第十條

儲金年息一分半年一結應併入儲金生息按期給與收據

第十一條

職工儲金本息應於退職時如數發還如係在職病故者即交其指定之承受人

第十二條

凡儲金本息及補工金概由本部及路局負完全責任

第十三條

凡職工因虧欠公款開除其虧欠數目應在儲金內扣除

第十四條

儲金人如調往他路服務時應將其儲金本息撥歸他路繼續存儲但如他路未辦儲金應將其儲金本息發還本人

還

第十五條

本規則施行日期另以部令定之施行細則由路局擬訂呈部核定

國有鐵路職工養老金規則草案

第一條

為職工安心服務退職後得資養贍起見特定職工養老金

第二條

凡職工在路服務滿二十年曾繳納儲金而有左列資格之一者退職時給予養老金

一年滿五十五歲由路局強制退職者

一身體衰弱不勝職務經醫員証明並經該長官查實許其退職者

第三條 凡繳納儲金之職工因公受傷身體殘廢者因而去職者雖未具備前條資格亦得給予養老金

第四條 有左列情事之一者雖具備第二條資格均不給予養老金但儲金本息仍應發還

- 一 受懲罰或刑事處分去職者

- 一 未及強制退職年齡無故自請退職者

第五條 養老金於退職時一次發給如職工自願分期領受或交由路局代為存儲者仍應照給利息

第六條 養老金之額數比照職工歷年儲金本息之額數給予之所有歷年儲金仍照儲蓄規則發還

第七條 依第二條所定服務期限得將前後服務各機關之資歷合併計算但以在國有鐵路服務並有相當證明者為限

第八條 職工養老金之支給以左列各款充之

- 一 由鐵路局比照儲金額數提存之補助金

- 一 職工因曠工或請假逾限或貽誤公務由局扣罰之工資

- 一 路局認為可撥之他項收入

- 一 上列各款利殖之息金

第九條 養老金由各路局長完全負責按期呈部查核並由局公布

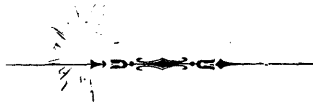
第十條 本規則施行細則由各路局擬訂呈部核定

第十一條 本規則施行日期另以部令定之

上海图书馆藏书



**RAPPORT PRÉSENTÉ PAR LE GOUVERNEMENT DE LA
RÉPUBLIQUE CHINOISE A LA CONFÉRENCE
INTERNATIONALE DU TRAVAIL.**



I

**ÉDUCATION GÉNÉRALE ET PROFESSIONNELLE
DES
OUVRIERS DES CHEMINS DE FER D'ÉTAT**



**PÉKIN
1925.**

ÉDUCATION GÉNÉRALE ET PROFESSIONNELLE DES OUVRIERS DES CHEMINS DE FER DE L'ÉTAT CHINOIS

Le Travail est devenu, depuis la grande guerre européenne et pour la plupart des États, une question prédominante tant au point de vue politique que social. En Chine, où l'Industrie est dans une période adolescente, et où les moeurs et les traditions diffèrent de celles des états européens et américains, les conditions de vie des ouvriers sont aussi différentes. Il n'y a donc pas lieu d'envisager cette question du travail pour les ouvriers chinois de la même façon que les États susmentionnés. Etant donné le nombre des ouvriers employés sur les Lignes des Chemins de fer de l'État et la densité de leurs groupements, des institutions furent jugées indispensables pour l'éducation des travailleurs et l'amélioration de leurs conditions de vie. Le nombre des ouvriers employés par l'Administration d'État des Voies ferrées est de 50.000 environ, et pour les 4 Lignes principales de 34.225, répartis comme suit :

Pékin-Moukden.	14.790
Pékin-Hankéou.	6.392
Pékin-Suiyuan	7.451
Tientsin-Pukow.	5.592

Le Ministère des Communications élaborera, en 1921, dans le double but de développer l'éducation générale et professionnelle des ouvriers et d'élever leur niveau moral, un projet qui fut immédiatement exécuté. L'exécution de ce projet comprend trois périodes successives : période de préparation, période de réalisation, période de réorganisation.

I—Période de Préparation

C'est au mois de Septembre 1921, sur l'initiative du Ministre des Communications Monsieur Yeh Kong Cho, qu'il fut institué au sein du Ministère des Communications, une Commission présidée par le Directeur du Département des

Chemins de fer, Monsieur Tcheng Hong Nien, Cette Commission fut chargée d'étudier les méthodes rationnelles et pratiques et d'indiquer la meilleure organisation qui permettrait aux ouvriers de parfaire leur éducation générale et professionnelle. Elle se livra à une enquête minutieuse sur les conditions des ouvriers, leur âge, leurs origines, leurs habitations, leurs spécialités, les heures de travail, leurs facons de vivre et leur degré d'instruction, sur les quatre lignes principales de Pékin-Moukden, Pékin-Hankow Pékin-Suiyuan et Tientsin-Pukow. Le création des écoles professionnelles dans les centres où l'agglomération ouvrière était la plus grande fut décidée après cette enquête. Le Ministère des Communications ne possédant pas le personnel nécessaire pour assurer le fonctionnement de ces écoles fit appel à des personnes sorties des écoles normales ou d'autres écoles supérieures correspondantes. 96 personnes offrant les références exigées furent engagées par le Ministère des Communications et réparties en 4 sections: Enseignement, Conférence, Bibliothèque et Publicité. Après un stage de 4 semaines nécessaire pour les mettre au courant de leurs nouvelles fonctions et des services attendus d'elles, ces 96 personnes partirent pour les endroits qui avaient été désignés à chacune d'elles suivant leurs attributions respectives.

II—Période de Réalisation

Douze écoles professionnelles furent créées en premier lieu sur les 4 Lignes principales, 3 sur chaque ligne :

Ligne de Pékin-Hankow :

à Changsintien, Chengchow et Sinyangchow,

Ligne de Pékin-Moukden.

à Fongtai, Tangshen et Shanhaikwan.

Ligne de Pékin-Suiyuan :

à Hankow, Kalgan et Fongchen,

Ligne de Tientsin-Pukow :

à Tientsin, Tsinan et Puchen.

L'enseignement dans ces écoles était naturellement gratuit; l'État fournissait aux ouvriers qui suivaient les cours, les livres et les accessoires nécessaires. Le nombre d'ouvriers qui fréquentèrent les écoles, dès le début, dépassa toutes les prévisions. Pour la seule école de Tsinan on compta 596 abhéments, et pour chacune des autres écoles, 200 environ. Le but visé par le Ministère des Communications désireux de développer la vie intellectuelle des ouvriers était atteint.

Le service des conférences périodiques était simultanément organisé dans les principales gares des 4 Lignes susmentionnées, 10 pour chaque Ligne, dont les noms sont rapportés ici à titre documentaire :

Ligne Pékin-Hankow :

à Changsintien, Paotin, Shihkiachwang, Shunteh,
Chengchow, Hwangho South, Sinyanchow, Shmatien,
Kwangshui et Hankow Kiangan.

Ligne de Pékin-Moukden :

à Fongtai, Tientsin central, Tientsin Est, Tangku
Tangshan, Shanhaikwan, Chinchow, Koupangtzu, Sinmin
et Huangkutun.

Ligne de Pékin-Suiyuan :

à Taichihmen, Nankow, Kangchwang, Suanhwa, Chemingshan,
Kalgan. Tatung, Fongchen, Pingtichuan et Chatzushan.

Ligne de Tientsin-Pukow.

à Tsangchow, Techow, Tsinan, Taian, Yanchow, Hsuchow.
Pengpu, Mingkwang, Puchen et Pukow

Le succès de cette œuvre d'éducation s'affirmant de façon incontestable, le Ministère des Communications décida de faire de la Commission instituée au mois de Septembre 1921 une Commission Permanente des Travailleurs, placée directement sous l'autorité du Directeur des Chemins de Fer et organisée sur le même pied que les autres services de ce Département. Une revue périodique fut éditée par les soins de cette Commission pour les ouvriers.

III—Période de Réorganisation

En 1923, au commencement du printemps, un changement de gouvernement eut lieu. Le nouveau Ministre des Communications supprima la Commission permanente pour l'éducation des Travailleurs. L'œuvre d'éducation fut abandonnée pendant près de deux ans, jusqu'à la fin de 1924, époque à laquelle Messieurs Yeh Kong-Cho et Tcheng Hong-Nien revinrent au pouvoir, le premier comme Ministre des Communications, et le second, comme vice-ministre du même département d'Etat. La Commission permanente pour l'éducation des Travailleurs fut rétablie sous la présidence du vice-ministre des Communications Monsieur Tcheng Hong Niën et ses travaux poussés avec énergie.

La situation n'était plus la même : des changements avaient eut lieu. L'influence des idées adoptées par les travailleurs étrangers s'était fait plus nettement sentir au cours de ces deux dernières années non seulement dans les milieux ouvriers des Chemins de Fer mais aussi dans les organisations similaires industrielles et commerciales. Les manifestations ouvrières dans lesquelles les ouvriers des Chemins de fer joueraient un rôle prépondérant pourraient, comme dans les états européens, exercer une influence marquante sur l'industrie et le commerce comme aussi sur les questions politiques et sociales. Dans le but d'instruire les ouvriers de leurs droits et de leurs devoirs, pour leur faire aimer le travail et obtenir en même temps un rendement plus considérable du travail, le développement de l'oeuvre d'éducation reprise, fut jugée nécessaire.

La Commission permanente pour l'éducation des Travailleurs, après le rétablissement des écoles professionnelles, des conférences et autres organisations complémentaires étudie actuellement le développement progressif des cours ainsi que les questions de morale sociale et d'hygiène publique.

L'éducation qu'on donne aux ouvriers varie avec l'âge. Les ouvriers agés de plus de 40 ans sont encouragés à suivre les conférences du Dimanche,

ceux de 30 ans à suivre ces conférences et des cours institués spécialement pour eux, après les heures de travail, alors que les jeunes ouvriers suivent des cours de connaissance générale et professionnelle. Le Ministère des Communications s'efforce de rendre ainsi son œuvre d'éducation accessible à tous les ouvriers quel que soit leur âge, sans exception, en tenant bien compte de leurs situations personnelles respectives. Les changements apportés facilitent la tâche des organisateurs et provoquent parmi les ouvriers un esprit d'émulation qui assurera le succès de l'œuvre.

La Commission permanente étudie également la question d'organisation des sports et envisage la création de terrains de sport dans les principaux centres de groupements ouvriers.

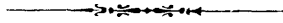
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Le Ministère des Communications du gouvernement de la République Chinoise, en terminant ce rapport, est heureux de constater que les sentiments qui le guidèrent dans la création des œuvres d'éducation ouvrière concordent avec ceux exprimés par la Sixième Session de la Conférence Internationale du Travail concernant une partie seulement de l'utilisation des loisirs des ouvriers. Le Ministère a toujours eu comme principe de résoudre cette importante question par l'éducation, car il est logique qu'en élevant et en améliorant l'éducation des classes ouvrières, on élève également le niveau moral et intellectuel de la population ouvrière et forme des citoyens qui contribueront au bien être de la société et à la paix intérieure du pays.

Le Ministère des Communications, en présentant ce rapport à la Conférence Internationale du Travail, n'a nullement la pensée de suggérer une recommandation, mais estime cependant qu'il serait bon que les Etats où la question du travail présente les mêmes conditions qu'en Chine envisagent l'éducation ouvrière comme base pour le rôle social que les ouvriers seront appelés à remplir.



Organisation de l'Éducation Générale et Professionnelle des Chemins de fer d'Etat.



- 1.—COURS DES INSTITUTEURS—Pour la préparation du corps enseignant et du personnel de service d'éducation
- 2.—COURS SCOLAIRES—Cours complémentaire pour les ouvriers n'ayant pas reçu ou terminé leur instruction primaire.
—Cours professionnel pour donner des notions professionnelles aux ouvriers ayant leur brevet primaire.
- 3.—ORGANISATIONS
COMPLEMENTAIRES—Service des Conférences—Conférences
Répresentations Ciném.
Projections.
Phonographes
Service des Bibliothèques—Bibliothèque Centrale
„ Secondaires
„ Ambulantes
Salles de lectures
Revue périodique
Terrains de sport (en projet)



**RAPPORT PRÉSENTÉ PAR LE GOUVERNEMENT DE LA
RÉPUBLIQUE CHINOISE A LA CONFÉRENCE
INTERNATIONALE DU TRAVAIL.**

II

**DISPOSITIONS A DÉTERMINER POUR LE RÉGLEMENT
RELATIF AUX QUESTIONS OUVRIÈRES.**

**PÉKIN
1925.**

II

DISPOSITIONS A DÉTERMINER POUR LE RÉGLEMENT RELATIF AUX QUESTIONS OUVRIÈRES.



Le Ministère des Communications dirige quatre administrations distinctes : Postes, Télégraphes, Navigation et Chemins de Fer. Les ouvriers employés par ces Administrations ont un caractère différent de leurs camarades des diverses industries. Aussi est-il indispensable de prévoir pour les Réglements Ouvriers certaines dispositions spéciales en dehors des Réglements généraux des Usines provisoirement mis en vigueur. Le nombre des ouvriers employés sur les Chemins de Fer étant plus élevé que celui de ceux employés par les trois autres administrations, nous avons pensé devoir établir d'abord pour ces ouvriers le Réglement Général intitulé : Réglement des Ateliers de Chemins de fer qui comprend certaines dispositions visant le travail des ouvriers-enfants, la garantie du paiement des salaires, etc..... qui ont été élaborées conformément aux règlements généraux des Usines et aux modalités adoptées par les différents chemins de fer.

Les circonstances locales en Chine, l'habitude des ouvriers et les exigences du service des chemins de fer, etc....toutes conditions qui diffèrent de celles des autres pays, nous ont amené à prescrire pour la durée du travail que celle-ci ne dépassera pas dix heures par jour. Nous avons élaboré également des projets séparés de règlements pour les pensions de retraite, l'indemnité en cas de mort, les soins médicaux, après une étude sérieuse de toutes ces questions.

Nous avons annexé au présent rapport un exemplaire du projet des Réglements généraux relatifs aux ouvriers des Chemins de fer.



Projet de Règlement général relatif aux questions ouvrières des Chemins de Fer de l'État Chinois.

Chapitre I—Généralité.

- ART. 1—L'Administration des Chemins de Fer de l'Etat est tenue d'observer, outre les prescriptions des Lois et Règlements antérieurs, les dispositions du présent Règlement en ce qui concerne toutes les questions ouvrières.
Celles des chemins de fer de compagnies privées pourront adopter le présent Règlement pour traiter les mêmes questions.
- ART. 2—Le terme (ouvrier) défini par le présent Règlement s'applique à tous ceux qui sont engagés d'une façon permanente par les chemins de fer, excepté les mains-d'oeuvre temporaires, les entrepreneurs ou tâcherons ainsi que les garçons de bureau.

Chapitre II—Engagement.

- ART. 3—Aucun ouvrier ne pourra être engagé, s'il n'a pas passé un examen satisfaisant.
- ART. 4—Tout enfant âgé de moins de 14 ans, ne pourra être engagé comme ouvrier ni être admis à titre d'apprenti.
- ART. 5—Ceux qui sont âgés de 14 à 18 ans sont appelés les (ouvriers-enfants) et ceux au-dessus de 18 ans reçoivent le nom d' (ouvriers-adultes)
- ART. 6—Les mesures relatives aux punitions, renvois, récompenses et avancements des ouvriers, doivent être prises conformément aux dispositions déterminées dans le Règlement du travail.
- ART. 7—Le renvoi des ouvriers devra être annoncé sept jours à l'avance, excepté s'il résulte de leur faute.

Chapitre III—Travail et repos.

- ART. 8—Les ouvriers-enfants ne doivent être admis que pour les travaux légers et faciles.
- ART. 9—Il est interdit de faire exécuter par les ouvriers-enfants, les travaux dangereux.
- ART. 10—En cas de maladie ou de blessure d'un ouvrier, on devra, suivant les circonstances, diminuer ou suspendre son travail.
- ART. 11—La durée du travail d'un ouvrier, ne devra pas dépasser dix heures par jour en moyenne, sauf en raison des circonstances du service ou de saison, elle pourra dans ce cas être augmentée ou diminuée.
- ART. 12—Chaque ouvrier devra avoir au moins deux jours de repos par mois, ce repos pourra être réglé à tour de rôle, si le service ne pouvait être interrompu.

ART. 13—Les ouvriers sont autorisés à avoir un jour de repos pour les jours de fête nationale, fêtes mémoriales et fêtes de saisons.

ART. 14—En raison de circonstances spéciales ou du service, les repos prescrits dans les Articles 12 et 13 ci-dessus pourront être diminués ou supprimés.

Chapitre IV—Salarie.

ART. 15—Le salaire des ouvriers doit être payé en monnaie ayant cours.

ART. 16—Ce Salaire devra, chaque mois, être payé en une seule fois et à une date déterminée.

ART. 17—Aucune réduction de salaire ne peut être faite sur les jours de repos réglementaires.

ART. 18—Lorsque le travail devra avoir lieu le jour du repos réglementaire, il sera payé le supplément d'une journée, si le travail n'a duré que quelques heures, le supplément sera compté proportionnellement aux heures de travail pourvu que le travail ne soit pas à tour de rôle.

ART. 19—En vue d'aider les ouvriers à s'intéresser à l'épargne, à l'assurance ainsi qu'à toute autre oeuvre il est permis de retenir une certaine somme sur le salaire des ouvriers ou la mettre en dépôt par les soins de l'administration des chemins de fer dans des conditions dont les détails seront réglés par des dispositions spéciales.

Chapitre V—Traitement.

ART. 20—Tout ouvrier satisfaisant à toutes les conditions prescrites dans les Lois et Règlements qui le concernent, pourra participer à la pension de retraite dont le règlement sera déterminé à part.

ART. 21—Dans le cas où le trafic des chemins de fer donnera un profit net, chaque ouvrier pourra recevoir une certaine somme à titre de gratification de fin d'année, à la condition qu'il satisfasse à toutes les conditions réglementaires.

ART. 22—Tout ouvrier possédant une aptitude spéciale, ou ayant rendu un service extraordinaire aux chemins de fer, pourra recevoir suivant le cas la décoration, le certificat d'encouragement ou toute autre récompense.

ART. 23—Tout ouvrier capable et assidu, pourra recevoir au moment du licenciement, un certificat de conduite, à la condition qu'il n'ait commis aucune infraction pendant son engagement de travail.

ART. 24—Il est permis d'imposer aux ouvriers de recevoir certaine éducation supplémentaire.

ART. 25—L'administration des chemins de fer doit prévoir des installations appropriées au point de vue de l'hygiène, la sécurité etc, dans des établissements ou locaux où se trouvent les ouvriers.

ART. 26—Tout ouvrier atteint de maladie ordinaire ou maladie provoquant l'invalidité ou la mort par suite de son travail, sera soigné aux frais de l'administration des chemins de fer ou recevra une indemnité qui sera versée à sa famille en cas de décès.

ART. 27—Lorsqu'un ouvrier reconnaît que ses intérêts ne sont pas défendus par le bureau de chemin de fer où il travaille, il pourra se plaindre auprès de l'administration de ce dernier, si la décision prise par l'administration ne lui paraît par juste, il pourra alors porter le cas à la connaissance du Ministre des Communications.

Chapitre VI—Responsabilité.

ART. 28—Tous les ouvriers sont tenus de respecter les prescriptions des lois et règlements des chemins de fer ils doivent être braves et dévoués à leur service.

ART. 29—Tous les ouvriers doivent prêter leur attention à la protection et à la conservation des propriétés appartenant aux chemins de fer, ils sont pécuniairement responsables de toutes avaries ou pertes résultant de leur faute ou négligence.

ART. 30—Lorsqu'un ouvrier ayant endommagé, par suite de faute intentionnelle ou négligence, soit la vie ou la propriété des tiers, soit la propriété de chemins de fer, outre les conséquences prévues par le code civil et pénal qu'il doit supporter, l'administration des chemins de fer pourra, suivant les circonstances, prendre une sanction contre lui.

Chapitre VII—Annexe.

ART. 31—Les autres règlements relatifs aux questions des ouvriers des chemins de fer seront déterminés ultérieurement.

ART. 32—Le présent règlement sera mis en vigueur à partir du jour de sa promulgation.



**REPORT PRESENTED BY THE CHINESE GOVERNMENT
TO THE INTERNATIONAL LABOR CONFERENCE.**



III

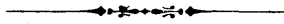
**EXISTING COMPENSATION REGULATIONS
AND DRAFT GENERAL
WORKMEN'S TREATMENT REGULATIONS**



**PÉKIN
1925.**

III

EXISTING COMPENSATION REGULATIONS AND DRAFT GENERAL WORKMEN'S TREATMENT REGULATIONS



With respect to the matter of workman's accident compensation as it is embodied in the (*Egalite de Traitement des Travailleurs etrangers et nationaux victimes d'Accidents de Travail*), there have already been fixed rules and regulations governing the same in the four departments of the Ministry of Communications, namely the Department of Railways, the Department of Telegraphs, the Department of Posts and the Department of Navigation. The following are the general features of the said rules and regulations.

1.—The Department of Railways

The existing compensation regulations which are now enforced on various Chinese Government Railways govern not only the treatment for workmen, but for the railway administrations as well. For instance, the regulations of the Peking-Hankow Railway, providing compensation for death as result of accidents received when on duty—the highest gratuity to be paid in this category is an amount equal to twelve times of the monthly pay of the deceased—apply both to the office employees and laborers on the line. The Peking-Suiyuan Railway provides a similar compensation. The highest gratuity to be paid is also twelve times of the monthly pay of the workman or staff member before his death. However in the case of the latter line, special gratuities are allowable to those whose courage and sacrifice have to some extent rendered practical benefit to the railway. As to the regulations adopted by other railways, more or less same features are embodied. A set of general regulations governing accident compensation and medical care for workmen and staff members to be applicable to all Government Railways have been drafted and are now under careful study. Not before long, they will be promulgated accordingly.

2.—The Department of Telegraphs

The compensation regulations governing telegraph laborers are embodied in their employment rules, whereby it is provided that in case of sickness or injuries inflicted upon them during their service, necessary leaves will be granted and medical expenses will be paid for. While they are in their period of convalescence, the workmen will be allowed to receive their pay as usual. Should they be rendered disabled following sickness or injury, special gratuity from five to ten times of the monthly pay of the disabled will be paid, and travelling expenses will be provided for their return to home. Six months' or one year's pay will be granted, if the workmen die while on service. For old aged workmen, special pensions—in one instalment—will be given to them on their retirement.

3.—The Department of Posts

Workmen on postal service, when injured or disabled will be granted a compensation of ten months' pay. In case of death, funeral expenses will be provided.

4.—The Department of Navigation

The workmen on navigation service are mostly engaged on contracts of commercial nature, and provision for accident compensations are therefore embodied in their contracts. However, regulations governing compensation for Government sailors are under draft now.

The compensation regulations as cited above are applicable to all workmen or staff members, both Chinese and foreign. Nevertheless, most of the foreign employees of the Ministry of Communications are engaged by special agreements and provisions for their accident compensation are generally specified therein. It is of special interest to note that Chinese Government usually gives better terms to the foreign employees, compensation provisions not excepted.

The following regulations are attached to this report.

- Compensation Regulations of Tientsin-Pukow Railway
- Compensation Regulations of Peking-Hankow Railway
- Compensation Regulations of Peking-Suiyuan Railway
- Compensation Regulations of Ssu-Tao Railway
- Compensation Regulations of Kiao-Tsi Railway
- Compensation Regulations as embodied in Revised Employment Regulation for First Class Workmen in Telegraph Service
- Compensation Regulations as embodied in Revised Employment Regulation for Workmen in Telephone Service
- Draft General Compensation Regulation Governing Workmen and Staff Members of Chinese Government Railways
- Draft General Medical Treatment Regulations Governing Workmen and Staff Members of Chinese Government Railways

Compensation Regulations of Tientsin-Pukow Railway



1. When the locomotive drivers, enginemen, firemen, sailors of the launch service and other workmen, while in the execution of their duty, receive injuries resulting in death, the amount of gratuities to be paid by the railway will be fifty dollars, provided they are actually employed by the railway and that they have been in service for more than a year. For workmen who have been in service for half a year, the amount of gratuities will be forty dollars; those who have been in service for three months, thirty dollars. For those workmen employed through the contractors for the railway, the amount of gratuities to be paid by the railway will be sixty per cent less than the amount above provided, but their employers will make up the balance. If the workmen so killed has no family left behind, the railway will pay thirty dollars for funeral expenses only; if the family is in a distant place, the railway will advance twenty dollars for the funeral expenses, which amount will later be deducted from the gratuities, and the balance be paid to the family.

2. When the above-mentioned workmen are so disabled in the execution of their duty as to be totally incapable of earning a livelihood, and are actually employed by the railway, the railway will pay thirty dollars as gratuities, provided they have been in service for a year or above a year. If the workmen so injured have been in service only for half a year, the amount of gratuities to be paid will be twenty dollars: if only for three months, ten dollars. For those workmen who are not directly employed by the railway but are so injured, the gratuities to be paid will be forty per cent of the amount above specified, the balance to be made up by their employers.

3. When the above-mentioned workmen are partially disabled for life while in the execution of their duty, and are actually employed by the railway, the railway will pay twenty dollars as gratuities, provided they have been in service for a year or above a year. If the workmen so injured have been in service less than half a year, the amount of gratuities to be paid will be ten dollars. For those workmen who are not directly employed by the railway, but are so injured, the gratuities to be paid will be forty per cent of the amount above specified, the balance to be made up by their employers.

4. When the above-mentioned workmen killed in the execution of their duty, in spite of the fact that they are conscious of the danger involved in the work they will be treated according to Article 1.

5. In all the cases above mentioned the head of the department and the medical officer will first of all certify the extent of the injuries, and the workmen so injured or their family shall petition with the certificates and other proofs to the railway authorities for gratuities. If died, the gratuities will be paid to the families; if living, to the workmen themselves.

6. The gratuities provided in the above articles apply only to workmen killed or totally or partially disabled. In case the workmen are slightly injured while in the execution of their duty, they will be treated free of charges in the railway hospitals.

7. This regulation will apply only to workmen, the case of other employees injured will be under special consideration, after the case being reported by the head of the department or the District Engineer.



Compensation Regulations of Peking-Suiyuan Railway



1. The employees or workmen of this railway, when killed in the execution of their duty, or died on duty, will receive gratuities as provided in this Regulation.

2. The amount of gratuities to be received by the family of such employees or workmen will be determined by the length of their service in the railway and the amount of their salary or wage.

3. When employees or workmen killed in the execution of their duty, whether through their own negligence or not, gratuities will be paid according to the following scale :

- a. Less than three years in service, six months' pay
- b. More than than three years and less than six years, eight months' pay
- c. More than six years and less than ten years, ten months' pay
- d. More than ten years, twelve months' pay

4. When employees or workmen killed in the execution of their duty, and their courage and sacrifice may benefit the railway to some extent, the head of department may report such special cases, and request a special gratuity, not more than three months pay, to be added to the regular gratuity. If such employees or workmen have been in service for more than fifteen years, a special gratuity of six months' pay may be asked. When employees or workmen die on duty, the railway will pay the following scale of gratuities :

- a. Less than one year in service, one months' pay
- b. More than one year, but less than two years, two months' pay
- c. More than two years, but less than three years, three months' pay
- d. More than three years, but less than six years, four months' pay
- e. More than six years, but less than ten years, five months' pay
- f. More than ten years, six months' pay.

6. When employees or laborers have been in service for more than fifteen years and die on duty, a special gratuities of not more than two months' pay may be granted, to be added to the regular gratuities.

7. Those laborers killed in the execution of their duty or died on duty, and whose monthly wage does not exceed ten dollars will be entitled to receive in the computation of gratuity, ten dollars per month, and besides, another ten dollars for a coffin.

8. Those laborers who are employed temporarily and who are killed in the execution of their duty, will be treated in accordance with article 3 & 4. But those who die through sickness will receive only ten dollars as coffin expense.



Compensation Regulations of Peking-Hankow Railway



1. For employees and workmen died either on account of sickness or accident, and before the promulgation of any uniform rules by the Ministry of Communications, this Regulation will temporarily be in force.

2. Employees and workmen died on account of sickness will receive the following scale of gratuities: for those who have been in service less than three years, two months' regular payment; more than fifteen years, six months' regular payment; more than twenty years, from eight to ten months' regular payment.

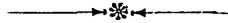
3. Employees and workmen accidentally killed while in the execution of their duty will receive the following scales of gratuities; for those who have been in service less than three years, five months' regular payment; more than three years, six months' regular payment; more than five years, eight months' regular payment. Those who have been in service more than ten years will be under special consideration, but the maximum amount will not exceed twelve months' regular payment.

4. Those employees and workmen died or killed while in the execution of their duty and whose monthly wage does not exceed ten dollars, will be entitled to receive in the computation of the gratuity payment, ten dollars per month, and, besides, another ten dollars for a coffin.

5. This regulation will be effective on the day when it is promulgated.



Compensation Regulations of Ssu-Tao Railway.



1. The employees and workmen of this railway will be entitled to receive gratuities if they comply with one of the following conditions :

- a. Killed as a result of injuries received while in execution of their duty.
- b. Disabled as to be totally incapable of earning a livelihood.
- c. Died on duty.
- d. Disabled while in execution of their duty, but after recovery, capable of contributing towards earning a livelihood, but only to a small extent.
- e. Injured while in execution of their duty, but after recovery still capable of resuming the work.

2. Employees whose injuries result in death will receive gratuities in accordance with the 1st Grade as provided in the Table attached to this Regulation, in addition to a funeral expense from forty to eighty dollars for employees, and from thirty to forty dollars for workmen.

3. Employees disabled for life will receive gratuities in accordance with the 2nd Grade as provided in the Table.

4. Employees died on duty will receive gratuities in accordance with the 3rd Grade as provided in the Table, in addition to a funeral expenses from twenty to forty dollars for employees and from ten to twenty dollars for workmen.

5. Employees disabled but after recovery, still capable of working, will receive gratuities in accordance with the 4th Grade as provided in the Table ; in case they can not resume the original work, lighter work may be provided for them.

6. Employees slightly injured while in execution of their duty and after recovery, still capable of continuing the work, will not be entitled to receive the gratuities.

7. Employees so injured will receive all their hospital expenses, medicines, dressings, etc. paid by the railway. In case of those, after recovery, still capable to work, their salaries or wages will not be stopped during the period of their convalescence. But the period of convalescence in which their salaries or wages are paid, cannot be more than three months, those injured employees after recovery, still capable to work can resume their original position any time within the period of ten months.

8. The doctor's certificate is a necessary requirement in all cases when medical expenses are to be paid by the railway.

9. Employees injured while in the execution of their duty will first of all certified by their respective section chiefs and, with the permission of the heads of the department, will be sent to the railway hospital, or any other hospital designated by the railway.

10. When employees died or killed, their family or relatives shall petition to the Railway authorities for the gratuities, when injured, the employee himself will petition, through the head of the department, to the Managing Director for the gratuities which he is entitled to receive.

11. When employees or workmen, killed or disabled in the execution of their duty in spite of the fact that they were conscious of the danger involved in the work, will receive double amount of gratuities as provided in the Table.

12. When employees or workmen die without leaving a family, the railway will provide all the necessary funeral expenses, but does not pay any gratuity; if their family is in a distant place, the railway will advance the funeral expenses, which amount will later on be deducted from the gratuities paid to their family.

13. In order to avoid any fraudulent practice, the dead employee's family or relatives, when receive the gratuities, will be required to secure two other employees of the railway to act as guarantors.

14. This regulation will be effective from the date when it is promulgated.

TABLE

<i>In Service</i>	<i>1st Grade</i>	<i>2nd Grade</i>	<i>3rd Grade</i>	<i>4th Grade</i>
25 years	One & 1/2 Year's pay	One year and 3 months' pay	One Year's pay	10 months' pay
20 to 25 years	1 years & 3 months' pay	One year's pay	10 months' pay	9 months' pay
15 to 20 years	1 year's pay	10 months' pay	9 months' pay	8 months' pay
10 to 15 years	10 months' pay	9 months' pay	8 months' pay	7 months' pay
7 to 10 years	9 months' pay	8 months' pay	7 months' pay	6 months' pay
5 to 7 years	8 months' pay	7 months' pay	6 months' pay	5 months' pay
3 to 5 years	7 months' pay	6 months' pay	5 months' pay	4 months' pay
1 to 3 years	6 months' pay	5 months' pay	4 months' pay	3 months' pay
Less than 1 year	5 months' pay	4 months' pay	3 months' pay	2 months' pay

Compensations Regulations of Kiaochow-Tsinan Railway.



Gratuities for Employees and Workmen Injured and Died.

1. For railway servants injured or killed while on duty, the scale of gratuities provided in this Regulation will apply.

2. For the purpose of this Regulation injuries received are classified as following :

- 1st. Degree. When the employee is so injured as to result in death,
- 2nd. Degree. When the employee is so disabled as to be totally incapable of earning a livelihood, and requires the care and assistance of another person.
- 3rd. Degree. When the employee is so disabled as to be incapable of earning a livelihood, but does not require the care and assistance of another person.
- 4th. Degree. When the employee is disabled, but is capable of contributing towards earning a livelihood, but only to a small extent.
- 5th. Degree. When the employee is injured, but after recovery, is still able to undertake his duty.

3. The scale of gratuities will be in accordance with the Tables attached to this Regulation and will be paid under the following condition.

- a. Employees injured through no fault or negligence of their own will receive gratuities in accordance with Table I.
- b. Employees injured through their own fault will receive gratuities in accordance with Table II.
- c. Employees died on account of sickness or old age, their family will receive gratuities in accordance with Table III.
- d. Employees killed in the execution of their duty, in spite of the fact that they understand the danger involved in the work, will receive, in addition to the funeral expenses, double amount of gratuities as provided in Table I,
- e. Persons not directly employed by the Railway, i.e. laborers employed through the contractors for the railway, when so injured or died, will receive half amount of the gratuities as regular employees.

4. When employees injured through no fault of their own will receive, during the period of their convalescence and before the time of their dismissal, the following payments :

- a. Those who receive monthly wages will be entitled to receive full pay.
- b. Those who receive daily wages will be entitled to receive half pay.

5. Employees injured in the 5th. Degree will be dismissed if unable to work after convalescence of three months, but will receive the 4th, grade of gratuities. Their regular payment will be stopped on the day after their dismissal.

6. Except those whose injuries result in death, the employees died on account of sickness or old age will not receive any funeral expenses, but the railway will provide a coffin for those who have no family. If the family is in a distant place, the railway will advance the expenses for a coffin, but the amount so advanced will be deducted from the gratuities due to them, the balance will be paid to their family.

7. All employees entitled to the gratuities as provided in this Regulation will be reported by their respective chiefs and the doctors of the Railway. If died, the family or relatives will sign a petition, when approved, receive the benefit entitled. If injured, the injured employees will sign a petition, when approved, receive the benefits entitled.

8. This Regulation will be effective on the day when it is promulgated.



TABLE I

<i>In Service</i>	<i>1st Grade</i>		<i>2nd Grade</i>	<i>3rd Grade</i>	<i>4th Grade</i>	<i>5th Grade</i>
	<i>Gratuity</i>	<i>Funeral Expense</i>				
Over 10 years	10 months' pay	\$60.00	10 months' pay	9 months' pay	8 months' pay	4 months' pay
Between 7 and 10 yrs.	9	„ „ \$50.00	9	8	7	3½
„ 5 „ 7 „	8	„ „ \$45.00	8	7	6	3
„ 3 „ 5 „	7	„ „ \$40.00	7	6	5	2½
„ 1 „ 3 „	6	„ „ \$33.00	6	5	4	2
Less than 1 year	5	„ „ \$30.00	5	4	3	1½

TABLE II

<i>In Service</i>	<i>1st Grade</i>		<i>2nd Grade</i>	<i>3rd Grade</i>	<i>4th Grade</i>	<i>5th Grade</i>
	<i>Gratuity</i>	<i>Funeral Expense</i>				
Over 10 years	9 months' pay	\$45.00	9 months' pay	8 months' pay	4½ months' pay	3½ months' pay
Between 7 and 10 yrs.	8	„ „ \$40.00	8	7	4	3
„ 5 „ 7 „	7	„ „ \$35.00	7	6	3½	2½
„ 3 „ 5 „	6	„ „ \$30.00	6	5	3	2
„ 1 „ 3 „	5	„ „ \$25.00	5	4	2½	1½
Less than 1 year	4	„ „ \$20.00	4	3	2	1

TABLE III

<i>Over 10 years in service</i>	<i>Between 7 & 10 years</i>	<i>5 & 7 years</i>	<i>3 & 5 years</i>	<i>1 & 3 years</i>	<i>Less than a years</i>
7 months' pay	6 months' pay	5 months' pay	4 months' pay	3 months' pay	2 months' pay

Compensation Regulations as Embodied in the Revised Employment Regulations for First Class Workmen in Telegraph Service.



14. When workmen are unable to work on account of sickness they may be granted sick leave with usual pay are provided the period does not exceed half month. If over that period, the payment will be deducted according to the number of days on leave.

15. When workmen are injured, while in the execution of their duty, they will be granted leave with usual pay, provided the period does not exceed two months.

16. When workmen have been in service over three years and have never asked leave of absence, they may be granted one months leave. But the period will be lessened in proportion to the number of leave days they have already had. In such cases, they will receive the pay as usual. If they prefer to work instead of leave they will be granted one month extra pay, or if they have already been on leave for some times, such days will be deducted from the extra pay.

39. When workmen have been in service for more than ten years, and their ages are over fifty, and they are unable to work on account of old age, they will receive the following benefits after retiring from service:

- a. Between ten and fifteen years in service, two months' pay.
- b. Between sixteen and twenty years in service, three months' pay.
- c. Over twenty years in service, four months' pay.

40. When workmen are injured, while in the execution of their duty, they will be granted by the Chief Inspector the necessary medical expenses, provided the amount does not exceed ten dollars. If over that amount, the doctor's certificate is a necessary requirement for granting the medical expenses.

41. When workmen permanently disabled while in the execution of their duty, they will be entitled to a gratuity of from five to ten months' pay. If they want to go back to their native places, they are entitled to receive travelling expenses.

42. When workmen die on duty, and when they have been in the service for more than three years, they will receive gratuity to the amount of one month's pay and another extra month's pay will be added for every five year's service. When workmen killed while in the execution of their duty, their direct descendants will receive gratuity to the amount of from half year to one year's pay.

43. In all cases when workmen die on duty, they will receive thirty dollars for coffin.



Compensation Regulations as Embodied in Revised Employment Regulations for Workmen in Telephone Service



14. When workmen are injured, while in the execution of their duty, they may be granted leave with usual pay, provided the period does not exceed two months.

24. When workmen have been in service over ten years and their ages are over fifty, and they are discharged on account of inefficiency, or when they have been in service over three years, and die on account of excessive work, they will be granted a gratuity of one month's pay for every three years in service.

26. When workmen are injured, while in the execution of their duty, and their injuries being certified, they will be granted by their chiefs the necessary medical expenses, provided the amount does not exceed ten dollars. If over that amount, the doctor's certificate is a necessary requirement for granting any additional sum.

27. When workmen are injured or disabled while in the execution of their duty, their superior officers may petition the Ministry for granting them a gratuity which will be in proportion to the number of years in service and the extent of injury of workmen, and will vary from five to ten month's pay. If the injured or disabled workmen are willing to go back to their native place, they are granted the necessary travelling expenses.

28. When workmen are killed while in the execution of their duty, their superior officers may petition the Ministry for granting to their direct descendants a gratuity which will be in proportion to the number of years in service of the deceased workmen and will vary from eight to sixteen months' pay.

29. When workmen die in service they will be granted thirty dollars for coffin.



Draft General Compensation Regulations Governing Workmen and Staff Members of Chinese Government Railways.



1. The classes of workmen indicated in Art. 2. of the general regulation for workmen of Chinese Railways, will receive a gratuity provided they comply with any one of the following conditions:
 - a. Death caused by injuries receive while working.
 - b. Disabled by injuries while working and being incapable to work henceforth.
 - c. Disabled by injuries while working but still capable to work.
 - d. Death after service for a certain number of years.
2. In case of death, a gratuity amounting to three years' pay will be granted to the victim besides that stipulated in Art. 6. of this regulation.
3. If disabled and unable to work any more, a gratuity amounting to two years' pay will be granted to the victim besides that stipulated in Art. 6. of this regulation.
4. If disabled and still able to work, a gratuity amounting to two months' pay will be granted to the victim and suitable work will be given to him after recovery, or a gratuity amounting to one year's pay will be granted if he is unwilling to take up the work.
5. On the request of the railway administration a special gratuity will be granted to the workmen who die or are heavily injured while in the execution of their duty in spite of the fact that they understand the dangers involved in the work.
6. When workmen die in service, they will receive a gratuity according to the following scale:
 - a. Less than three years in service a gratuity of three months' pay
 - b. More than three years in service an additional gratuity amounting to half month's pay for each year's service.
7. The years in service will be counted from the first day of the employment; and service in different departments will be counted altogether provided the workman works in Chinese Government Railways and has a proper certificate.
8. The amount of monthly pay will be taken as ten dollars if the same is below that figure.
9. Interest will be given to the workmen who wish to draw the gratuity periodically, or to deposit it through Railway Administration.
10. When workmen die the gratuity will be paid to their nearest relatives, if no particular recipient has been designated.
11. When workmen employed temporarily die in service they will be granted a coffin and if such workmen comply with the provisions of Arts. 2, 3, 4, or 5; such cases will be under special consideration; but Art. 6 can not be applied to such workmen.
12. The details for carrying out this regulation will be drawn up by the railway administrations and the same will be submitted to the Ministry for approval.
13. This regulation will be effective from the date of its promulgation.

Draft General Medical Treatment Regulations Governing Workmen and Staff Members of Chinese Government Railways.



1. When workmen in the Government Railways are injured or sick and when so certified by the doctor and his chief, they will be treated under the provisions of this Regulation provided that they comply with any one of the following conditions :

- a. Injured received while working,
- b. Sickness sustained while on service
- c. General sickness.

2. Injuries or sickness received while on duty will be classified as most serious, serious and slight.

3. The most serious cases will be those when the injury may cause the workmen totally disable to work.

4. The serious cases will be those when the injury may not cause the workmen totally disable to work or when serious sickness received while on service.

5. The slight cases are those when the workmen are only slightly hurt on the skin.

6. The length of time allowed for leave during the period of sickness of injury will be as follows :

- a. The time allowed for medical treatment for a most serious case will not exceed three months.
- b. The time allowed for medical treatment for a serious case will not exceed two months.
- c. The time allowed for medical treatment for a slight case will not exceed 10 days for each time and one month for a year.
- d. In case of general sickness, the above provisions will be applied.

7. Wages shall be paid as usual during the period of medical treatment as above specified. When the doctor certifies that further treatment is necessary the time limit may be prolonged for a certain number of days when approved by the chief.

8. Medical expenses will be paid by the railway administration and in the most serious cases, provisions of Art. 3 & 4 in Compensation Regulations for workmen of Chinese Government Railways will be applicable.

9. Medical expenses for any improper decease will be paid by the workmen themselves and their pay will be stopped during the time of absence and they will be subjected to dismissal if over the specified time.

10. In the most serious cases, when the doctor deems that a change of place is necessary, and with the approval of the chief, the workmen will be entitled to all the expenses of moving to another place and all articles in this regulations regarding leave of absence as provided in the Regulation will be applicable.

11. If there is no hospital provided by the railway, the said administration will designate a hospital to take care of the sick or injured workmen according to this Regulation.

12. When temporary employed workmen are injured or sick they will also be treated in accordance with this Regulation, provided the chief of the department so approves.

13. This Regulation will be effective from the date when it is promulgated.



**REPORT PRESENTED BY THE CHINESE GOVERNMENT TO THE
INTERNATIONAL LABOR CONFERENCE.**



VI

**DRAFT REGULATIONS GOVERNING ORGANIZATION OF
CONSUMPTIVE COOPERATIVE SOCIETIES, PROVIDENT
FUND AND PENSION FUND FOR THE STAFF-
MEMBERS AND WORKMEN OF CHINESE
GOVERNMENT RAILWAYS.**



**PÉKIN
1925.**

VI

DRAFT REGULATIONS GOVERNING ORGANIZATION OF CONSUMPTIVE COOPERATIVE SOCIETIES, PROVIDENT FUND AND PENSION FUND FOR THE STAFF- MEMBERS AND WORKMEN OF CHINESE GOVERNMENT RAILWAYS.



The idea of Consumptive Cooperative Societies for Staff-members and Workmen of Chinese Government Railways started in 1922, when the present Minister of Communications, Mr. Yeh Kung-cho, was at the head of the said Ministry and the present Vice-Minister, Mr. Cheng Hung-nien, was the Director of Railway Department, and when both of these two foremost railway experts of China saw the importance of providing means for the railway workers to receive adequate education as well as to practise economy and savings. Circular Ministerial Orders were sent to various lines to organize the cooperative societies for the benefit of all workers under their control. Quite a number of railways made quick response to the order, and many Consumptive Cooperative Societies were duly organized. The societies organized on Kirin-Changchun Railway and Chuchow-Pinhsiang Railway and a few other lines continue their existence until to-day and some of them have achieved marked progress. As the object of Consumptive Cooperative Societies is to practise economy and to encourage savings of the railway workers, the project should be as widely carried out as possible. However, owing to the unsettled political conditions of the country, many railways are still lag behind in adopting this important measure.

A renewed effort has been made by the Ministry of Communications now and draft regulations governing the organizations of the said societies have been carefully worked out and referred to various railway administrations for adoption. It is stated in these regulations that as a matter of expediency representatives may be

appointed by the railway directors to assist the staff-members and workmen in whatever way they can in organizing the said societies. The railway administrations are also allowed to advance subsidies to any organization whose capitalization may not be sufficient for the operation of business. Commodities purchased by the societies are entitled, according to the specifications of the regulations in question, to get special reduction of transportation fees while passing on the lines. Prices to be charged by the societies on articles sold are also so limited that they should be less than those charged by ordinary stores of the same locality. Whatever profit the societies may yield each year as result of their business operation are to be treated, after deductions of certain items are made, as additional capital investment of the members of the societies in proportion to the amount they originally invested and to the quantity of articles they purchased during the year. It is in this way that the members get extra savings for nothing and those savings will further yield interest as year goes on. This is a very attractive feature of the regulations and it is so specified as to induce as many workers to join the establishments as possible. Moreover, when any members decides to withdraw from the societies, he is permitted to take away his capital, savings and accrued interest. The sole purpose of the societies in question is for the economic benefit of the staff-members and workmen of the railways and there is no doubt that such societies will prove to be organizations of great popularity in China, when they are in full swing. The head of railway department, Mr. C. S. Liu, has studied the consumptive cooperative systems of different countries and is now trying his best to make such a system workable and successful among the workmen of Chinese Government Railway.

The regulations governing Provident Fund and Pension Fund are among those recently drafted and are now under careful study by the authorities concerned. The Ministry of Communications hopes that gradually all these regulations will be put into practice and will bring the expected good result.

The following regulations are attached to this report :

1. Draft Regulations Governing Organization of Consumptive Cooperative Societies by Staff-members and Workmen of Chinese Government Railways.
2. Draft Regulations Governing Provident Fund for Staff-members and Workmen of Chinese Government Railways.
3. Draft Regulations Governing Pension Fund for Staff-members and Workmen of Chinese Government Railways.

Draft Regulations Governing Organisation of Consumptive Cooperative Societies by Workmen and Staff Members of Chinese Government Railway



1. All Consumptive Cooperative Societies established by workmen and staff members of Chinese Government Railways are to be organized in accordance with these regulations.

2. The Consumptive Cooperative Societies, the object of which is to practise economy and to encourage savings, should be organized by the members themselves, namely, workmen and staff members of various Chinese Government Railways. In order to initiate the idea and with a hope to attain a better achievement, special appointees may be delegated by railway administrations to give any suggestions and assistances necessary in organizing the same.

3. All long-term workmen of Chinese Government Railways are qualified to be members of the societies.

4. The minimum capital investment for every member of the societies should be one dollar, the maximum, ten dollars. The total of capital investment should be determined by various railway administrations concerned.

5. In case the paid-up capital of the members are not sufficient to operate business, the railway administrations concerned may advance a certain amount of subsidy for the same, but the sum subsidized should not exceed \$2,000.

6. The commodities to be purchased by the Societies should consist only those articles of daily necessity for the railway workers. A detailed list of these articles should be fixed by the railway administrations concerned.

7. A special reduction of transportation fees of commodities purchased by the societies carried on local and through-traffic lines may be granted, but the amount reduced should not exceed 50% of the fees otherwise charged.

8. The prices charged for commodities sold by the Societies should be 5% less than the prices charged by other stores in the same locality.

9. Business offices, or branch offices, of the Societies should be established in localities where there are considerable number of members residing.

10. Except buying commodities for their own use or for the use of their families, no member of the societies should be allowed to purchase articles on behalf of non-members or to be resold to others. Should any member be found of violating this rule, he should be deprived of the privilege of buying from the Societies within a period from one month to six months.

11. When members of the societies wish to buy anything, they should first submit to the business department a list of required articles with their quantities specified, which will be duly checked by the managers concerned before needed articles are issued, and which will be kept by the department as requisition slip.

12. All purchases should be transacted in cash terms, but requisition books will be furnished by the business department for checking purposes.

13. The Societies should enter every item of purchase and sale of articles, as well as receipt and expenditures of the business establishment into respective books, which should be properly balanced daily and carefully kept for ready references.

14. At the close of every fiscal year, which falls upon the last day of every calendar year, the Societies should make statements of their accounts in general, and, after deducting the necessary expenses for the operation of the organization and a certain percentage for interest payment of capital investment as well as for bonus of their staff, credit the balance profit, if any, as a sinking fund, which should be treated as additional capital investment of their respective members in proportion to the amount they originally invested and to the quantity of articles they purchased during the year.

15. Should any one of the members decide to discontinue his relationship with the Societies, he should be allowed to take away the capital he put in as well as the profit accumulated and allotted to him every year.

16. The Societies should have a Board of Directors, Secretaries and Auditors, the number of which should be determined by the railway administrations concerned and approved by the Ministry. Two-third of the Directors, Secretaries and Auditors should be elected by the members of the Societies, and the other one-third appointed by the railway administrations concerned.

17. The business department of the Societies should have one manager and one assistant manager to look after the business side of the organization. The managers and assistant managers should be either appointed or elected from the Directors, Secretaries and Auditors, the appointment to be made by the railway administrations concerned, and the election to be made by mutual votes of the Directors, Secretaries and Auditors.

18. The tenure of office of Directors, Secretaries and Auditors will be one year. The positions should be honorary in nature, and no salaries should be paid.

19. The Societies should hold a general meeting once a year, in which reports on accounts and general conditions of the Societies should be rendered and important policies should be brought up and decided, and also hold a Directors' Secretaries' and Auditors' Conference once a month in which business problems of the Societies should be discussed and settled.

20. All accounts of the Societies should be audited by the Auditors once a month, and if necessary, the same may be examined by special representatives delegated by the managing-directors of the railway administrations concerned.

21. All Societies should submit a general report on their conditions to the Ministry at the end of every year through the railway administrations concerned.

22. All minute regulations governing the operation of the Societies shall be worked out and issued by the railway administrations concerned in accordance with the principles set forth in these General Regulations, but the same should be submitted to the Ministry for approval.

23. These regulations will become effective on the day of their promulgation.

Draft Regulations Governing Provident Fund for the Staff-Members and Workmen of the Chinese Government Railways

1. All staff-members and workmen on Chinese Government Railways should deposit their Provident Fund according to these Regulations.

2. A Contribution Fund, equal to the amount deposited as Provident Fund by the staff-members and workmen, should be set aside by the respective railways.

3. The percentages of the Provident Fund to be deposited by staff-members and workmen should be calculated according to the following table:

1%	of their wage	to be deposited	by those who	receive below	\$30 a month	
2%	„ „	„ „	„ „	„ „	„ „	\$40 „
3%	„ „	„ „	„ „	„ „	„ „	\$50 „
4%	„ „	„ „	„ „	„ „	„ „	\$60 „
5%	„ „	„ „	„ „	„ „	„ „	above \$60 „

4. When the wages of the staff-members and workmen are increased on account of promotion or otherwise changed, the Provident Fund deposited should be increased or decreased in accordance with the wages altered.

5. When the wages of the staff-members and workmen are increased or decreased on account of special reason the percentages of the Provident Fund should be calculated according to the amount they originally received.

6. The Provident Fund should be deducted from the wages of the staff-members and workmen by the accounting departments of various railways and a signed receipt for the same will be given to them through their chiefs.

7. The Contribution Fund set aside by the railways every month on pay day together with the Provident Fund of staff-members and workmen should be kept on a special savings account.

8. The total amount of Provident Fund and Contribution Fund should be transferred from the accounting departments of the Railways to be deposited in well-known banks to yield interest—those banks be selected by the respective managing-directors of the railways with the approval of the Ministry.

9. When the Provident Fund is accumulated into a big amount, a Savings Bank may be established.

10. The interest for the Provided Fund is 10% per annum to be settled every half year; receipts for the same should be given to the respective staff-members and workmen accordingly.

11. The Provident Fund including its interest will be refunded to the depositor when he retires from work. Should the depositor die while in execution of his duty the amount should be turned to his designated recipients.

12. The Ministry of Communications as well as the respective railways should be fully responsible for the safety of the Contribution Fund and Provident Fund with their accrued interest.

13. When a staff-member or workman is dismissed from the office on account of embezzlement, the amount embezzled should be deducted from his Provident Fund.

14. When a staff-member or workman be transferred from one line to another the amount standing to his credit in the Provident Fund Deposit including the accrued interest should be remitted for keeping, to the railway he is transferred to, but, if the Provident Fund system has not been introduced by that line, the Fund with its accrued interest should be refunded to the depositor.

15. The date of enforcement of these Regulations will be determined by a Ministerial Order; its detailed rules should be worked out and submitted by the railways to the Ministry for approval.



Draft Regulations Governing Pension Fund for Staff- Members and Workmen of Chinese Government Railways



1. In order to encourage the railway employees to be faithful in their service and to enable them to obtain an adequate amount of fund for living after their retirement, the Pension Fund Regulations are thus drawn up as follows.

2. Any employee, who has been in service in the railway for twenty years, has made regular deposit in the Provident Fund and has one of the following qualifications, will be granted a pension on retirement.

- a. When the employee is at the age of 55, ordered to retire by the railway administration.
- b. When the employee is retired on account of ill-health, certified by proper medical officer and approved by the respective chief.

3. When the employee who has made regular deposit in the Provident Fund, is injured and disabled while executing his duty and thus retired from service, a pension will be granted to him even though he has not any one of the above-mentioned qualifications.

4. When the employee who is retired on account of any one of the following reasons, no pension will be granted even though he has qualifications as defined in Article 2, but the amount credited to him in the Provident Fund including its accrued interest will be refunded to him.

- a. Retired through dismissal on account of fault or judicial punishment.
- b. Retired at his own option and under the age for compulsory retirement.

5. The pension will be given to the recipient in one instalment at the date of retirement. If the employee is willing to receive it by instalments or to deposit the same to the railway administration, the interest will be counted accordingly.

6. The amount of pension granted should be equal to the sum deposited in the Provident Fund by the employee every year and the interest accruing thereon. The deposit made in the Provident Fund will be refunded according to the Provident Fund Regulations.

7. With regard to the length of service mentioned in Article 2 all the time during which the employee has been in service in other organizations will be counted. But these organizations should be limited to the Government Railways.

8. The pension fund should be paid out from the following sources.

- a. The Contribution Fund which is set aside by the railways, the amount of which equals to the sum of Provident Fund deposited by the employees.
- b. The fund accumulated from fines of the wages of employees due to negligence of duty or absence over leave time or harm done to the work.

c. Other revenues approved by the railway administrations.

d. The interests of the above-mentioned funds.

9. The managing-directors are to be fully responsible for the pension funds, the account of which should be submitted to the Ministry for file from time to time and the same will be made public by the railway administrations concerned.

10. The detailed rules as to how to execute these regulations will be drawn up by the various railways, and submitted to the Ministry for approval.

11. The date of enforcement of these regulations will be determined by the order of the Ministry.



**RAPPORT PRÉSENTÉ PAR LE GOUVERNEMENT DE LA
REPUBLICQUE CHINOISE A LA CONFERENCE
INTERNATIONALE DU TRAVAIL**

**SITUATION GÉNÉRALE CONCERNANT LES OUVRIERS
SOUS LE CONTROLE DIRECT DU MINISTÈRE
DES COMMUNICATIONS**

**REPORT PRESENTED BY THE CHINESE GOVERNMENT TO THE
INTERNATIONAL LABOR CONFERENCE**

**GENERAL SITUATION CONCERNING THE WORKMEN
UNDER DIRECT CONTROL OF THE MINISTRY
OF COMMUNICATIONS**

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