Authorization in accordance with the Provisions
of Article 8 of the Japanese Constitution
(Draft)

The Emperor as well as the Imperial Family members provided for in Article 4 paragraph 1 of the Imperial House Economic Law, may, for purposes of ~~condolence~~ condolence and encouragement other than those provided for in the provisions of Article 5 of the Law for the Enforcement of the Imperial House Economic Law, make a gift within the limit of the amount not exceeding 2,500,000 yen during the period from April 1950 to the end of March 1951.

Reason: -

Of the amount of money which the Imperial House gives, the amount for gift specially for purposes of ~~condolence~~ condolence or encouragement is estimated to reach 2,500,000 yen during the period from April 1950 to the end of March 1951. With regard to above gift, it is practically difficult to make a request for authorization in each case, as is usual with the gift for ~~condolence~~ condolence about disaster; consequently, it is intended to make a request, in accordance with the provisions of Article 8 of the Constitution, for authorization in the aggregate, previously limiting the amount for gift to that of the previous fiscal year. Hence the necessity of presenting this draft.

DECLASSIFIED E.O. 11652 SEC. 3(E) AND 5(D) OR (E) NND # 715 072

Agreement to be submitted to the Diet
for Ratification or Disapproval.

---

to be submitted for GS confirmation

Legislative Affairs Section, FOM

January 7, 1950

1. FOM No. 5

2. Subject:

   Request for the Decision of the Diet in accordance with the Provision of Article 16 paragraph 2 of the Public Corporation Labor Relations Law.

3. Competent Authority: Cabinet

4. Reference:

   Public Corporation Labor Relations Law.
   (Law No. 257 of 1948)December 20, 1948
   Official Gazette No. Extra 47.

5. GS Reviewer:

Received by GS

Date 1/7/50

Cleared 1/7/50

Withdrawn by Cabinet 3/22 [illegible]

(11)

DECLASSIFIED E.O. 11652 SEC. 3(E) AND 3(D) OR (E) NNDG # 79-072

Subject concerning Request for Decision of the National Diet Based on the Provision of Article 16 Paragraph 2 of the Public Corporation Labor Relations Law.

DECLASSIFIED E.O. 11652 SEC. 3(E) AND 3(D) OR (E) NNDG # 79-012

In accordance with the provision of Article 16 Paragraph 2 of the Public Corporation Labor Relations Law, the National Diet is requested for the decision on the arbitration of the Public Corporation Arbitration Committee mentioned in the separate sheets.

DECLARED TO BE ENT. PAPER SEC. 3(B) AND 3(D) OR (E) NARA # 775-072

Report on Arbitration given
by
The Public Enterprises Arbitration Board

December 28, 1949

Chusai Saitei No. 2

Contents: Process

Judgment

Reasons

Process

1. The case has been taken up by the Central Mediation Committee of the Monopoly Corporation as a result of the application for arbitration by the All Monopolies Trade Union (Zen Sembai Kodo Kumiai) in connection with a "dispute concerning the increase of wages and the payment of year-end allowances, etc." against the Japan Monopoly Corporation (hereinafter referred to as the Corporation) on October 20th, 1949.

In spite of the strenuous efforts made by the Committee for more than 50 days, no mediation has been successful due to the dissent on the part of the Corporation. Thereupon the Committee applied for arbitration on December 14th pursuant to the provision of item 3 of Article 34 of the Public Enterprises Labor Relations Law (hereinafter referred to as Public Labor Law) with a resolution passed unanimously by the Board.

2. The Board decided to accept the application on the same day, and spared no effort to clarify the situation in listening to the process concerning mediation in detail from the Committee, and reviewing carefully the application for arbitration and other documents concerned as well as listening to the explanation from

both parties involved. Judging from the following facts, the Board has finally reached the conclusion that early settlement of the dispute along the lines of the proposed mediation is advisable.

(a) As this case is taken up on the application for arbitration by the Central Mediation Committee of the Monopoly Corporation and its nature has been fully reviewed by the Committee, the conclusion reached by the Committee should be relied upon and respected as far as possible.

(b) On reviewing the proposed mediation, it is noted that although there had been wide discrepancy between the standpoints of the two parties, they became nearer in the final stage owing to strenous efforts displayed by the Arbitration Committee. Consequently, the Labour Union expressed its intention of settling the dispute by accepting the proposed settlement which does not give it entire satisfaction.

In response to the conciliatory attitude of the Union the Corporation also declared in its last statement that it regrets not to be able to acquiesce to the proposed settlement for the revision of wage basis due to prevailing circumstances; however, it continues to say that it will respect the intention of mediation and taking into consideration various circumstances, it will do its utmost to conform to the desire expressed.

In view not only of the above mentioned points but of the fact that in the course of mediation there seemed to exist possibilities of solving the dispute within the limit mentioned in the proposed settlement, we consider it advisable to seek settlement in line with the above plan.

3. Such being the case, the committee, in conformity with the principle laid down by the proposed settlement, has decided to propose the following arbitration as an emergency measure:

Arbitration

Parties concerned

HIRABAYASHI Takeshi, chairman of the Central Executive Committee, representing the All Monopolies Trade Union, No. 72, Higashi-shinagawa 5 chome, Shinagawa ward, Tokyo

ARIYAMA Konosuke, President of the Japan Monopoly Corporation, representing the Japan Monopoly Corporation, No. 2, Uchisaiwai-cho 1 chome, Chiyoda ward, Tokyo

The committee hereby arbitrates between the parties concerned in the matter relating to the dispute arising out of the request for the increase of wages and the payment of the year-end allowances.

1. In accordance with the provisions of paragraph 2 of the proposed settlement, the Corporation shall pay to all employees of the Corporation by the end of the fiscal year 1949-1950 the amount equivalent to the sum of six months stipulated in the same paragraph, reduced by the total amount of the temporary year-end allowances paid in December, 1949.

2. As for the wages from April, 1950 onward, a negotiation shall be conducted between the parties concerned.

3. The Corporation shall confer with the Union and re-examine the current system of reward money for production in order to

create rational bonus system which will conform to the native of the Corporation as an enterprise from the next fiscal year onward.

4. In cases where the negotiation fails to reach an agreement over the matters described in eachparagraph mentioned above or no agreement is reached on the interpretation thereof, the decision shall be made according to the instruction given by the Committee.

December 28, 1949

Chairman of the Public Corporation
Arbitration Committee
SUEHIRO Izutaro

Member of the Public Corporation
Arbitration Committee
IMAI Kazuo

Ditto
MORIKI Kenzo

Reason:

The Corporation has the similar character as that of the Japan National Railway Corporation from the point of view of enterprise and consequently its employees are not government officials.

Consequently, wages and allowances for the employees of the Corporation shall be decided in accordance with the standard stipulated in paragraph 2 of Article 21 of the Japan Monopoly Corporation Law and there exists no legal foundation to fix their wages and allowances in accordance with those of government officials which are far below the standard of private enterprises.

2. The Committee is of the opinion that the wage basis of the employees of the Corporation are excessively low, and it should be revised, at least, to the standard indicated in the proposed settlement as soon as possible.

As is stated by the Committee in the arbitration given to the wage dispute of the National Railways the low standard of the actual salary base must be re-examined and negotiation between the parties concerned should be conducted carefully taking into consideration the future policy of salary base by the Government. The Committee, therefore, recommends the adoption of the revised salary scale from April, 1950 onward.

3. As a result of the investigation conducted by the Committee concerning the financial situation of the Corporation, we reached conclusion that the Corporation has sufficient financial ability, judging from its budget, to pay the amount described in the paragraph 1 of the report during this fiscal year.

DECLASSIFIED E.O. 11652 SEC. 3(E) AND 3(D) OR (E) NNDB # 775 072

Consequently, it is in a position to take necessary measures for payment without referring to the paragraph 2, Article 16 of the Public Labour Law,

4. The Committee is of the opinion that a system of allocating the surplus obtained by efforts of the employees such as the saving of expense or the increase of proceeds to all the employees in due production is superior to the actual awarding system.

We recommend to the Corporation, therefore, as a part of arbitration to materialize the above mentioned system in the budget of the next fiscal year.

Reason:

The arbitration made by the Public Corporation Arbitration Committee on December 28, 1949 concerning the wages base revision problem applied by the Zen Senbai Rodo Kumiai (All Monopoly Services Labor Union) comes under Article 16 paragraph I of the Public Corporation Labor Relations Law.

For this reason it is necessary, in accordance with the provision of paragraph 2 of the same Article, to submit it to the National Diet for discussion.

Reference:

Arbitration Items Made By

the Monopoly Corporation Central Arbitration Committee

1. To revise the average total monthly amount of wages to 8,138 yen on and after October, 1949;
2. As a measure until the realization of the revision mentioned in the preceding paragraph, to increase and deliver to all the members of the Union, a total monthly amount of 37,900,000 yen, Yenlarging the actual production reward system .
3. Not to grant the year end fund.
4. As for other matters, to decide after mutual consultation besed upon the present arbitration items.

HOUSE OF COUNCILLORS

Tues. Dec. 27th, 1949

AKUTAGAWA, Osamu

APPOINTMENT

1. Position to be assumed:

a. Title of Position: Vice-Secretary-General os H.C. (Holding concurrently the position of the Chief of the General Affairs Division of the Secretariate of H.C.)

b. Class: Official Treated as ist Class.

c. Grade: 14th Grade, No. 1.

d. Duties and Responsibilities: 1) The Vice-Secretary-General of H.C. assists the Secretary-General, adjusts affairs of each division and each section and supervises business of each division and each sextion. 2) When the Secretary-General is absent the Vice-Secretary-General acts in his place and supervises all the business in the secretariat and commands and directs the personnel of the secretariat.

2. Person to be appointed:

a. Name: AKUTAGAWA, Osamu

b. Age: 46

c. Present Position: Director of the General Affairs Division of the Secretariate of H.C.

d. Decision and Date of Central Screening Committee: Passed, Feb. 5, 1947. No. A 483.

e. Education, Other Training and Special Technical Experience: Passed Administration Course of Higher Civil Service Examination on Oct. 25, 1929. Graduated from the Law Faculty of the Tokyo University.

f. Occupational History:

No. 67.
12/27/49
Iwasaki
notified

(10)

Period of Employment	Duties & Responsibility	Titles of Position
From Oct. 12, 1949 to Date	As Director of the General Affairs Division, directs and supervised the personnel of 6 Sections -- General Affairs S., Accounting S., Repairs S., Printing S., Welfare S., and Data Section. He superintends: 1. Matters concerning the status of the Diet Members, their resignation and filling the vacancies of the membership. 2. Matters concerning documents and official seals. 3. Matters concerning accounting, supplies and the custody of the national property. 4. Matters concerning repairs. 5. Matters concerning printing. 6. Matters concerning Welfare of the personnel. 7. Matters concerning data. 8. Matters concerning such business as not belongs to other divisions.	Secretary of H.C. Director of General Affairs Division
From 1949, 6 to 1949, 8	Director of Public Safety Bureau	J.G.R. personnel
From 1949, 3 to 1949, 5	Chief Secretary of Minister's Secretariate	Secretary of Transportation Ministry
From 1947, 2 to 1948, 3	Chief of Shikoku Railway Bureau	Secretary and Confidential Secretary of Transportation Ministry
From 1945, 6 to 1945, 2	Archives Section Chief, Minister's Secretariate	Secretary and Confidential Secretary of Transportation Ministry
From 1944, 12 to 1945, 6	1st Section Chief, Planning Division, Transportation and Communication Ministry	Secretary of Transportation and Communication Ministry
From 1944, 7 to 1944, 12	Mobilization Section Chief, General Affairs Division, Railway Board.	
From 1942, 11 to 1944, 7	General Affairs Division Chief, Moji Railway Bureau	Railway Officer
From 1942, 3 to 1942 10	Attached to Research Chamber of the Minister's Secretariate	Railway Inspector, and concurrently, Secretary of Railway Research Division

Period and Employment	Duties & Responsibility	Titles of Position
From 1940, 5 to 1942, 3	Service at General Affairs Section, Transportation Division, Tokyo Railway Bureau	Secretary of Railway Ministry
From 1938, 11 to 1940, 5	Attached to 2nd Field Railway H.Q.	Assistant Secretary of Railway Ministry
From 1938, 6 to 1938, 11	Service at Personal Affairs Section, General Affairs Division, Moji Railway Bureau	Secretary of Railway Ministry, and concurrently, Secretary of Communication Bureau.
From 1938, 5 to 1938, 6	Service at Osaka Communication Bureau	Secretary of Railway Ministry, and concurrently, Secretary of Communication Bureau.
From 1938, 4 to 1938, 5	Passengers' Affairs Section Chief, Transportation Division, Osaka Railway Bureau	Assistant Secretary of Railway Ministry.
From 1937, 2 to 1938, 5	Chief of Kumamoto Transportation Agency, Moji Railways Bureau	Assistant Secretary of Railway Ministry
From 1930, 5 to 1937, 1	Service at Moji Railway Bureau	Assistant Secretary of Railway Ministry
From 1930, 4 to 1930, 5	Clerk of Railway Bureau	Clerk of Railway Bureau

Appointments requiring Consent of
Both Houses

---

to be submitted for G.S. approval

Legislative Affairs Section, Ministry of Foreign Affairs.

December 24, 1949

1. FOM No. 3

2. Subject:
Appointments of Members of the Local Administration Investigation Committee, TAKAHASHI, Seiichiro and 4 Others.

3. Competent Authority: Cabinet

4. Date of Cabinet Approval: December 23, 1949.

5. Reference:

1. the Local Administration Investigation Committee Establishment Bill, submitted to G.S. on Oct. 17, 1949.

6. G.S. Reviewers:

Received by GS

Date 12/24/49

Cleared 12/24
D.

(9)

December , 1949

To: Speaker of the House of Representatives

To: President of the House of Councillors

From: Prime Minister

Being desirous of appointing the following Person to Member of the Local Administration Investigation Committee, I hereby request the consent of your Houses under the provisions of Article 5 of the Local Administration Investigation Committee Establishment Law.

Note:

TAKAHASHI, Seiichiro
WATANABE, Tetsuzo
SUGIMURA, Shozaburo
KANBE, Masao
UZAWA, Somei

CHANGE IN THE PERSONNEL OF THE ADMINISTRATION RESEARCH COUNCIL COMMITTEE

Name	Present Position	Official Class	Position to be Appointed	Date of Screening	No. of Questionnaire
TAKAHASHI Seichiro	Chief of Japan Art Academy		Member Administrion Research Council Committee	May 2. 1947	No. 17624
WATANABE Tetsuzo	Member, Public Office Qualifications Appeal Commission		Ditto	March 12. 1947	No. 9301
SUGIMURA Shozaburo	Professor of Tokyo University		Ditto	Feburary 12. 1947	No. 1947
KANBE Masao	Mayor of Kyoto City		Ditto	March 12 1947	No. 9863
UZAWA Some	Lawyer		Ditto	December 23. 1947	No. 143.312

No objection was raised on this appointment by Mr. Frank Rizzo, Deputy Chief of Government Section, G.H.Q. on December 23, 1949 and approved by both houses on December , 1949

I hereby certify that the above statement is true and correct and that the persons mentioned has been screened and passed.

For Director-General of the Cabinet Secretariat

Appointment requiring Consent
of Both Houses

---

to be submitted for GS approval
Legislative Affairs Section, FOM
(TEL. 57-6010)

December 24, 1949

1. FOM Number: 4

2. Subject: Appointment of Member of the Local Autonomy Committee, TOYAMA, Shinichiro

3. Competent Authority: Cabinet

4. Date of Cabinet Approval: December 24, 1949

5. Reference:

   1. Local Autonomy Agency Establishment Law (Law No. 131 of 1949)

      Official Gazette No. Extra 56, May 31, 1949

6. G.S. Reviewers:

Cleared 12/24/49
DL

Received by GS

Date 12/24/49

(8)

December , 1949

To: Speaker of the House of Representatives

To: President of the House of Councillors

From: Prime Minister

Being desirous of appointing the following person to Member of the Local Autonomy, I hereby request the consent of your Houses under the provision of Article 4 paragraph 3 of the Law No. 131 of 1949.

Note: TOYAMA, Shinichiro

Appointment requiring Consent
of Both Houses

---

to be submitted for GS approval
Legislative Affairs Section, FOM
(TEL. 57-6010)

December 23 , 1949

1. FOM Number: 2

2. Subject: Appointment of Member of the Local Autonomy Committee, SAITO, Kunio

3. Competent Authority: Cabinet

4. Date of Cabinet Approval: December 22, 1949

5. Reference:

   1. Local Autonomy Agency Establishment Law (Law No. 131 of 1949)

      Official Gazette No. Extra 56, May 31, 1949

6. G.S. Reviewers:

Cleared 12/23/49

Received by GS

Date 12/23/49

(7)

December , 1949

To: Speaker of the House of Representatives

To: President of the House of Councillors

From: Prime Minister

Being desirous of appointing the following person to Member of the Local Autonomy, I hereby request the consent of your Houses under the provisions of Article 4 paragraph 3 of the Law No. 131 of 1949.

Note: SAITO Kunio

December

Major Napier:

The attached unsigned letter to Gen. Whitney was sent in by Mrs. Nakayama, DL of the HR, and Mrs. Fukuda, SD of the HR. The Social Security System Council was established by law one year ago. It is composed of 40 members, of whom 10 must be Diet members, each serving for 2 years with half the membership replaced each year. Appointments for the next two year period will be made on Thursday of this week (22 December). Mrs. Nakayama is one of those whose term is expiring now, which may have some connection with her sudden interest in asking Gen. Whitney to plug for the appointment of more women members to important positions.

To JW

No comment for

December 16th, 1949.

To : Brigadier General Courtney Whitney,
Chief of Government Section, GHQ.

From : NAKAYAMA, Masa & FUKUDA, Masako.
Representatives of the woman-members of the
House of Representatives.

Petition for Appointment of Woman Diet-members
to Membership of the Social Security System Council.

Postwar Japan has been democratized in a wide range of spheres through the good offices of the Occupation Forces but there remains yet a considerable extent of feudalistic influence, which is deeply regrettable to us.

Especially, the idea of "predominance of men over women" is really very deep-rooted. In the Diet, no important post has been given to women members. Not a single woman member was included in the Diet Delegation to the United States. Only two women have been appointed to membership of the Social Security System Council which has the most close connection with the stabilization of national life.

This Council will shortly have its members re-elected, we hear. Though we think it not advisable to have the members of this Council, who require hard studies, changed in a short

period

period, if they should be re-elected, we wish you to advise the Japanese Government to appoint many woman-members from among the people as well as from the Dietmembers.

Agreement to be submitted to the Diet

for Ratification or Disapproval.

---

to be submitted for GS confirmation

Legislative Affairs Section, FOM

1. FOM No.....I

2. Subject:

Request for the Dicision of the Diet in accordance with the Provision of Article 16 paragraph 2 of the Public Corporation Labor Relations Law.

3. Competent Authority: Cabinet

4. Reference:

Public Corporation Labor Relations Law.

(Law No.257 of 1948) December 20, 1948

Official Gazette No. Extra 47.

5

7. GS Receiver:

Received by---GS---

Date---12/12/49---

Cleared by CS 12/14/49.

(5)

Subject: Request for the Decision of the Diet in Accordance with the Provision of Article 16 paragraph 2 of the Public Corporation Labor Relations Law.

In accordance with the provision of Article 16 paragraph 2 of the public Corporation Labor Relations Law, the Government hereby requests the decision of the Diet on the award of the Public Corporation Arbitration Committee as mentioned in separate sheets.

Contents of the Japanese National

Railways Arbitration Board Award

1. Development

2. Award

3. Reasons

DEVELOPMENT

1. The matter begins with the application for mediation to the National Railways Central Mediation Commission concerning "the dispute for the revision of wage base, year-end bonus and others" contending with the Japanese National Railways (hereinafter called as "National Railways") filed by the National Railways Trade Union on September 14, this year.

The Commission, after conducting careful surveys and listening to the opinions of the representatives of various circles in holding public hearings, presented a mediation award, major contents of which was "wage base shall be ¥8,058 monthly, payable from October, but year-end bonus shall not be paid". The Union accepted the award, but the National Railways did not. The Commission, however, tried to mediate, but did not come to the settlement and at last the Commission brought the matter to an end on October 28. The Union, thereupon, applied to this Commission for arbitration the same day in accordance with the provision of Art. 34 Par. 2 of the Public Corporation Labor Relations Law (hereinafter called as "Public Labor Law").

2. This Commission held an extraordinary arbitration commission meeting on October 31 and after consideration, decided to make an arbitration for the matter. The Commission notified the both parties concerned to that effect, made public of it as fixed and the following day, listened to the National Railways Central Mediation Commission concerning the detailed development of the mediation made by the same Commission. After listening several times to the both parties concerning the affairs, this Commission obtained the confirmation on the following points from the both parties and could clarify the key points of their contention.

a. The matter is an application for arbitration filed in accordance with Art. 34 Par. 2 of the Public Labor Law.

b. All the matters applied for mediation to the National Railways Central Mediation Commission are the objects of arbitration.

3. Main points of contention of the Union:

a. The current wage base, ¥6,307, has been enforced since December last year in accordance with the recommendation of the National Personnel

Authority and the computation thereof was made on the base of C.P.S. in July, 1948. The wage base was out of proportion from the beginning comparing with the base in private enterprises.

b. The Trade Union members are in difficulty in living on the current wage base under the pressure of the recent high cost of living and they can not display their labor force satisfactorily. They want that the wage base must be revised to ¥9,700 immediately so as to live up to the national living standard, C.P.S.

c. For the above-mentioned reasons, red figures have been accumulated in their household budgets and they have not received regular increased pay since January, 1949, they want, therefore, to be paid bonus of about one month wages at the end of this year.

d. There are many unsatisfactory points in the current system of position classification pay and the minimum wage of the current 2nd grade-1 (basic wage ¥2,844) for field employees must be raised to ¥4,750 with the revision of the wage base.

e. Although they are not satisfied very much with the sum, computation methods and other grounds in the mediation award, respecting the authority of the Mediation Commission and considering the general situation as well as the oppressed living condition of the Union members facing the year-end, they have accepted the award aiming at earlier payment and, therefore, they expect bonus to be paid with earnest hope.

f. The mediation award, however, has been rejected by the National Railways and matters has naturally returned to a state of blank-paper according to their opinion. Arbitration award, therefore, must be made on the basis of the original demand of the Union, "wage base shall be revised to ¥9,700, bonus of one month wages shall be paid and others".

4. Main points of contention of the National Railways:

a. The demand can not be accepted in view of the financial condition of the National Railways (as the independent payable system has been positively enforced since the Railways was transferred to a public enterprise corporation this fiscal year, freight charges are left as they are, and the budget has been unreasonably appropriated, 9.1 billion yen in red figures can be seen at the end of the fiscal year and, even if

80% raise of freight charges should be carried out, there still remains 3.1 billion yen in red) and general objective conditions (three principles on wages, situations at home and abroad where economic reconstruction steps have been actively enforced in accordance with the 9 economic principles).

b. National Railways employees alone can not be paid increased wages ahead of the national public servants on the ground that cost of living and pays in private enterprises have risen.

c. Especially, wages in private enterprises, prices of commodities and cost of living have generally been in a tendency of steady movement of late and, owing to this tendency, living standard can not be recognized as being lowered down.

5. Starting from the above-mentioned contentions of the both parties, but considering that the effect of the decision of the Arbitration Commission should be final and bind the both parties concerned, provided that the approval of the Diet is needed only when the expenditure is impossible in view of the appropriations and wages, the Commission has collected many kinds of data concerned, surveyed the matter from various angles on an independent standing and decided the following award with careful consideration.

award

Parties concerned: Japanese National Railways Workers Union

Japanese National Railways Building, Marunouchi, Chiyoda-ku, Tokyo-to.

Represented by: KATO Etsuo, Chairman, Central Executives

Japanese National Railways
Marunouchi, Chiyoda-ku, Tokyo-to.

Represented by: KAGAYAMA Yukio, President

The Board shall decide "the dispute for the revision of wage base, year-end bonus and others" between the above mentioned parties, as follows:

1. Wage base shall not be revised for the time being, but reduction of pay enforced to employees which was caused by financial reason shall be at least adjusted.

2. Pursuant to the above-mentioned purport, the Japanese National Railways shall pay 4.5 billion yen in total in the current fiscal year. Of the amount 3 billion yen shall be paid within the month of December 1949 and 500 million yen shall be paid each month in and after January 1950 until wage base be revised. Detailed procedure of distribution for the above-mentioned amount shall be consulted and decided between both parties concerned during the month of December 1949.

3. Year-end bonus requested by the union shall not be approved, but the Japanese National Railways, in view of the enterprising nature of corporation, shall establish a new bonus system based on achievements, by which if and when certain surplus income accrues or reduction of expenses is materialized, allegedly caused by the increase of efficiency on the part of employees, a proportional part of the amount shall be paid to the employees as bonus.

4. In case on agreement is reached between both parties concerned regarding the interpretation or execution of the award, the matter is to be decided by the instructions of this Arbitration Board.

Japanese National Railways Arbitration Board

Chairman. Itsutaro Suehiro (Sealed)
Committee. Kazuo Imai (Sealed)
Committee. Kamazo Horiki (Sealed)

REASONS

1. The Japanese National Railways is an enterprising body of public nature, but not an administrative organ. Hence its officials and employees can not be looked upon as public servants. Consequently there is no legal basis upon which their payments be regulated in the same manner as in the case of public employees. And the Corporation, from its nature of an operator, is in a position to decide on the payments to its employees within the bound of its own responsibility.

According to the Japanese National Railways Law, Article 28, a decision on the payments shall be made with a consideration of the payments to public employees. However, this regulation has been provided because of the fact that the Corporation is run on the Government investment, but this fact does not change the legal nature of the Corporation's payments to its employees.

2. From the above standpoint, the Article 28 of the Law has been carefully studied, and accordingly the present wage payments of the Corporation was reviewed. In considering the prevailing wages in general among private industries and among similar enterprises, we have come to a conclusion that the present wages of the Japanese National Railways, which was based on the level of commodity prices in July, 1948, is too low and in order to meet the present economic level the average pay should be at least 8,400 or 8,500 yen. The Article 28 of the Law has been further studied on the point of comparison with the payments to public employees. We found that this provision was not in such a nature as to strictly regulate the Corporation on deciding a new basis of its own wage payments without consideration of whether there is change of no change for the payments to public employees. The objection is raised only because the Corporation is capitalized by the Government and since it has been separated as an independent corporation only recently. Moreover, we think it illogical to look at the Corporation in the same light as in the case of public employees, who, by the way, are underpaid at present.

3. The Arbitration Board made a comparative study on the present wages of the Corporation against the transient increase of the public employees' pay, and discovered that the former has suffered decrease recently and the reasons for this decrease were mainly due to unsatisfactory forced managements by the Government for the sake of national financial policies under the stringency of national economy and that under such circumstances, the National Railway Authorities then postponed time and again promotions of employees and actually lowered the payments. This fact was seen significant at the times of the transfer to the present Corporation in June this year. The study of confirmable materials revealed the fact that the loss suffered by the employees as can be estimated at least 1,000 yen per head per month.

4. From the foregoing reasons, the Commission considers that the losses thus sufferred by the Corporation employees should be immediately corrected; and not only that, should the Corporation management consider it possible, their wage basis should be increased to the point mentioned in the paragraph 2.

5. However, the Board will not deny the fact that our national economic situations have shown some improvements and that some undue efforts by the Government have been made to stabilize the national economy to some extent by checking the inflation, and also we can see some logical measures to maintain the present wage in real value, without raising it, from various phases such as by adopting a new taxation policy. Whether or not these efforts will materialize an adequate result can not be exactly foreseen. But by our anticipation thereof and believing that they will work right, the Board refused to approve the demands on the elevation of wage basis and the minimum wage set up. The Board expects the Government to solve these problems before long from its own standpoint politically and economically.

6. However, the Board thinks it proper that what has been mentioned in the paragraph 3 for making corrections of the losses sufferred by the Corporation employees should be accomplished immediately. The Corporation management is believed to be in a position to settle this question.

Should the Diet approve a loan to some extent for the settlement of this question, the Corporation will be sure to repay it beginning the next fiscal year. The Government should also consider the point of undue demand in preparing its budget forced the Corporation to meet with for the present fiscal year, from the national financial reasons, and should be lenient in assisting the Corporation to become self-sustaining enterpriser, as soon as possible.

7. The Board found it difficult to see any reason for justifing the demands on the year-end bonus, but it considers proper and recommends the Corporation to reimburse a part of its surplus, when such occasion arises in future, to its employees as remunerations for their adequate efforts.

8. Since the present decision is binding for both parties according to the Articles 16 and 34 of the Public Corporation Labor Relations Law, the Corporation is bound to carry out its responsibility of what contain in the decision within the date fixed therein. Hence the Corporation shall be advised to prepare to begin to perform its part of the responsibilities within the scope of its ability before the date fixed therein. For the part which was found beyound its financial competency, it shall immediately proceed in making out the budget in accordance with the regulations of Article 38, and what follows, of the Japanese National Railways Law.

Reason:

As the award made on December 2, 1949 by the Public Corporation Arbitration Committee on the question of wage base revision requested by the National Railways Labor Union falls under Article 16 paragraph 1 of the Public Corporation Labor Relations Law, it is necessary to submit the above to the Diet for its decision in accordance with the provision of paragraph 2 of the said Article.

(4)

House of Representatives

December 15th, 1949.

Request for Approval of Disbursement from 1948-49 and 1949-50 Contingent Funds of House of Representatives.

The sum disbursed during the period beginning March 17th, 1949 and ending October 17th, 1949 from the Contingent Funds of the Diet for the fiscal years 1948-49 and 1949-50, is as follows:

1948-49 fiscal year	¥ 6,534,000
1949-50 fiscal year	¥ 1,036,800
Total disbursement	¥ 7,570,800

Breakdown.

Item & Classification	Sum	Reason	Date of approval by House Management Committee
Contingent fund of the Diet for 1948--49 fiscal year.			
Contingent fund of H.R.	¥5,034,000	To cover deficit in budget	
Utility & contractual services.			
Printing & binding	¥5,034,000	To cover deficit in budget for printing Bills, etc.	March 17th, 1949.
Sundry allowances & pay.			
Overtime allowance	¥1,500,000	To cover deficit in budget for overtime allowance	March 17th, 1949.
Total	¥6,534,000		
Sum for which approval of disbursement was obtained at last Session	¥ 466,000		
Total	¥7,000,000		
Sum appropriated in budget	¥7,000,000		
Balance	0		

Item & Classification	Sum	Reason	Date of approval by House Management Committee
Contingent fund of the Diet for 1949-50 fiscal year.			
Contingent fund of H.R.			
Sundry allowances & pay.			
Death grants	¥1,036,800	Payment of condolence money to families of Members who died during tenure of office.	
For late Ose, Kyuichi	¥ 345,600	(Equal to one year's annual allowance)	May 6th, 1949.
For late Yakamatsu, Torao & Saito, Takao	¥ 691,200	(Equal to one year's annual allowance)	October 17th, 1949
Sum appropriated in budget	¥7,000,000		
Balance	¥5,963,200		

Bill

to be submitted for GS approval
Legislative Affairs Section, FOM
(TEL.57-6010)

October 26, 1949

1. FOM Number: 3

2. ~~Name of Bill~~:
   Request: Request for Approval of the Diet concerning the appointment of the member of the Foreign Exchange Control Commission

3. Competent Ministry:

4. Date or Cabinet Approval:

5. SCAP Section concerned:

6. Remarks: (Reference:)

.....

.....

.....

.....

.....

7. G.S Reviewers:

Cleared 10/27/49
CB.

Received by GS

Date 10/26/49

(3)

October , 1949

To: Mr. Speaker of the House of Representatives and
Mr. President of the House of Councillors

On September 28, 1949 I appointed the following person to the post of member of the Foreign Exchange Control Commission, so I request the consent of your House in accordance with the provisions of item (3) of Cabinet Order No. 333 of 1949.

Prime Minister
YOSHIDA Shigeru

Note:

SUGIHARA Yukichi

Cleared
2/4

(3)

Bill

---

to be submitted for GS approval
Legislative Affairs Section, FOM
(TEL.57-6010)

October 26, 1949

1. FOM Number: 2

2. ~~Name of Bill~~:
Request: Request for Approval of the Diet concerning the appointment of the member of Policy Board of Bank of Japan.

3. Competent Ministry:

4. Date of Cabinet Approval:

5. SCAP Section concerned:

6. Remarks: (Reference:)

.....

.....

.....

.....

.....

7. G.S Reviewers:

Cleared 10/27/49
G.

Received by GS

Date 10/26/49

(2)

October , 1949

To: Mr. Speaker of the House of Representatives and
Mr. President of the House of Councillors

On June 17, 1949 I appointed the following persons to the respective posts mentioned below, so I request the consent of your Houses in accordance with the provisions of paragraph 2 of the Supplementary Provisions of Law No. 191 of 1949.

Prime Minister
YOSHIDA Shigeru

Note:

NAKAYAMA Hitoshi: member of Policy Board of Bank of Japan
KISHI Kijiro: ditto
MIYAJIMA Seijiro: ditto
HASUMI Yasushi: ditto

Cleared

778 072

Bill

---

to be submitted for GS approval
Legislative Affairs Section, FOM
(TEL.57-6010)

October 26, 1949

1. FOM Number: 1

2. ~~Name of Bill~~; Request: Request for Approval of the Diet concerning the appointment of the member of Statistics Commission

3. Competent Ministry:

4. Date of Cabinet Approval:

5. SCAP Section concerned:

6. Remarks: (Reference:)

.....

.....

.....

.....

.....

7. G.S Reviewers:

Cleared 10/27/49
GS.

Received by GS

Date 10/26/49

(1)

October , 1949

To: Mr. Speaker of the House of Representatives

On June 1, 1949 I appointed the following person to the post of Chairman of the Statistics Commission, so I request the consent of your House in accordance with the provisions of paragraph 3 of the Supplementary Provisions of Law. No. 132 of 1949.

Prime Minister

YOSHIDA Shigeru

Note:

OUCHI Hyoe, member of Statistics Commission

Cleared by

(1)