WT-IV

CIVIL SERVICE DIVISION
Government Section

18 July 1949

) Eliot
Please put with Zentei file.
~~Please return.~~ MS
MS

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

SUBJECT : Informal Discussion Concerning Proposal to Abolish Ministry of Communication Employee's Union

noted 7/21/49

In a second conference today among Messrs. Steward and Salter of CSD and Messrs. Wardell and Feissner of CCS, a proposed letter drafted by Mr. Wardell recommending the elimination of Zentei was discussed.

Mr. Wardell is of the opinion that the infiltration of Communists to key positions in the telecommunications system, including the police circuits, and their virtually absolute control of Zentei, has reached such a dangerous situation that Zentei should be ordered abolished. He considers this union as the principal key of activities of JCP and as virtually controlling management of the Ministry of Communications.

It was explained to Mr. Wardell that the elimination of this union, even if there were concrete evidence of Communist directed activities, would be contrary to the Constitution and FEC policy. Furthermore, the elimination of the union does not get at the core of the situation. Until management asserts itself and ceases to rely completely on GHQ for its support and decisions, this situation within the Telecommunication and Postal Service Ministries will continue.

During the discussion it was implied that the NPA had not properly asserted itself in prosecuting or taking action against this union, which it is claimed has consistently violated the NPSL. Mr. Wardell was informed that every effort had been made to observe the activities of the union and that not a single concrete case had been developed. If Mr. Wardell could produce such a case and it called for action by NPA, undoubtedly NPA would take such action. It was explained to Mr. Wardell that in most instances NPA was providing the tools for management performing an adequate personnel job. Most instances of violation were matters that should be handled by management.

Mr. Wardell stated that he still expected to forward the attached letter to Government Section requesting action.

MacDonald Salter

MacDONALD SALTER
Chief, Classification
& Compensation Branch

MS:jd
Att.

Mr. W. L. Wardell 26-6167

TC/WLW/nk Communications Workers Union

CCS GS

(1) 1. It is recommended that positive action be taken by GHQ, SCAP, to bring about the dissolution of the All Japan Communications Workers Union and ~~order~~ the formation of separate democratic employees' organizations within the Postal and Telecommunications Ministries respectively, organized in accordance with the principles of the National Public Service Law and the Rules of the National Personnel Authority. The activities of the present Union have been given careful surveillance by interested sections of SCAP for almost three years. It is believed that the policies of the Union are representative of a minority group and that the action of this minority has resulted in actions upon which a sound case can now be established against it. It would appear that the time is propitious for taking action to eliminate this undemocratic, Communist dominated and radical organization on the basis of its illegal acts. The following are a typical group of illegal actions sponsored by the Union, any one of which should be cause for drastic action.

Suspense

a. Since the Postal and Telecommunications activities of the Japanese Government have been separated, the employee organizations should likewise be separated. There is little relationship between the employee problems involved in the two groups due to the clerical nature of one and technical nature of the other. This is denied and opposed by the present Union management. The present Union organization and activities are contrary to the principles of the National Public Service Law and the Rules of the National Personnel Authority.

b. The present Union management has aligned itself with the Communist Party and the Union is used as a means for Communistic expansion and dissemination of propaganda not only within its own membership, but among the memberships of other unions. As a matter of fact, it can be said that the organization is, at present, the core of Communist activities.

c. The present Union has consistently made illegal use of the telecommunications facilities for its own purposes, specifically for the purpose of aiding the Communist party and other outside unions having radical leanings. Conversely, members of the Union have hindered the legal use of facilities by conservative elements opposing the present policies.

d. The secrecy of communications recognized internationally, has been flagrantly violated. Intercepted information has been used by the Union and passed on to other unions and the Communist party as a means for countering or sabotaging legal efforts relating to labor problems.

C/N #1 from CCS to GS, , Subj: Communications Workers Union

e. The policies of the Union as expressed in directives to its members are inimical to due processes of the present Japanese Constitution and laws. The following are a few examples of this:

(1) Instruction for Communists or Communist sympathizers to be placed into positions where, in the event of an "emergency", they can obtain complete control of all international and police communications and of all important telegraph centers.

(2) Direct and implied opposition to recognized Occupation Force objectives and misinterpretation and untrue statements regarding Occupation Force directives.

(3) Intimidation of non-union supervisors and management representatives and of conservative union members.

(4) Instructions issued to interfere in the due process of law and law enforcement and advice to participate and assist in organizing demonstrations, in many cases better described as riots.

(5) Instructions issued to resort to force and sabotage in order to prevent the carrying out of competent orders of the management and the Government.

2. It is recognized that action proposed may result in serious consequences temporarily; however, it is estimated by the MGTC officials and concurred in by CCS, that not more than 10 or 15 per cent of the employees are actually radical and that these are for the most part under 30 years of age with relatively short periods of service. It is believed that the conservative elements given a start, will rapidly assume control and are willing and anxious to rationalize the labor situation in the two Ministries. Furthermore, there is concrete evidence that it is through the Telecommunications Workers Union, that the labor offensive planned for July, August and September is to be coordinated and implemented. This being true, action to dissolve this union would seriously hamper the action of the associated radical labor groups during this critical period.

- G. I. B. - - - - - - - - - - -

CONFIDENTIAL

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS

CHECK SHEET

(Do not remove from attached sheets)

Mr. W. L. Wardell 26-6147

File No.: TC/WLW/nk Subject: Communications Workers Union

Note No.: (1)

From: CCS To: GS Date:

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CONFIDENTIAL

C/N #1 from CCS to GS, , Subj: Communications Workers Union

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2. It is recognized that action proposed may result in serious consequences temporarily; however, it is estimated by the MOTC officials and concurred in by CCS, that not more than 10 or 15 per cent of the employees are actually radical and that these are for the most part under 30 years of age with relatively short periods of service. It is believed that the conservative elements given a start, will rapidly assume control and are willing and anxious to rationalize the labor situation in the two Ministries. Furthermore, there is concrete evidence that it is through the Telecommunications Workers Union, that the labor offensive planned for July, August and September is to be coordinated and implemented. This being true, action to dissolve this union would seriously hamper the action of the associated radical labor groups during this critical period.

- G. I. B. - - - - - - - - - - -

CIVIL SERVICE DIVISION
Government Section

13 July 1949

MEMORANDUM FOR: Mr. Foster Roser, Examination Specialist

SUBJECT : Conference between Union Leaders and NPA Management

1. As a result of the second conference between union leaders and NPA management, which was not attended by anybody from GHQ, the attached news release was made by the union concerning the topics of discussion. I have not received a report from management concerning this meeting so it is possible that some of the claims may be exaggerated. Nevertheless, would you check this matter with management with particular reference to the questions raised by items 2, 7, and the first paragraph under "additional subjects of discussion?"

2. I hope there is no problem involved in number 3 and that all the overtime is perfectly legitimate. There is some question, of course, as to just how far the union should concern itself with overtime beyond the point of assuring themselves that it is legitimately earned. I have warned them on this matter.

3. Number 5 drew an interesting comment attributed to management. Actually this matter is none of the unions' business.

4. Let me know what you find out at your earliest convenience.

MACDONALD SALTER,
Chief, Classification-Compensation Branch.

MS:mvb
1 Attachment

CIVIL SERVICE DIVISION
Government Section

July 12, 1949

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

SUBJECT : Summer Labor Offensive -- Kokutetsu

1. Reference is made to the alleged determinations arrived at by the Young Communist League meeting of July 6, which was forwarded to CCS by the Tokyo Shibaura Electric Company. This document was discussed with Mr. Rollinson, official of CIS this morning, who is of the opinion that while this particular disclosure will bear looking into, it represents one in a series of many and varied items and types of information flowing to SCAP and Japanese officials from sources which are generally suspect. In his conversation with me this morning, Mr. Rollinson brought out information which has come to him as a rumor that the Japan State Railway may postpone the second stage of its personnel retrenchment (67,000, approximately) until some time next week in order to give a chance to the disintegrating forces and trend within Kokutetsu to take effect. This "rumor" was partially confirmed later on this morning by a statement made to me by Mr. Kawasake of NPA Investigation Bureau and a newspaper article. Mr. Kawasake believes that the State Railway Corporation will postpone certain of its large scale personnel transfer programs in order to avoid disturbing railway service during the return of repatriates to Japan. He also believes that some "notice" and other considerations will be given to the next group of Kokutetsu employees to be laid off. (In the case of the first group which has been laid off, no notice whatever was given and the persons involved were given twenty-four hours to remove their belongings from the work premises. This may be due to the fact that a substantial number of the first dischargees were JCP agitators and unioneers who spent more time away from than on their legitimate work--newspaper this morning states that the State Railway Corporation may consider holding discussions with Kokutetsu Union before the second phase of the personnel retrenchment goes into effect).

2. After lunch today, Mr. Rollinson came to this office and among other things, indicated receipt by CIS of information to the effect that Kokutetsu will not engage in any major all-out struggles until October, when they will support the "October offensive". (This is the first time this year that I have heard October offensive mentioned.)

THOMAS ELIOT
Personnel Specialist

TE:vr

1- P. McCoy
3- G. Peterson
4- L. Bettis
5. C- File

CIVIL SERVICE DIVISION
Government Section

July 11, 1949

WDR 7/19

MEMORANDUM FOR: The Record

SUBJECT : Political Activity in Government Institutions

1. The attached letter from patients at the Kyose National Sanitarium contains charges which indicate provisions of the National Public Service Law are being violated. Investigations conducted by Public Health and Welfare Section reveal that conditions described at the Kyose Sanitarium are wide spread in national hospitals and sanitariums.

2. According to the charges, Articles 101 and 102 of the National Public Service Law are being defeated.

Instances of violations of Article 101 are:

(a) Doctors and nurses hold open discussion in wards on political party activities under guise of improving relationship between patients and hospital employees' union.

(b) Hospital employees work for their political parties during duty hours.

Instances of violation of Article 102 are:

(a) Permitting political posters and printed matter on national hospital bulletin boards.

(b) Permitting use of national hospital for political speeches.

(c) Permitting political organizations the use of national hospital buildings in soliciting party funds and members.

3. Disciplinary punishment for violation of Article 101 of the National Public Service Law can be administered under Article 82 of the same law. Disciplinary punishment for violation of Article 102 cannot be administered at present as political purpose and political activity have not been defined by rules of the Authority.

4. It is recommended that:

(a) An investigation be conducted by the National Personnel Authority to determine to what extent the charges are true and to what extent Articles 101 and 102 of the National Public Service Law are being

violated at Kyose Sanitarium.

(b) A rule be issued by the National Personnel Authority defining political party, political purpose and political activity under Article 102 of the National Public Service Law.

(c) A follow up be conducted by the National Personnel Authority to insure that indicated political activities have been eliminated.

Albert R. DeAngelis
ALBERT R. DeANGELIS
Compensation Specialist

Attachments 2

ARD:vr

C.S.D. copy

GENERAL HEADQUARTERS

SUPREME COMMANDER FOR THE ALLIED POWERS

Checksheet

Subject: Political Activity in Institutions — Dr. Morton 26-6995

From: PH&W — To: GS — Date: 5 July 1949

1 — 1. Pursuant to conversation with Mr. DeAngelis, a letter received from patients of Kiyose National Sanitarium is forwarded as an enclosure for your investigation and recommendation.

2. It was brought to our attention that political activities of the type described in subject enclosure are not consistent with current legislation concerning political activity in government institutions.

3. Enclosure is only one example of numerous complaints of this nature which have been received over the past three years by this Section, and investigations on numerous occasions have revealed that the activities described are prevalent in many of the national hospitals and sanitariums.

4. Activities of this type are detrimental to the health of the hospital patients and do not provide a favorable atmosphere in which a patient may satisfactorily recover from chronic illnesses such as tuberculosis which require rest and quiet, to say nothing of the interference in the proper administrative and medical care functions of the hospitals.

1 Encl
a/s

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

Mr. Hoover
26-8925

2 — From: GS — To: PH&W — Date: 4 August 1949

1. Copy of attachment has been retained for use by the Bureau of Investigation, National Personnel Authority.

2. In light of the information contained in the attachment and the comments of Note. 1, the Civil Service Division will recommend to the National Personnel Authority that the following action be taken:

a. an investigation be instigated immediately by the Bureau of Investigation, National Personnel Authority, to determine to what extent the charges made in the attachment are true and to what extent Articles 101 and 102 of the National Public Service Law are being violated at the Kyose Sanitarium;

2 (Cont)

b. that the National Personnel Authority consider the matter of immediately issuing a rule defining political party, political purpose, and political activity permitted to National Government employees under Article 102 of the National Public Service Law;

c. that if the charges and allegations made in the attachment are sustained by the investigation, the National Personnel Authority issue necessary directives and/or orders to the responsible authorities to eliminate, cease and desist such illegal practices and institute such disciplinary procedures as may be necessary and/or indicated under the National Public Service Law or the Rules of the National Personnel Authority;

d. that following the initial investigation, the Bureau of Investigation, National Personnel Authority, conduct a follow-up investigation to ascertain to what extent illegal political activity has been eliminated or is being continued in the Kyose Sanitarium.

3. The ministry and/or agency responsible for the supervision of operation of national hospitals should be instructed to bring all such cases to the immediate attention of the National Personnel Authority which will permit that organization to make the necessary investigations and where the charges are substantiated take the necessary action to eliminate such alleged illegal political activities by National Government employees. The National Personnel Authority stands ready to assist any and all ministries and agencies in maintaining law and order as well as eliminating inefficient and insubordinate employees; however, the scope of the National Government is so large that the Authority cannot on its own be fully aware of all transgressions of the National Public Service Law and, therefore, must depend on the filing of formal complaints by the responsible ministries and agencies. The Authority is now in the process of enlarging its investigation staff to adequately respond to all requests for investigations by responsible supervisory organizations.

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

COPY

Note from a sanitary viewpoint:- I, who wrote this letter am a patient, but by strict bacteriological examination, I was lately found to be free of germs.

Okamura

- - - - - - - - - - - - - - - -

Letter: Dated 18 June 1949
From: Patients of Kyose National Sanatorium
To: Dr. Morton, PH&W, GHQ, SCAP
Content:

Complaints from patients under heavy pressure from a publicly recognized communistic movement.

The severity of red movements in this hospital is well known to all national sanatoria in Japan and among all communists. As article 21 of the Constitution admits freedom of speech and political ideas, we do not mean to accuse them for their movements. We simply complain that our recuperation is greatly hindered as they try to rob us of rest and quietness and force their partial, biased and agitative ideas on our nerves already strained by long illness. We are tortured thus mentally, as well as physically, and our recovery is greatly hindered. The sanatorium openly permits their movements and we patients are annoyed, troubled, and even worried to see that the sanatorium is turning into a nursery for reds. We hereby request you to do somethings for us regarding this situation, taking the following facts into your kind consideration.

1. They visit the lying patients and give anti-American talks, invite them to join their party, ask support for various activities of communist organizations and signatures for the petitions for release of arrested members of their party. If one ward has fewer supporters than they expected, they mark the ward as "not sympathetic enough" and they force the patients there to open a discussion meeting in that ward, inviting Party members, doctors, and nurses who are communists. They advertise that such a discussion meeting is to improve friendly relationships between the patients and the hospital employees' union, but in fact it is only to gain more members for their party.

2. Most of the bulletins and circulating papers in the hospital are communists' propaganda. They report us nothing but strikes and their biased excited opinions and give no truth. Of course they declare that all newspapers except the Akahata (Red Flag) are full of lies. The bulletin boards, walls and halls are all spoiled by such posters and printed matter and are not clean as public institution should be.

3. Communist organizations formed outside of the hospital come into the hospital for fund-raising movements and their speeches disturb the patients.

In March this year, in a ward there were two patients who were hemorrhaged. After such a speech, one of them had a hemorrhage of 1800 cc and the other's temperature rose to 40, and after a month he died of brain trouble.

4. All movies shown to the patients for recreation are Soviet movies and they charge for them.

5. Communists have special privileges in the hospital and the hospital rules are disregarded.

All visitors of the patients must wear a visitor's badge and traders in the hospital must wear a trader's badge. But those from outside communist organizations and the red book-sellers come in without these badges for visits to the communist patients or to conduct their business, and are quite at home in the hospital.

A communist member of the Diet, Kenichi Ito is now hospitalized and is occupying a small room (which is for serious cases) all by himself, while serious patients are in a large room with others. Mr. Ito is going to give a speech on the 22nd, (between 1 p.m. to 3 p.m. during which the patients are supposed to have absolute rest) in the recreation room. (Announced in the "The Seven Stars")

6. There has been almost no lectures given to the patients concerning their health and comfort. All lectures are of a political nature. On the 15th, Mr. Shoichi Haruta, a communist member of the Diet gave a speech, and on the 22nd, Mr. Ito is scheduled to speak. The loud speakers are used for announcements of such speeches and invitations even during the rest period and the patients are disturbed. There was even a whole summer school course (6 lessons) conducted in the hospital and Mr. Hiroshi Nuyama and Miss Toshiko Akamatsu were the instructors. Once there was a Study Course of Social Science for a week in Hachioji and an instructor from a communist school was sent and he used a textbook by Stalin. Shigesuke Mamiya lectured on "Struggles in Literature."

7. Movement to retract the vice-minister's notification concerning posters. (The director is ignoring the notification.)

The few of us who were suffering from those disorderly posters and stimulous talks were again ignored and the movement to retract the notification is being advertised as if it were the united opinion of all the hospital, and the struggle is enlarging. The hospital seems to admit it as they do not do anything about it.

8. About the cause of the low rate of discharge.

Patients' organizations are yelling for an increase of beds, but it seems to us more necessary to find the cause of the low discharge rate. When a patient becomes a little better, he is soon invited to join the party and he wears himself out in their cause, keeping no regular rules of recuperation and he soon spit blood and germs again. By repeating this, the patients never get well and stay on in the hospital, and some of them die. The communist patients do not try to make themselves better; they are forgetting their duty to try to get well while they are provided money to do so by the Government.

9. An example of compulsory money collection.

As an employee of Daiei Movie Company is a patient in the hospital, the company once offered to show us a picture, free "just to show their gratitude" on the 30th of April. But at the entrance of the recreation room the communist patients were waiting and forced the audience to contribute to the party and forbade the entrance of the person who didnot pay. Most of the patients and the employees of the hospital believed long after that that this picture was one of those shown for raising money for communists, and the service of the company was not appreciated until much later. The company is angry with the communists who infringed upon their good will.

Above are only a few examples of what is going on in the hospital, and how the patients' recuperation is hindered by these red elements are beyond words.

Here are some of the organizations formed in the hospital:

1) The Employees' Union
2) Seifu-kai (patients' self-governing organization)
3) The Communist block of Kiyose Hospital
4) Kiyose Hospital Unit of Communist Youths' League
5) Kiyose branch of Russo-Japanese Friendship Society
6) Kiyose Branch of Friends' Association of New Japan Literary Society
7) Social Science Research Society
8) Kiyose Hospital Democratization Society
9) League of Youths' Democratization

Besides these, the central office and branch office of the Japan Patients' League are in this hospital and the same people are members of all those organizations. The organization which is to reflect the patients' opinions is Seifu-kai. The members of the standing committee of this self-governing organization are to be elected from among the comparatively well patients from each ward; and among the standing committee members, executive committee members are to be elected. The whole system is democratic, but the trouble is that most of the patients who are physically capable are members of Communist youths' League. And this, the only one organization of and for the patients, is being taken over by the communists now and is appealing to the public as one which is very active in time of trouble.

For those who are on the administrative side of the hospital, there is the Hospital Operation Council (to which hospital administrators, employees' union and executive committee members of Seifu-kai take parts in discussion for operation of the hospital and all members are communists). The central office of Japan Sanatoria Patients' League is also occupied by communists only.

An example of anti-American Propaganda:

Any communist may say this type of thing as if he knew everything, but when it is said to the kind of people who are isolated for normal society, like us, the effect is more than upon normal people. The communists know this psychology and use this showed we were grateful for it as a transfusion to the disabled economic condition of Japan, the communists say (May 13).

"We must be wise enough to see the malicious intention of America to rob Japan of independence. Behind this kindness, there is the cunning trick of the Capitalistic country to put the economy of one country under pressure and make her a subordinate nation."

As for delay in repatriation, they say,

"It is just a formal procedure that the boats go back and forth between Japan and Russia. The boats come back to Japan even when they are not fully loaded, while at Russian ports repatriates have long been gathered. The reason for this is that the repatriates are anti-American and Pro-Russian and the Americans in Japan do not want to have them under their administration. They also calculate the necessity of foods for them, and they are avoiding a food shortage by keeping the repatriates away from Japan. But they advertise that Soviet Russia is delaying the repatriation progress for their own reasons. This is an awfully biased explanation, but can be taken as it is, according to the condition of the listener.

We have given you a brief idea of how we are suffering under the pressure of communism. Even if we want to reform this situation, we have no supporters from those who are physically capable, and we have no financial aid or help from any system. We are just lying in our sick beds and having to watch and suffer. If the hospital is left alone in this way, it will become a volcano of communism. The members of the Communist Party in the hospital are about 65 of 66. The members of the Youths' Communist League are 64. (as of Feb. 49) The communists among the employees openly work for their political beliefs during their duty hours.

We merely ask you to do something for us so that we can be relieved from the presence of such political movements and can become well again. The reason why so many patients join the party in this hospital is because they are afraid of the too violent spirit of the leaders. If possible we want to raise our own movement to protect ourselves from them. Please give us your help.

/Signed/

Tosaburo Okamura
Hideo Tanno
Morimasa Hada
Noboru Nagai
Tosen Kubota

CIVIL SERVICE DIVISION
Government Section

April 15, 1949

MEMORANDUM FOR: The Record

SUBJECT : Wage Structure, Government Sponsored Institutions

1. Mr. Suzuki of the Allowance Bureau, Ministry of Finance, called in this office on April 14, 1949 with reference to the Wage Structure of certain agencies sponsored by the government. Among these being the Reconstruction Finance Bank, Holding Companies Liquidation Commission, Securities Coordination and Liquidation Commission and Closed Institutions Liquidation Commission.

2. Mr. Suzuki stated that in the compilation of the new budget for the fiscal year, officials of GHQ interested in drafting the budget, had strongly urged the Ministry of Finance to take steps to properly adjust the pay level of these agencies as it was felt that the salary levels were too high and that they should be brought in line with that of government personnel. In several conferences held with the Finance Division of ESS, it was decided that the Budget Bureau of the Ministry of Finance should make the studies.

3. The Budget Bureau, not having available personnel familiar with the procedures involved, requested Mr. Suzuki to make the studies. He had at first declined, due to the fact that they were not considered to be government employees. However, he later agreed to conduct the studies and investigations. After several meetings with the various chiefs of the agencies concerned, Mr. Suzuki stated that indications were that employees of these organizations, not including the Boards of Directors and Committeemen, were receiving an average pay of approximately ¥14,000. Mr. Suzuki stated that when his investigation was completed and he had summarized it, he would be glad to furnish this office with a copy for information.

JESSE BETTIS
Compensation Specialist

JB:vr

1) ~~Mr. Steward~~
~~2) Mr. MacCoy~~
3) Files 7-14-49
Govt Labor Unions.

CIVIL SERVICE DIVISION
Government Section

11 July 1949

MEMORANDUM FOR: The Record

SUBJECT : ~~NPA~~ Communications Employees' Association

WSBr 7/14

1. Conference was held this afternoon among Steward and Salter of CSD and Wardell, Feissner and Lisman all of Civil Communications Section, to discuss a proposed letter recommending the abolition of ZENTEI.

2. Mr. Wardell's experience in the past few years with the leadership of ZENTEI was explained as being very unsatisfactory and undemocratic. He expressed a definite fear that this union was attempting to introduce confusion into the administration of this public service and furthermore was one of the prime leaders in the current labor offensive. As evidence of this latter point, a copy of a letter presuming to list decisions of the internal committee of JCP relative to such a planned program was exhibited. In this letter it was reported that "force would be used".

3. It was pointed out to Mr. Wardell and Mr. Feissner that the abolition of ZENTEI would not correct a situation in which the highly organized and disciplined activities of a small group was the controlling factor. It would merely result in the establishment of two unions so controlled in the place of the present single union. Furthermore, any action by GHQ along this line would automatically run afoul of the constitution, National Public Service Law and FEC policy. Some sounder and more fundamental solution is needed.

MACDONALD SALTER,
Chief, Classification-Compensation Branch.

MS:mvb

P.S. Wardell desired at least a letter from GHQ condemning Zentei & thus giving support to conservative elements.

CIVIL SERVICE DIVISION
Government Section

1 July 1949

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

SUBJECT : Government Employees on Full Time Union Work

1. The NPA Investigation Division has conducted a rather thorough investigation of subject matter as concerns the Ministry of Agriculture and Forestry Workers Union and the Federation of National Government Workers Unions (Zenkanro). This investigation was performed at my request based on an anonymous letter and post-card addressed to Mr. Hoover which accused the government of continuing to pay full time union workers in contrast to private companies which have (presumably) stopped paying equivalent personnel.

2. The results of the investigation are set forth in three reports attached hereto. These reports, prepared by NPA Investigation Bureau, show that full time union officials do in fact exist in both Zen Norin and Zenkanro and that some of these are on the government payroll.

3. Although the NPA investigation report concludes that there are no full time union workers, they did find that two were devoting some 2/3 of their time to union affairs. So far as the practical situation is concerned, it would seem that these and probably others in the Ministry of Agriculture and Forestry should be considered to be full time. Apparently many union officials of Zen Norin are putting in working time on union affairs.

4. Sato, Yasumasa, Chairman of Zenkanro, is a full time union worker but is on the payroll of the Central Meteorological Observatory. Nine members of the Central Executive Committee of Zenkanro are on government payroll receiving pay but NPA investigation reports that they are not engaged full time in union work.

T.E.

THOMAS ELIOT,
Personnel Specialist.

TE:mvb
Attachments (3)

ret'd Eliot 8/17/49

Union

CIVIL SERVICE DIVISION

Government Section

1 July 1949

MEMORANDUM FOR THE RECORD:

SUBJECT : Letter of Inquiry from Zenkanro. (Govt)

Discussed today with NPA. Dr. Asai is of the opinion that this classifies as a letter and does not qualify as a petition or appeal under the National Public Service Law. No further reply is required.

BLAINE HOOVER
Chief
Civil Service Division

BH:mw

Note; See Cent. Files For attachments.

Translation

Mr. Stewart.
Files
Govt Labor Rel

A SUMMARY OF VARIOUS GOVERNMENT OFFICE WORKERS' UNION AND THE FUTURE OUTLOOK

by NPA 6/30/49

Since the "Revised N.P.S.L. was passed, the ZENKANKOCHO (Liaison Council of the National and Local Government Workers' Union) has completely lost its right to strike and its activities has been curbed. It is an undeniable fact that this situation naturally has placed restriction on its scope of struggle. The recent situation within the ZENKANKOCHO shows that together with the increase in power of "pro-Communist" faction the activities of "Anti-Communist" faction is also increasing. This situation, more or less, is preventing ZENKANKOCHO to take uniform action in its struggle. A series of strikes such as Municipal Railway strike, National Railway strike, etc., are presenting various problems. Morevoer, in connection with administrative adjustment, curtailment of enterprises, etc, the future activities of labor unions are being watched with interest. Furthermore, various major unions have completed their conventions and have clarified their future policies. What are recent changes which are taking place in connection with ZENKANKOCHO?

1. KOKUTETSU ROGUMI (National Railway Workers' Union) which is drifting towards the "Left". (page 1)

In this connection an event which should be cited is the big "swing" made by the KOKUTETSU (National Railway Workers' Union.) Up until now, the KOKUTETSU together with ZENTEI (All Communistic Workers' Union) were in control of "hegemony" (T.N. "HEGEMONY" used in original) as a leading union within ZENKANKOCHO. The KOKUTETSU was leading "Rightist" faction while ZENTEI was in "Leftist" faction, and were in hostile relationship. However, as a result of election of Central Executive Committee at KOKUTETSU's KOTOHIRA Convention (April 22-25, 1949), it (the KOKUTETSU) has made a

big swing to the "Left", and now the possibility of KOKUTETSU engaging in mutual struggle with ZENTEI increased greatly. Even though the KOKUTETSU became a public enterprise corporation, one can say that this move has set the pattern for the future action of ZENKANKOCHO for the time being.

2. JICHIROREN (General Federation of Local and Municipal Government Workers' Union) which is drifting towards the "right" (page 2)

In contrast to this, there is a possibility of JICHIROREN which is one of the mainstays of the ZENKANKOCHO and which is becoming powerful (lit. power to speak is increasing) is drifting to the "right" and the TOROREN (Federation of Tokyo-to Office Workers' Union, which follows the footstep of JICHIROREN is also swinging to the "right". Furthermore, the ZENZAI (National Finance Workers' Union) which was very active in "MARCH STRUGGLE", is becoming considerably moderate after sharp self-judgement. When one considers all these developments, the future outcome is very interesting.

3. Administrative Adjustment and Overthrow of YOSHIDA CABINET (page 3).

What about the counter-measure of ZENKANKOCHO regarding the administrative adjustment which is an urgent problem facing them at present?

The common feeling of ZENKANKOCHO is almost unanimously opposed to this program. In this connection various unions including ZENTEI, KOKUTETSU, ZENKANRO (National League of the Government Workers' Union), etc, have started struggle to oppose this measure actively and the future developments seem to be difficult to predict.

The activities of "Peoples' Meeting to overthrow YOSHIDA Cabinet which is under the sponsorship of ZENKANKOCHO and is going hand in hand with the counter-measure against administrative adjustment cannot be ignored. This "Meeting" intends to blame YOSHIDA Cabinet for administrative

adjustment, revision of labor laws and regulations, curtailment of industries, etc., and rather than to deal with these separately, it (the meeting) intends to crush the source. Some understanding has been successfully reached with Non-Government Workers' Union in connection with a question of overthrowing YOSHIDA CABINET.

4. Affiliation (joining) of union leaders with political party (parties)

The next interesting problem is that as a result of general election held recently, the various leaders of unions affiliated with ZENKANKOCHO officially ~~blame~~ because members of Japan Communist Party and Japan Socialist Party and also so-called "disguised members" revealed their real identity. These are the factors which are causing mutual opposition of factions within ZENKANKOCHO to become delicate and complicated in all possible aspects.

5. Classification of various government Workers' Union according to their strength.

At a glance the principal unions which ~~came~~ come under ZENKANKOCHO can be divided up into following classifications.

1. Most powerful ones:

ZENTEI (All Communication Workers' Union)

KOKUTETSU (All Government Railway Workers' Union)

ZENNORIN (Ministry of Agriculture and Forestry Office Workers' Union)

ZENKISHO (All Japan National Meteorological Observatory Workers' Union)

ZENSHOKO (Ministry of Commerce and Industry Office Workers' Union)

ZENDOBOKU (Civil Engineering Workers' Union) (T.N. Ministry of Construction)

ZENIRYO Medical Workers' Union (gov't operated hospital, sanatorium etc.)

2. Comparatively powerful:

KOSEI - Welfare Ministry Workers' Union

RODO - Labor Ministry Workers' Union

KENSETSU - Ministry of Construction Workers' Union

ZENKAIJI - All Maritime Bureau Workers' Union, etc.

3. Comparatively weak:

A. Unions which tag along with the majority

Attorney-General's Office Workers Union

Japan Allocation Committee Office Workers' Union, etc.

B. Faction Opposed to Struggle:

Ministry of Foreign Affairs Workers' Union, etc.

C. "MINDO" FACTION (Democratic League Faction)

Education Ministry Workers' Union

Finance Ministry Workers' Union, etc.

CIVIL SERVICE DIVISION
Government Section

29 June 1949

MEMORANDUM FOR: Mr. Thomas L. Eliot, Personnel Specialist

SUBJECT : Government Employees on Full Time Union Work

Your attention is invited to the two attached copies of memoranda from Mr. Hoover, one dated 31 May 1949 and the second one dated 28 June 1949, relative to a letter which was received in this office addressed to Mr. Hoover, signed, I believe, "A Government Clerk", which was referred to Mr. Sato, Executive Director of NPA.

Due to my own misunderstanding no report was requested from the NPA on this letter when it was placed in Mr. Sato's hands. This was the second anonymous communication which we received, and I gave it to Mr. Sato with the suggestion that the NPA investigators use such communications as leads. In one letter the ministry was mentioned although no reference was made to a specific office, and in the other letter a general charge was made that employees were receiving full-time pay in the writer's office while engaging in full-time union activities but neither the ministry nor the writer's office were identified. I did not request Mr. Sato to report the results back to this office.

Kindly call the matter to the attention of the NPA investigation chief and request a report as to what was discovered and what action was taken.

W. PIERCE MacCOY
Deputy Chief
Civil Service Division

WPM:jb
Attachment

CIVIL SERVICE DIVISION
Government Section

Ref. to Mr Eliot for follow-up

WPMcC
6/28/49

28 June 1949

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

SUBJECT : Government Employees on Full Time Union Work

Referring to the attached, what action was taken by NPA on the basis of the letter referred 31 May 1949.

BLAINE HOOVER
Chief
Civil Service Division

BH:mw
enc.

CIVIL SERVICE DIVISION
Government Section

31 May 1949

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

SUBJECT : Government Employees on Full-Time Union Work

The attached letter should be investigated by NPA. I mentioned it in passing to Dr. Asai yesterday. I should like to know what is discovered and what action is taken.

BLAINE HOOVER
Chief
Civil Service Division

BH:jb
Attachment

Assigned to NPA Invest. 6-1-49
{Zenkamo
{ZenNorin
Report due Monday 13 June

May 19 '46

Dear Sir

The executives of the Congress of All Government Bodies Employes Unions (Zen-kan-Ro) sitrated at Teino Building Yuraku-cho, as well as each minisiry employes union are also paid by the government (e.g. Agriculture & Forestry Ministry) though they are solely engaged in labor activities. On the other hand private labor union executives will not be paid by their employers under the revised labor laws. This is not fair. And we look upon Govt workers with indignance. I sincerely hope you, as supervisor of the Japanese civil service will look into the matter and take quick action.

Yours respectfully

A firm clerk

Free

CIVIL SERVICE DIVISION
Government Section

28 June 1949

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

SUBJECT : Government Employees on Full Time Union Work

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Chief
Civil Service Division

BH:mw
enc.

gap Govt - Union Activities - Govt Emp.

CIVIL SERVICE DIVISION
Government Section

29 June 1949

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W. PIERCE MacCOY
Deputy Chief
Civil Service Division

WPM:jb
Attachment

00

CONFIDENTIAL

~~[illegible]~~ 00 ~~[illegible]~~
File for Mr. Steward
(Mr. MacCoy's Office)

CIVIL SERVICE DIVISION
Government Section

BA 6/27/49 WRS 6/30

17 June 1949

MEMORANDUM FOR: The Record

SUBJECT : Conference with Dr. Asai Re Zenkanro Delegation of 16 June ~~and the "Goki Ha" tologram.~~

At a conference in Mr. MacCoy's office at 0930 this date at which Dr. Asai, Mr. Sato, Director General, NPA, and Mr. Kanazashi and Messrs. MacCoy, Peterson and Elliot were present, Dr. Asai reported subject incidents as follows:

Yesterday, shortly after noon, about 200 representatives of Zenkanro "invaded" the NPA building requesting an audience with Dr. Asai. This delegation was led by J.C.P. Diet member, Kazahaya, a former professor at Kyushu National University.

Dr. Asai had had a previous appointment at the Attorney General's office and left the building in order to keep his appointment, knowing that the Zenkanro delegation had arrived, and that an audience with him was desired. After his appointment at the Attorney General's office, Dr. Asai went to his home until 4 o'clock when he returned to his office at NPA. His reason for returning was a feeling on his part that the absence from NPA of the three commissioners, who would appear to have "taken a powder" in the face of the Zenkanro delegation, would impair NPA prestige.

In the meantime the delegation demanded an interview with either one or both of the other two commissioners. However, Mr. Ueno had had an engagement at the Diet Library and had left to keep the engagement, and Mr. Yamashita had slipped out of the NPA building making no statement to the delegation.

Upon Dr. Asai's return to NPA, there were only 17 members of the delegation remaining, not including the J.C.P. Diet man. Dr. Asai informed them that he would see six of them, but was persuaded to see all of them on the strength of the fact that they had waited four hours for the interview. Dr. Asai states that the interview lasted for one hour, and that during that time no physical intimidation nor unreasonable excitement took place; in short, their "attitude was good."

The questions put to Dr. Asai by the delegation were those which he fully expected, and had apparently arisen in the course of the meetings of the national convention of Zenkanro being held this week in Tokyo. The first questions concern the NPA's compensation program,

CONFIDENTIAL

and related specifically to NPA's findings based on the compensation hearings conducted in March. The point was also made that the cost of living had increased more than 5 percent since the current schedules were enforced.

Another issue raised by the delegation was that of the 48-hour work week regarding which the contention was made that it is extremely difficult for the workers and results in reduced efficiency.

The third point which Dr. Asai reports that the Zenkanro delegation took up with him concerns the NPA rules recently promulgated, which prohibit payroll deduction for the collection of union dues and the rule which provides that full time union officials will not be paid compensation by the government.

A fourth ~~proposal~~ demand made by the union representatives was that NPA should oppose the RIF program being carried out by the government since it is detrimental to the welfare of employees.

The last point reported by Dr. Asai was a demand for the revocation of NPSL and the restoration of the right of government employees to strike.

Dr. Asai states that he made his customary replies to all of these points, replies to which he has made numberless times at the Diet and to other union delegations in his office.

Concerning the denial of admission to the Zenkanro convention of NPA and Labor Ministry employees, Dr. Asai stated that two days ago two employees of NPA Investigation Division tried on their own initiative (not at the request of any NPA official) to gain admission to the convention hall, but were not permitted to do so. It is Dr. Asai's opinion that even if members of the NPA Employee Association were to present themselves for admission at the convention, they would be barred from entering since Zenkanro has become highly suspicious of the investigative activities of NPA in connection with various labor relations matters. Besides that, attendance at the Zenkanro convention is confined to official delegates and observers from unions affiliated with Zenkanro, which the NPA Association is not.

Mr. MacCoy suggested to Dr. Asai that no NPA official grant any further interview to Zenkanro - affiliated representatives, while its national convention is in session because of the virtual certainty that anything said to such representatives would be immediately carried to the convention and used to the disadvantage of NPA.

Dr. Asai reported that the Labor Relations investigation in which

NPA is engaging currently is regarded as equivalent to the methods and purposes of the war-time secret police. Mr. MacCoy stated that we would study the investigational techniques of NPA in connection with particular investigations which are undertaken in the future.

TE.

THOMAS ELIOT
Personnel Specialist

TE:rj

~~1) Inc Insec Org.~~
~~2) Soc Hygiene~~
~~3) Mr. Peterson~~
file 6-24-49
Govt. Labor Unions

CIVIL SERVICE DIVISION
Government Section

June 16, 1949

MEMORANDUM FOR: The Record

SUBJECT : Rule on Control of Payroll Deductions

WBR 6/17 6/23

1. Dr. Asai felt that the failure of unions to react substanctially to the rule denying them the right to use payroll deductions as a method of carrying out dues collection is probably attributable to the fact that these unions may have some other drastic plan in mind.

2. Dr. Asai feels that the issue of a rule on political activity at this time might strike the spark that would upset the balance and give cause to the unions to initiate some drastic action such as a general strike. An example of this situation can be found in the recent Tokyo To strike activities against the enactment of the Peace Preservation Law.

3. Dr. Asai believes that Zenkanro will attempt some drastic action such as a strike early in July. This may be the reason for the non-activity against the rule at this time.

MACDONALD SALTER
Chief, Classification and Compensation Branch

MS:vr

~~1) Mr. Macleay~~
~~2 - Mr. Woods~~
~~3) Eliot~~

file
6-23-49

Gaix. Unions

CIVIL SERVICE DIVISION
Government Section

June 16, 1949

MEMORANDUM FOR: The Record

SUBJECT : Zentei National Convention (Communications)

1. Dr. Asai stated that he had received a report concerning the Zentei Convention which had among other things;

(1) Decided to oppose government by engaging in strikes.

(2) To work for the abolition of NPSL.

2. Dr. Asai stated that these actions had been taken since the conservative group of the union suddenly became rather inactive on the third day of the Convention. He believes this was caused by the Kokutetsu strike. The moderate or conservative element became silent since they felt that the GHQ attitude would strengthen and the Leftists elements would eventually be suppressed, and they did not feel efforts on their part would gain much at this time.

Macdonald Salter

MACDONALD SALTER
Chief, Classification and Compensation Branch

MS:vr

~~1 - Mr Hoover~~
~~2 - Mr Stewart~~
3 - file
Govt. Labor Unions

CIVIL SERVICE DIVISION
Government Section

16 June 1949

MEMORANDUM FOR: The Record

SUBJECT : Zenkanro Representatives Visit NPA Offices, 15-16 June.

WRB 6/17/49

1. Mr. Tonomi of NPA Investigation Division reported today that yesterday four representatives of Zenkanro consisting of members of the Construction Ministry Workers Union and the Attorney General's Office Workers Union called on the Investigation Division at NPA in the absence of Messrs Kawasaki and Tonomi and demanded to know why two NPA employees had attempted to gain admission to the Zenkanro convention which is being held this week, adding that NPA and Labor Ministry employees would not be admitted to the convention under any circumstances.

2. The same four Zenkanro representatives came to the Investigation Division again today and spoke with Mr. Kawasaki. Mr. Tonomi reports that Mr. Kawasaki gave them no specific answers to the points which they raised but stated generally that the NPA has at heart the interests of all government employees.

3. Mr. Eliot advised Mr. Tonomi that in kindness to Mr. Kawasaki as a new NPA employee he should be informed of the NPA procedure whereby union representatives are interviewed only by the three Commissioners, the Director General or the Employee Relations Office; that confusion has been created in the past by the uncoordinated statements given from various NPA offices; and that the obvious intention of this delegation was to secure from Mr. Kawasaki some statement which it could carry back to the Zenkanro convention.

4. Mr. Tonomi reported that shortly before 1:00 today, as he was leaving NPA to visit this office, some 50 Zenkanro representatives had entered NPA building and were besieging the offices of the Commissioners for an interview with Dr. Asai. Mr. Tonomi promised a report of this incident, although he believed that it would appear in the metropolitan dailies tomorrow.

5. In the meantime, Mr. Narumi received information from the Commissioner's office of this Zenkanro visitation and that the Commissioners had left the building and were "lying low" to avoid the interview. *

TE.

THOMAS ELIOT,
Personnel Specialist.

TE:mvb

* Later report was that Dr. Asai returned to the bldg. "to show the union members that he wasn't afraid of them" and set-up an interview with them for from 1630 to 1700 hrs. WRB

Eliot.

CIVIL SERVICE DIVISION
Government Section

16 June 1949

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

SUBJECT : Incitation by Labor Union

In further conference this morning with Dr. Asai and the other commissioners, it was agreed that they would take action as soon as possible.

However, Dr. Asai still wished to study the matter a little further and agreed to come in and work out the appropriate details with you first thing Friday morning.

MacDONALD SALTER
Chief, Classification
& Compensation Branch

MS:jd

CIVIL SERVICE DIVISION
Government Section

June 15, 1949

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

SUBJECT : Inciting of Workers by Union

Attached hereto is a copy of a telegram sent by the Chairman of the Agriculture and Forestry Workers Union to locals directing them to disobey, reject or smash the rule of NPA. The rule referred to undoubtedly is the one which dealt with placing on leave full-time union employees. A copy of the translation of this document is also attached.

It appears that this may be a case which should be turned over to the Procurator for criminal prosecution under the provisions of Article 98, paragraph 5, of the NPSL, which states that "Personnel of the service shall not strike or engage in delaying acts or other acts of dispute against the public of Japan represented by the national government as employer, or resort to delaying tactics which reduce the efficiency of governmental operations, nor shall personnel of the service or other persons attempt, conspire to effect, instigate or incite such illegal action".

The penal provisions covering this particular paragraph are found under Article 110, item 17.

The procedure for handling a case of this kind is for the Chairman of NPA to submit a KOKUHATSU to the Procurator General. This is a legal procedure of referring a case from one government agency to another. This document is prepared in a regular form and would make reference to the telegram of 0824 hours, 24 May 1949, No. 3392, sent through the Tokyo post office and having 85 words, in which the expression Geki Ha is used. The Authority would place an interpretation on this as a violation of Article 98 and request that prosecution be instigated against those responsible for the issuance of this telegram.

MacDONALD SALTER
Chief, Classification
& Compensation Branch

MS:jd
Att. 2

Eliot

CIVIL SERVICE DIVISION
Government Section

15 June 1949

MEMORANDUM FOR THE RECORD

SUBJECT: Telegram Inciting Government Workers

A telegram sent by the Chairman of the Agriculture and Forestry Workers' Union to locals directing them to disobey or smash a rule of NPA, presumably the one dealing with the placing on leave of all fulltime union workers, was reviewed and carefully read by Mr. Matsukata of Government Section

He believed that the reference at the end of this message and the use of the word "geki ha" would be a basis for legal action against the authors of this telegram under the inciting provisions of the National Public Service Law.

MacDONALD SALTER
Chief, Classification
& Compensation Branch

MS:jd

CO Int

Eliot

CIVIL SERVICE DIVISION
Government Section

15 June 1949

MEMORANDUM FOR THE RECORD

SUBJECT: Telegram Inciting Government Workers

Discussion was held with Dr. Asai this afternoon for the purpose of reviewing the telegram dealing with the inciting of government workers by the Chairman of the Agriculture and Forestry Workers Union.

Dr. Asai agreed that the words "geki ha" were very strong and were the basis for invoking the penalty provisions of the NPSL for inciting action against the government.

Dr. Asai made a handwritten copy of this document and desired to study it further and report in more detail tomorrow. It was agreed that this was a matter which probably should be turned over to the Procurator General.

MacDONALD SALTER
Chief, Classification
& Compensation Branch

MS:jd

Eliot

CIVIL SERVICE DIVISION
Government Section

15 June 1949

MEMORANDUM FOR THE RECORD

SUBJECT: Telegram Inciting Government Workers

Discussion was held with Mr. Blakemore of the Legal Section, GHQ, this afternoon for the purpose of reviewing the telegram dealing with the inciting of government workers by the Chairman of the Agriculture and Forestry Workers Union.

Mr. Blakemore carefully investigated the words "geki ha" and from his sources determined that this unquestionably was a strong word and called for action against the regulations and rules promulgated by NPA. He agreed that this appeared to be a good case inciting government workers and the subject for the application of the penal provisions of the NPSL.

MacDonald Salter
Chief, Classification
& Compensation Branch

MS:jd

Old file ref Mr Hoover's letter.
file 6-23-49

CIVIL SERVICE DIVISION
Government Section

15 June 1949
Govt. Unions

MEMORANDUM FOR THE RECORD

SUBJECT: Report on Employees Engaged in Full-Time Union Activities

On Tuesday, 14 June, I was advised by Mr. Eliot that Mr. Sato, Director General of NPA, was contemplating issuing a new directive to supplant Directive No. 9, issued 10 May 1949, extending the closing date for ministries and agencies to submit reports containing lists of employees in their agencies engaged in full-time union activities. The original directive of 10 May set the closing date for the submission of such reports as the close of business of May 31.

This office has received confidential information through intercepts that Zennorin (All Agriculture-Forestry Ministry Workers Union) had issued orders to the union members in the Ministries of Agriculture and Forestry and Commerce and Industry to delay as long as possible the submission of these reports. In view of this fact and also in view of the fact that it is poor administrative business to continue to extend closing dates for submission of reports without unusual justification, I requested Mr. Sato to come to my office on the morning of 15 June to discuss the matter. In the discussion it was discovered that the NPA investigation staff had picked up the information that not only were reports being very evidently purposefully delayed but that some of the reports that had been submitted were very probably in error on two counts: (a) The ministry personnel offices had not submitted their lists from their own records but had requested their various unions to submit lists to the ministries which were in turn transmitted to NPA as official documents; and (b) In some instances the ministries had apparently connived with the unions to falsify their reports by deliberate omissions of certain names of individuals who were engaged in union activities full-time.

Mr. Sato had already ordered the investigation staff to investigate certain ministries' reports to ascertain whether there was actually in fact any truth to these rumors of falsification of reports by omissions and agreed to further instruct the investigators to ascertain whether the reports had been compiled from the ministries' personnel records or whether the unions had merely been requested to submit their own reports which in turn had been transmitted as official ministerial records as had been intimated. I counseled against altering or extending the deadline date which had originally been established for submission of these reports and called Mr. Sato's attention to Item 7 of Article 109 which reads in part as follows:

"Article 109. A person falling under one of the following cases shall be sentenced to not to exceed one year in penal servitude or fined not to exceed ¥ 30,000:

* * * * * * * *

"Item 7. A person who wilfully fails to submit reports or information in violation of Article 20."

Article 20 referred to by Article 109 reads as follows:

"Article 20. The Authority shall, as provided by rules of the Authority, prescribe and administer a system of statistical reporting concerning employment in the service.

"When it is necessary in connection with the statistical reporting mentioned in the preceding paragraph, the Authority may require any appropriate agency of government to give required information on request or at a specified time and in a specified form."

Rule No. 1-3 of the National Personnel Authority, effective January 8, 1949, states:

"The following provisions of the National Public Service Law are hereby declared to be in operation:

"Articles 1 - 29 Inclusive"

Therefore, there can be no contention that the above quoted section of Article 109, and Article 20 in its entirety, are in legal operation as of the date in question. I pointed out to Mr. Sato that it should be in very unusual and rare circumstances where it would be necessary for the National Personnel Authority to extend a deadline date and that this particular case did not include anything to commend itself to be considered under unusual conditions; therefore, I felt that the NPA would be seriously and detrimentally weakening its position if it offered to extend the deadline for submission of these reports.

I suggested instead that a memorandum be sent to all ministries and agencies calling their attention to Directive No. 9 and stating that an investigation was being made by NPA as to (a) the accuracy of the reports submitted; (b) the method in which the reports had been compiled and submitted as official records; and (c) the reason for delays where such delays in submission of the reports had occurred. The memorandum would also call ~~for~~ attention to the penal provisions of Article 109 and Article 20 of the National Public Service Law and that these penal provisions would be invoked without equivocation or favor wherever the investigation indicated dereliction of duty on the part of official ministry personnel.

While it was not discussed with Mr. Sato, I am also of the opinion that Item 17 of Article 110 which reads, "A person who conspires to effect, instigates or incites the illegal action defined in the first part of

paragraph 5 of Article 98 or attempts such action;" can be used as a penal provision against the union members or officers who ordered delays, if this can be proved, under the paragraph in Article 98 which states:

> "Personnel of the service shall not strike or engage in delaying acts or other acts of dispute tactics against the public of Japan represented by the National Government as employer, or resort to delaying tactics which reduce the efficiency of governmental operations, nor shall personnel of the service or other persons attempt, conspire to effect, instigate or incite such illegal actions."

What action can be taken on this latter point remains to be seen after the results of the investigation have been received. Mr. Sato has agreed to issue the memorandum immediately as suggested without, however, giving consideration to Article 110 or Article 98. A copy of the memorandum to go forward to the ministries will be submitted to this office.

W. PIERCE MacCOY
Deputy Chief
Civil Service Division

WPM:jb

NPR Version

CIVIL SERVICE DIVISION
Government Section

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

June 10, 1949

File Folder 6/13/49

MEMORANDUM FOR: Mr. W. Pierce MacCoy
Chief, General Personnel Administration Branch

SUBJECT : NPA Advocates of Joint Struggles with ZENKANRO

1. Mr. Tonomi of NPA Investigation Division reports that the following named persons ~~opposed~~ found joint struggles with ZENKANRO at yesterday's NPA's Employees' Association meeting:

TSUKADA Yoshio — Efficiency Division

Note: Mr. Kasuya reports that Mr. Tsukada was regarded as a "Radical" during his training at Nikko and disobeyed various Institute regulations.

SUGITA Noboru — Recruitment Division

Note: According to Personnel Division, this man is a new employee; ~~that~~ therefore, Mr. Tononi says, he was not properly identified as a speaker. He transferred from the Communications Ministry and is said to have formerly been a member of ZENTEI.

SAKOGUCHI Toshiyuki (dischargee)
MYORYU Takashi (dischargee) — One additional unidentified person.

Note: Orders have been given to Mr. Tononi to properly identify Sugita and the unknown person.

2. It was reported to this Division last Wednesday that YAMAZAKI Susumu of Equity Division was a proponent of joint struggle as a member of the Struggle Committee. However, in yesterday's meeting of the Association, YAMAZAKI opposed the joint struggle with ZENKANRO. KANAMORI Iwaji (Employee Utilization Section) and HASHIMOTO Hideo (Classification Section) also spoke in opposition to joint struggle in yesterday's meeting.

3. At yesterday's meeting of the Association, 337 ballots were cast in the vote regarding support of the joint struggle committee.

1.	174	-	pro-committee
2.	152	-	anti-committee
3.	10	-	invalid
4.	1	-	blank
Total . . .	337		

MEMORANDUM FOR Mr. MacCoy June 10, 1949

4. Various members of the Association Executive Committee met this a.m. with Mr. Sato, Director-General, NPA, and Mr. Kanatsugu, Personnel Chief, NPA. The question was put to Mr. Kanatsugu why Messrs. Sakoguchi and Yoshida had been discharged since it was rumored that they were not discharged because of their work performance. Mr. Kanatsugu is said to have replied that he would prefer not to answer this question since it would embarrass certain people. Mr. Kanatsugu is said to have stated, with respect to all of those discharged, that he did not wish to disclose the reasons for discharges because it would interfere with the future employment of those who had been discharged.

THOMAS ELIOT
Personnel Specialist

TE:rr

CIVIL SERVICE DIVISION
Government Section

Mr Eliot
This should be added to file for Steward Thank you WPM 6/14/49

CONFIDENTIAL

June 10, 1949

MEMORANDUM FOR: Mr. W. Pierce MacCoy
Chief, General Personnel Administration Branch

SUBJECT : ZENKANRO Activities Directed Against NPA Legislation and Program -- Interim Report.

1. I have not yet discovered any newspaper or periodical material. Accordingly, the following items are summarized from CCD intercepts:

Organized the recent fuss about women's leave of absence. Reduction of physiological and maternity leave was effected by NPA, (JC/TOK/121207)

ZENKANRO has organized a protest to NPA against revisions of retirement allowances, commuting expenses and wage scale. (See Attachment No. 1)

ZENKANRO and NCIU plan to engage in joint struggles with workers' local unions (similar to the "Communication Protection Council" which have been developed locally throughout Japan) in order to oppose the revision labor laws, the table of Personnel Organization Law, NPSL, and the regulations of NPA. (See attachment No. 2)

Organized the vote of confidence on the NPA Commissioners for the 20 to 30 odd Government Employee Unions affiliated with it. (See attachment No. 3)

ZENKANRO program in February involved demonstration against Position Classification System directed toward NPA; opposition to the 48-hour week and the launching of a large scale non-confidence movement against NPA officials. (See attachment No. 4)

2. The following miscellaneous activities of the ZENKANRO are also considered significant:

Together with the Central Liaison Council of all Kodan Workers' Union, ZENTEI and other unions established a special committee to expose corrupt and illegal acts of Bureaucrats.

ZENKANRO is aware and anxious about NPA's investigation of the government employees' last demonstration at the Diet building on the 18 of May. In this connection, ZENKANRO arranged with the Communist Diet members for the speakers at that rally which concerned opposition to reorganization and retrenchment bills. (See attachment No. 5 and 6)

ZENKANRO will hold its National convention 14-17 June.

NPA investigation shows that at least 11 out of 20 Central Executive Committee members of ZENKANRO are communists or communist sympathizers.

3. G-2 report (Not yet released) shows JCP control of government unions under ZENKANRO through cell structure.

AKAHATA article of 21 March: ZANKANRO states it will oppose RIF by force.

TE.

THOMAS ELIOT
Personnel Specialist

TE:rr

Attachments

Press Releases (NPA)

CIVIL SERVICE DIVISION
Government Section

9 June 1949

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

SUBJECT : News Item Concerning Dr. Asai's Interview with Representatives of the Agriculture-Forestry Ministry Workers Union

On the morning of Thursday, 9 June, I discussed with Dr. Asai the news item which appeared in the Kyodo, Jiji Press, and Nippon Times concerning his interview with the representatives of the Agriculture-Forestry Ministry Workers Union on Tuesday, 7 June. Copies of the Kyodo and Jiji Press releases are attached.

Dr. Asai stated that, in the first place, he had consistently refused to personally hold discussions with representatives of any government workers union. Therefore, he had no intention of meeting representatives of this union; however, this delegation was headed by the chief of the Secretariat of the Ministry of Agriculture and Forestry and a chief of another section of the same ministry who, Dr. Asai thought, was chief of the Welfare Section, but he wasn't sure. These two men requested a meeting with Dr. Asai and representatives of the union. Because of the courtesy normally extended to representatives of a ministry, Dr. Asai was debating in his mind as to the limit he intended to place on the number of union representatives which he would be willing to see with the two representatives of the ministry. While he was debating this point, his door was pushed open and an entire mob entered his office headed by the two representatives from the ministry. The mob was so large that it completely filled his large office, filled his waiting room, and choked the hall outside of his office. The crowd gave indication of being violent, but upon questioning, Dr. Asai stated that he did not think that they would have perpetrated bodily harm upon him had he refused to give them any consideration, although he had his doubts as to how he would have been able to remove them forcibly.

Although Dr. Asai felt that he was in a position where he would have to discuss something with the representatives of the union, he states emphatically that the only point he did discuss was Article 28 which states that the National Personnel Authority will suggest a wage revision to the Diet whenever there is a change of 5% or more in the cost of living expenses. He quoted directly from the Law and refused to be coerced into making any statement other than that stated by the Law. He states emphatically that he did not make any statement either directly or indirectly relative to the time when the NPA might submit any recommendation to the Diet. Dr.

Asai also informed me that at the commencement of the meeting one representative from the NPA Press Club worked his way through the mob into the room and Dr. Asai requested and insisted that this press representative leave the room since the conference was private and no press release was intended. Dr. Asai now feels somewhat embarrassed concerning this matter since the news did leak to the press even though he had no part in such a press release. Apparently, either the union members or the representatives of the Ministry of Agriculture and Forestry issued the notices to the press and deliberately and completely misquoted Dr. Asai.

I inquired as to what Dr. Asai thought would have happened had he refused to discuss anything with the representatives of the union or of the ministry in view of the insolent and discourteous manner in which they forced themselves upon him, and had instead picked up the telephone with the statement that if they did not clear the room within the matter of five or ten minutes he would call the police and have them forcibly ejected. He wasn't sure what would have happened, but felt that they possibly might have left. However, he said that this was not the Japanese method of handling such matters and, therefore, he would have hesitated to resort to such measures especially in view of the fact that representatives of another ministry were in attendance.

W. PIERCE MacCOY
Deputy Chief
Civil Service Division

WPM:jb
Attachments

CONFIDENTIAL

WT-IV

file

CIVIL SERVICE DIVISION
Government Section

Mr. Hoover

June 9, 1949

WRH 6/9/49

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

SUBJECT : Participation of National Government Employees in the Demonstration at the Municipal Assembly and Proposed Funeral Demonstration

1. It is evident that the demonstration at the Municipal Assembly during the early days of last week was organized and instigated by JCP-dominated union groups. For example, it is apparent from attachment number 1 that ZENKANRO knew beforehand that the authorized time limit on the demonstration would be exceeded and that police violence would occur and made preparations accordingly.

2. Subsequent to 31 May, a Joint Committee to Oppose the Public Peace Ordinance Legislation was organized by ZENTEI, KOKUTETSU and ZENKANRO, as well as industrial unions and Tokyo Municipal Workers Unions and student organizations to organize a campaign for the vindication of the death of Hashimoto during the 31 May demonstration and oppose the passage of the Public Peace Ordinance. Naturally, other objectives are consistent with the JCP policy, including the overthrow of the Yoshida Cabinet.

3. This Joint Committee plans to hold a demonstration-funeral for Hashimoto at Hibiya Park at 1200 on 11 June (Saturday) in order to martyrize Hashimoto and whip up feeling against the proposed Public Peace Ordinance and the present government. Akahata reports that the Metal and Electrical Workers Unions will go on strike (40,000 members) in order to attend the funeral rally and that plans have been made for the attendance of a large proportion of the government organized workers in the KEIHIN (Tokyo-Yokohama) area.

4. In all probability, if we request NPA to investigate the circumstances of absence from work of government employees in order to attend the rally after it has taken place, we will find with precise consistency that those, ~~who were not on duty~~ other than those who were "off-duty", were excused on "half day leave".

5. Do you want to do anything about this?

TE.

THOMAS ELIOT
Personnel Specialist

TE:vr
Attachments: 3

CONFIDENTIAL

Attachment 1

TKK 2

JP/TOK/TIC/33028

CONFIDENTIAL

CIVIL CENSORSHIP DETACHMENT
CIS - MIS - GHQ - SCAP

INTERCEPT:

From: MARUHASHI
ZEN SHOKO
(Commerce and Industry Workers' Union, List: H-31)
c/o ZENKANRO (National Council of All Government Office Workers' Union), Tokyo-to, Japan
Tel: No. 23-2847
LIST:

To: YAMANE
SHOKOSHO
(Commerce and Industry Workers' Union; List: H-31)
Tokyo-to, Japan
LIST:

Type: Telephone

Dated: 31 May 49

Language: Japanese

Disposition: Observed

Relevant Records:

Examiner: TP 3002
TOS 2

Prep. Date: 2 Jun 49
31-1-044

Eval-Alloc: 212-7-6

DISTRIBUTION:

CIOC/JPPB
GB/TAR
GB/EC
GS

CIC TOK

TEXT

LABOR: GOVERNMENT WORKERS' UNION CALLS FORTH REINFORCEMENTS OF UNION MEMBERS TO DEMONSTRATION AT MUNICIPAL ASSEMBLY

MARUHASHI: "Three thousand (3,000) policemen are now gathered at the Tokyo Metropolitan Assembly Hall. We are authorized to hold a demonstration till 16:00 hours. But after that, the police will oppress the demonstrators. Call all labor unions affiliated with ZENKANRO (National Council of All Government Office Workers' Unions) to send more members to the Hall immediately. Also bring three thousand yen (¥ 3,000) to my office as we must furnish food. They'll be there till 18:00 hours."

YAMANE: "All right."

Examiner's Note: Information similar to the above was given in an intercepted call from MARUHASHI:

KOSEI SHO
(Welfare Ministry Workers' Union)
Tokyo-to, Japan.

NOTICE: Distribution of the information contained in this document obtained from private communication will be confined solely to those military and or civilian officials who are authorized to receive such information.

CONFIDENTIAL

CCD Form No. 1

Attachment 2

Tkk
5

CONFIDENTIAL

JP/TOK/TLC/33067

CIVIL CENSORSHIP DETACHMENT
CIS - MIS - GHQ - SCAP

INTERCEPT:

From:
ZEN IRYO
(All Japan Medical Workers' Union)
Tokyo-to, Japan

LIST: H-31

To:
ZEN KANRO
(National Council of All
Government Office Workers' Unions)
Tokyo-to, Japan

LIST:

Type: Telephone

Dated: 1 Jun 49

Language: Japanese

Disposition: Observed

Relevant Records:

Examined:
TP 4021
TOS 2

Prep. Date:
3 Jun 49
1-1-118

Eval-Alloc:
224-7-6

DISTRIBUTION:
CIOC/JPPB
GS
GB/GA
GB/SOC

CIC TOK

TEXT

LABOR: DETAILS OF DEMONSTRATION AT MUNICIPAL ASSEMBLY 31 MAY

ZEN-IRYO: "I heard that Mr. SATO, the chairman of ZEN KANRO (National Council of All Government Office Workers' Unions) was arrested last night (31 May). Is that true?"

ZEN KANRO: "Yes, he was. The details of last night's (31 May) incident are:
1. A force of three thousand (3,000) policemen cracked down upon us.
2. Sixty-four (64) persons were arrested.
3. Twenty-three (23) persons among the above sixty four (64) are members of ZEN KAN RO. They are:
Four (4) of NORIN (Agricultural and Forestry Ministry Workers' Union, List: H-31), three (3) of KISHODAI (Meteorological Observatory Workers' Union), two (2) of SHOKO (Commerce and Industry Ministry Workers' Union, List: H-31), one (1) of RODOSHO (Labor Ministry Workers' Union), Mr. SATO of ZEN-KAN-RO and twelve (12) others.
4. Mr. SATO has been detained at the Marunouchi Police Station. No interview is allowed.
5. A meeting (Ex: of ZENKANRO) will be held at 13:00 hours today (1 June) at SAMBETSU (National Congress of Industrial Unions) Building to discuss 'future struggle policy'. All affiliated unions including SAMBETSU are expected to participate in the meeting. The attendance of your chairman is requested."

ZEN-IRYO: "I understand."

Examiner's Note: Information similar to the above was given in four (4) other intercepted calls from ZENKANRO to:

- 1 - (Continued)

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CCD Form No. 1 — COPY

5632—FEC Printing Plant—4 49—600M

Confidential

JP/TOK/TLC/33067

1. RODOSHO ROSO
(Labor Ministry Workers' Union)
Tokyo-to, Japan

2. KISHODAI ROSO
(Meteorological Observatory Workers' Union)
Tokyo-to, Japan

3. TOKEIKYOKU ROSO
(Cabinet Bureau of Statistics Workers' Union)
Tokyo-to, Japan

4. SAMBETSU
(National Congress of Industrial Unions)
Tokyo-to, Japan

Confidential

Attachment 3

CONFIDENTIAL

CIVIL CENSORSHIP DETACHMENT
CIS - MIS - GHQ - SCAP

JP/TOS/4954

INTERCEPT:

From: HASEBE
ZENTEI
Central Headquarters
Tokyo-to, Japan

LIST: XH-76

To: KUNII

LIST:

Type: Telephone

Dated: 2 June 49

Language: Japanese

Disposition: Observed

Relevant Records:

Examiner: TOS

Prep. Date: 6 June 49

Eval-Alloc: 224-7-6

DISTRIBUTION:

CIOC/JPPB
CIOC/GA
GS
ESS/LA
GB/TAR
GB/SOC

1st CAV DIV
G-2
TOKYO EG TM

CIC TOK

TEXT

LABOR: ZENTEI (LIST: XH-76) ORGANIZES EXTENSIVE STRUGGLE IN PROTEST AGAINST PUBLIC PEACE ORDINANCE; PUBLIC FUNERAL FOR UNION DEMONSTRATOR TO BE HELD IN HIBIYA PARK ON 11 JUNE

Following conversation was in progress when intercepted:

HASEBE: ".....In spite of the fierce opposition of the union, MINJITO (Democratic-Liberal Party) again attempted to introduce the Public Peace Ordinance Bill for legislation in the Metropolitan Assembly as a means of oppressing the labor unions. The local industrial unions, the democratic people's organizations and the college student organizations in the metropolitan area organized a KOAN JOREI HANTAI KYODO TOSO IINKAI (Joint Committee to Oppose the Public Peace Ordinance Legislation) and a propaganda campaign to expose the true intention of the government behind the legislation. The Committee launched at the same time, a drive to demand dissolution of the Metropolitan Assembly and the recall of the Mayor of Tokyo-to. A joint funeral for Mr. HASHIMOTO whose death was caused in the demonstration against legislation of the Ordinance will be held at Hibiya Park on 11 June by the labor and agrarian organizations.

"The locals are urged to organize an extensive campaign to expose the MINJITO Cabinet's policy to trample upon the basic rights of the people and a contention to oppose legislation on the Public Peace Ordinance in their respective localities. Furthermore, the locals are also urged to launch a campaign to petition for the release of the sixty-five (65) persons, including SATO, Chairman of ZENKANRO (National Council of All-Government Office Workers' Union), arrested at the time of the demonstration."

KUNII: "I understand."

NOTICE: Distribution of the information contained in this document obtained from private communication will be confined solely to those military and or civilian officials who are authorized to receive such information.

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5632—FEC Printing Plant—4 49—600M

NPA Union

CIVIL SERVICE DIVISION
Government Section

9 June 1949

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

SUBJECT : Payroll Deduction of Union Dues

1. This morning Mr. Salter relayed your request to Dr. Asai that NPA's draft of a rule designed to prohibit collection of union dues by payroll deduction be submitted to Civil Service Division by 1700 today.

2. At approximately 1545 hours, Mr. Sato telephoned saying that it is impossible for the Commission to deliver today the rule draft requested this morning and added that if necessary a representative of the Legal Division would be sent to Civil Service Division to explain progress up to the present time.

3. At 1615 hours Mr. Okabe appeared (despite our extreme emphasis of the necessity for absolute security of information regarding this rule), saying that Dr. Asai had requested him to prepare the rule and submit it to the Commissioners by tomorrow morning. Such rule has not yet been drafted even in Japanese but Dr. Asai and Mr. Okabe apparently concurred as to the form of the rule which will be proposed as follows:

No mention will be made specifically of deduction of union dues but instead a prohibition will be imposed against making any deductions from payrolls other than those expressly provided by law or order. Such rule would be adopted under Article 101 of the National Public Service Law and Rule 14-1.

4. We are assured that the rule in the form described above will be adequate and despite absence of express language on the point, will not permit any other government agency, except the Diet, to authorize deduction of union dues. We are told that the proposed rule will be delivered tomorrow morning.

GORDON W. PETERSON,
Chief, Organization Branch.

GWP:mvb

10 June '49
Discussed with "Okeh"
Jim Whitney

CIVIL SERVICE DIVISION
Government Section

6.8/49 2 - file 6-8-49

7 June 1949

MEMORANDUM FOR THE RECORD

SUBJECT: Tramway Strike--Mr. Forsythe's Call (Australian Mission)

On 6 June Mr. Forsythe of the Australian Mission phoned to inquire re a newspaper item which he had read that stated that the local employees presently engaged in a tramway strike would be disciplined under Cabinet Order 201 of 1948. Mr. Forsythe wished information as to (1) whether this was correct; (2) why such employees could not be handled under the National Public Service Law; and (3) whether the Civil Service Division, Government Section, was giving advice to the Japanese National Government in handling this situation.

I explained to Mr. Forsythe that the National Public Service Law covered only national employees, and, therefore, since only local employees were involved in the tramway strike that the National Public Service Law could not be utilized as an instrument to control the strikers. I further explained that we had secured a legal opinion both from NPA and the Attorney General's Office to the effect that, with the passage of the Amendment to the National Public Service Law, Cabinet Order 201 became inoperative relative to national employees which included kodan employees, but that it continued operative relative to local employees, i.e. those not under the control of the national government. As a sidelight I explained that only those kodans designated in the rules of the NPA as being in the special service were exempt from the restrictions of both Cabinet Order 201 and the National Public Service Law and that all other kodans were considered in the regular service of the national government and, therefore, under the restrictions of that law. Therefore, the news item to which Mr. Forsythe referred was correct in that the local authorities could invoke the disciplinary measures and the restrictions delineated in Cabinet Order 201 to control tramway strikes.

I stated that Civil Service Division had not been called upon by any branch of the national government to give advice or guidance relative to the handling of the tramway strike nor was this necessary since the Cabinet and the Government were thoroughly familiar with their rights and powers under both the Cabinet Order 201 and the National Public Service Law and, we had been advised, were proceeding along those lines.

W. Pierce MacCoy

W. PIERCE MacCOY
Deputy Chief
Civil Service Division

WPM:jb

CIVIL SERVICE DIVISION
Government Section

3 June 1949

MEMORANDUM FOR THE RECORD

SUBJECT: Withholding of Union Dues From National Government Payrolls

1. References to collection of labor union dues is believed to be covered by Article 6 of the Japanese Trade Union Law (Law No. 51, 1945 as amended in toto 1949). Certain government labor union contracts specifically provide for collection of union dues by the government.

2. Article 6 of the amended Trade Union Law provides that: "Representatives of a trade union or those to whom the powers are delegated by the trade union shall have the power to negotiate with the employer or employer's organization on behalf of the members of the trade union for conclusion of a trade agreement or on other matters."

The phrase "other matters" is broad enough to include the collection of union dues.

3. Two government labor union contracts contain provisions for the collection of union dues. They are:

a. General Communications Workers Labor Contract
Article 20. "A (Communication Ministry) shall give sanction to the employees being engaged, commissioned by the Union, in the check-off service of union dues".

b. Labor Union Contract of the Printing Bureau
Article 24. "A (Printing Bureau) will agree with the arrangement, in which some employees will be entrusted with the business by B (union) to get the members of the labor union respectively to contribute each portion of union fee due to him as deducted monthly from salaries and allowances to be granted to the members."

4. Union dues are deducted from national government payrolls in the following agencies:

a. Ministry of Communications
b. Printing Bureau
c. Ministry of Agriculture and Forestry
d. Ministry of Commerce and Industry
e. Ministry of Construction
f. Ministry of Transportation
g. Ministry of Welfare
h. Board of Audit
i. Economic Stabilization Board
j. Central Economic Investigation Board

k. Price Board
l. Local Finance Commission
m. National Election Management Commission
n. Statistics Commission
o. Office of Attorney General
p. Prime Minister's Office

5. Cabinet Order 201 of July 31, 1948 continued in effect labor agreements entered into by the government.

> Paragraph 2, Article 1 of Cabinet Order 201, 1948 reads: "All acts heretofore taken by the government in personnel matters affecting public servants will be valid so long as they do not violate the spirit of the limitations imposed by the present Cabinet Order or were not taken in contravention of such limitations".
>
> Paragraph 3 reads: "All mediation proceedings now pending in which the national government or local public entities are parties will be suspended. The National Personnel Authority will hereafter be the agency charged with the protection of the interests of public servants."

6. The provisions of Cabinet Order 201, July 31, 1948 insofar as they apply to personnel of the National Government were invalidated by Article 8 of Supplementary Provisions to the First Revision of the National Public Service Law, December 3, 1948. As a consequence all National Government labor union contracts lost their legal force.

Articles 98 and 101 of the National Public Service Law replaced the National Government labor union contracts.

7. No current legislation or legal foundation can be found authorizing the withholding of union dues from National Government payrolls.

8. There is no legislation or official decision prohibiting the withholding of union dues from National Government payrolls.

9. The only references to withholding of labor union dues from National Government payrolls are found in Article 6 of the Trade Union Law as amended and in two government labor union contracts. Labor union contracts continued in effect by Cabinet Order 201, July 3, 1948 were invalidated by Article 8 of the Supplementary Provisions to the First Revision of the National Public Service Law, December 3, 1948.

10. Sixteen National Government agencies practice the withholding of union dues from payrolls. There is no legislation authorizing or prohibiting such deductions. There are no decisions or interpretations on the validity of withholding union dues from National Government payrolls.

Albert R. DeAngelis
ALBERT DeANGELIS
Compensation Specialist

AD:jd

18 June '49

Peterson

CIVIL SERVICE DIVISION
Government Section

3 June 1949

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

SUBJECT : Employee Association Payroll Deductions

Under date of 26 May, you inquired as to whether there is any law which permits or prescribes payroll deductions for employee association or union dues. I was fairly sure of the answer; however, I checked the answer with both Messrs. Salter and Peterson, and they confirmed my original understanding of the situation. There is no law which prescribes payroll deductions for union dues nor is there any law which, either by direct statement or inference, permits such deductions.

This last statement, however, must be taken in light of the additional statement that there is no law which specifically states that government agencies cannot or shall not agree to make payroll deductions covering dues of employees in unions. It must be assumed, therefore, that under the tutelage of American labor union organizers, both the government employee unions and the various ministries and agencies were instructed to include such payroll deductions in contracts and agreements entered into between the unions and the ministries and/or agencies.

Mr. Peterson advises me that the NPA is now in the process of formulating a rule which will prohibit such deductions in the future.

W. PIERCE MacCOY
Deputy Chief
Civil Service Division

WPM:jb

Mr Peterson
How soon will
be ready?
6/4/49

6/9
Told GWP to have
rule ready by 5 PM
Today

Jap Gov. R.R. Workers Union

file

CIVIL SERVICE DIVISION
Government Section

3 June 1949

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

SUBJECT : Petition from Mr. Kato, Chief, Japanese Railway Union

You will recall that a week ago we received a petition signed by Mr. Kato, head of the Japanese Government Railway Union, which had been addressed to General MacArthur and forwarded to us through the Government Section. In this petition Mr. Kato appealed against the passage of what he termed, "The Administrative Agency Employees Full Payroll Law" which we assumed to be the "Law for the Fixed Number of Personnel in Administrative Organizations", and also the proposed law which he calls "The Act on Disposal of Railway Lines Purchased by Gov't During the War".

Relative to the first law Mr. Kato made three charges: (1) that the proposed reduction of personnel ran counter to the National Constitution, the National Public Service Law, and the Public Corporation Labor Relations Law; (2) that it would endanger the safety of Japanese Government railway facilities and operations; and (3) that it would "cause a marvelous increase of the unemployed, to end in a flood of suicidal and criminal cases as well as that of black marketeers.".

His main objection to the second proposed law was mainly based on the fact that if the railroads were sold by the government to private ownership that it would result in further reduction of personnel in the operating lines and thus increase national unemployment.

On Thursday, 2 June, Mr. Forsythe of the Australian Mission called to discuss this petition with this office and to secure information from us relative to the charges made by Mr. Kato. We had already received information that while the original petition was addressed to General MacArthur copies of the petition had been sent to each member of the Allied Council for Japan. Akahata had reported several days ago that the petition had been sent to the chief of the Russian Mission with the request that the Russian delegate to the Allied Council defend and protect the railway workers. No mention was made in Akahata's article of the fact that the same petition had been forwarded to General MacArthur and all other delegates. I called this point to Mr. Forsythe's attention.

Mr. Forsythe stated that he had studied both the National Constitution and the National Public Service Law in light of Mr. Kato's statements and could not find any article, direct or implied, that substantiated the charge that the reduction of personnel in the government service was in conflict

with either instrument. I pointed out to him that we had encountered a peculiar interpretation of certain sections of the Constitution before and that I assumed Mr. Kato was following the same line of reasoning. I called his attention to Article 27 of the Constitution of Japan which states in its first sentence, "All people shall have the right and the obligation to work." and advised him that we had previously received an interpretation from various Japanese sources that various union members and leaders were interpreting this to imply that the government must meet the "rights" of the people in this matter and provide work for them if they were unable to secure it in private industry. Therefore, I assumed that this was the part of the Constitution to which Mr. Kato was referring.

I also called Mr. Forsythe's attention to Article 78 of the National Public Service Law which had been interpreted by some Japanese to indicate that the National Personnel Authority could handle the reduction in personnel in individual cases and, therefore, had interpreted the law to mean that they were not empowered to handle reduction in large groups as would be indicated by the Law for the Fixed Number of Personnel in Administrative Organizations or any large-scale governmental reduction in force. I asked Mr. Forsythe to read this Article and to indicate whether he felt that any such limited interpretation could be placed on the Article. He went over the Article carefully, phrase by phrase, and stated that as far as he could see, it covered any reduction in force under the situation stipulated, whether one person or 10,000 persons were involved, and he indicated surprise that the Japanese could find any method of interpreting it otherwise. I stated that I was not as conversant with the Public Corporation Labor Relations Law as I was with both the Constitution and the National Public Service Law, but that I had been unable to find any section of this third law which would substantiate Mr. Kato's charges. Mr. Forsythe stated that he had reviewed this law, and he likewise failed to find any substantiation for Mr. Kato's charges.

I pointed out that the National Personnel Authority had just issued Rule No. 10-0, effective 11 May 1949, which authorized the continuance of supervision concerning safety and health of working conditions of employees as defined in Law No. 255, 1949; Law No. 49 of 1947; Law No. 100 of 1947 which covers all of the previous safety regulations and safety inspections ordered under the Japan Monopoly Corporation Law, the Labor Standards Law, and the Mariners Law; that, therefore, I could see no substantiation for Mr. Kato's second charge. Of course, no definite reply or consideration can be given to Mr. Kato's third point since it is merely a broad assumptive statement. On the second part of the petition relative to the proposed law to transfer the government railways from government control to outside industrial control, I advised Mr. Forsythe that we had no comments to make on this matter since this was a point which had been discussed between General MacArthur and Prime Minister Yoshida. I realized that I was on

rather touchy ground here with Mr. Forsythe since both the labor governments of the UK and Australia are committed to the socialized idea of government control of all general public utilities. Mr. Forsythe carefully abstained from making any comment one way or another on this.

I inquired as to what action Mr. Shaw intended to take relative to Mr. Kato's petition. Mr. Forsythe advised me that as far as he knew that Mr. Shaw would merely handle this petition in the same manner as all others which they received and that was to acquaint themselves with the background and reason for the petition and then to file the case without further action.

W. PIERCE MacCOY
Deputy Chief
Civil Service Division

WPM:jb

SECRET

Page

2 From: G-2 To: Government Section Date: 2 June 1949
CI Opns Control/LMF/mhb

1. Results of investigations conducted during April and May 1949 on above listed persons have been summarized in attached Summary of Information dated 31 May 1949, subject: National Personnel Authority Employees' Union Officials," which answers questions in paragraph 2 of Check Note 1 (Incl 1).

2. Attention is invited to paragraph 4 of attached Summary, listing officials newly elected on 28 April 1949, from which it will be noted that YOKOI Kazuhito

SECRET

Investigation of Japanese Nationals

G-2 Government Section 2 June 1949
CI Opns Control/IGS/mhb

2
(Cont.) and KATO Harue were not re-elected to any official position in the Union.

3. Since file check has failed to reveal any pertinent information on newly elected officials not mentioned in Check Note 1, G-2 wishes to know if further investigation is desired to cover new names listed in paragraph 4 of the attached Summary.

1 Incl:
S/I, subj: NPA Employees' Union Officials, dtd 31 May 49 (in dup)

C.A.W.

SECRET

31 May 1949

CI Opns Control/JPP/LMF

SUMMARY OF INFORMATION

SUBJECT: National Personnel Authority Employees' Union Officials

1. The following named persons were the officers of the National Personnel Authority Employees' Union until 28 April 1949, when new officers were elected at a general meeting:

KUWAHARA Kanee	Chairman
HARA Tetsuro	Vice Chairman
YOKOI Kazuhito	Secretary
SASA Seibi	Chief, Culture Section
KATO Harue	Chief, Women's and Youths' Section

2. The following information on above persons has been obtained from usually reliable sources:

a. KUWAHARA Kanae, Chairman of the National Personnel Authority Employees' Union (Jinji In Shokuin Kumiai).
Date of Birth: 28 November 1916
Permanent domicile: No. 1609, Oaza Hattori-nagatani, Hattorimura, Ashinagun, Hiroshima Prefecture
Present address: No. 840 Koenji 5-chome, Suginami-ku, Tokyo
Former address: No. 3, 3-chome, Kashima-Nidoricho, Yubari City, Hokkaido
Schools attended:
Mar 1935 - Graduated from Kojokan Middle School, Okayama Prefecture
Apr 1935 - Admitted to Doshisha Higher Commercial School
Mar 1937 - Left the school because of illness
Employment:
May 1937 - Employed by the Mori Joint Stock Company in Seishin-Fu, Korea
Aug 1937 - Employed by the Japan High Speed Heavy Industry Co., Limited, in Joshin, Korea
Aug 1945 - Returned to Japan, when the above company was dissolved at the termination of the war
12 Aug 1946- Employed at the Oyubari Mine of Mitsubishi Mining Co., Limited, Yubari City, Hokkaido
Jul 1948 - Resigned from the above
1 Aug 1948 - Appointed a trainee of the Temporary National Personnel Commission's Secretariat
1 Dec 1948 - Assigned to Equity Division of National Personnel Authority
Labor Union Affiliations:
Feb 1947 - Member of the All Japan Coal Mines Workers' Union (Zenkoku Tanko Rodo Kumiai) (Tanko)
Mar 1947 - Vice-chairman of the Oyubari Chapter of the All Japan Coal Industry Workers' Union (Zen Nippon Sekitan Sangyo Rodo Kumiai) (Zen Sekitan), and simultaneously Standing Committee member of the Hokkaido Local Headquarters of the Zen Sekitan.

Encl 12

SECRET

KUWAHARA Kanae was not in the military service during the war. There is no visible evidence of leftist tendency in his activities although he has established liaison with the Finance Ministry Three Operating Bureaus Workers' Union (Okura Sangencho Rodo Kumiai) (Okura Sangencho) which is under the influence of the Liaison Council of All Government and Public Office Workers' Union (Zenkan Kocho Rodo Kumiai Renraku Kyogikai) (Zen Kan Ko Cho). KUWAHARA does not have any criminal record. Since 3 February 1949, KUWAHARA has been living at No. 840 Koenji, 5-chome, Suginami-ku, Tokyo. Although his living quarters is a dormitory designated by the Education Ministry within the compound of the Nichiren Temple, he has no affiliations with this religious sect. KUWAHARA is a very diligent worker and is respected by his fellow workers. The National Personnel Authority Employees' Union is not affiliated with the National Council of All Government Office Workers' Union and it is recognized as an independent organization. KUWAHARA Kanae does not have any relationship with the JCP or with any JCP front organizations. Although he does have some progressive ideological inclinations, as Chairman of a new organized Government Labor Union, he is at present acting as a "brake" on the more radical and over-zealous members of the Union.

b. HARA Tetsuro, Vice-Chairman of the National Personnel Authority Employees' Union.
Date of birth: 8 May 1923
Permanent domicile: No. 1641, Murayama-nishiwari, Atsumi-mura, Kita-Komagun, Yamanashi Prefecture
Present address: No. 13, 1-chome, Kanemecho, Toshima-ku, Tokyo
Schools attended:
31 Mar 1941 - Graduated from Tokyo No. 6 Municipal Middle School
31 Sep 1943 - Completed the preparatory course in law at the Chuo University
30 Mar 1948 - Graduated from Chuo University, Jurisprudence Department
Employment:
30 Jan 1948 - Appointed trainee of Temporary National Personnel Commission's Secretariat, subsequently assigned to Classification Section

HARA displays particular interest in political articles appearing in the newspapers. During the last general election he was very much interested in the political views of the various candidates. Indications, from his conversations with his neighbors, are that he is a pro-Democratic Liberal, and a confirmed anti-Communist. He is not a member of any other labor union nor does he have any liaison with them. After working hours, he usually stays at home and he has very few visitors. His family consists of the following persons: Hara Masaaki, father, age 59, Chief of the management section of the Seibu Railway Company; Hara Fumiko, mother-in-law (first wife died in 1946); Hara Kamei, brother, age 25, employed by the Mitsubishi Company in Kyushu; and Hara Masanori, age 2. HARA is a good worker and is well liked by his fellow employees.

c. YOKOI Kazuhito, Secretary of the National Personnel Authority Employees' Union.
Date of birth: 1 September 1921
Permanent domicile: No. 61, Aza Nibanyashiki, Oazatoda Tomitacho, Amagun, Aichi Prefecture
Present address: No. 325, Mure, Mitakamachi, Kita-tamagun, Tokyo
Schools attended:
31 Mar 1938 - Graduated from Ichioka Middle School, Osaka-fu
31 Mar 1941 - Completed the preparatory course in Economics at St. Paul's University
23 Sep 1943 - Graduated from St. Paul's University Commercial Course of the Economics Department

Employment:
1 Oct 1943 - Employed at Fudo Savings Bank
30 Apr 1944 - Resigned from the above Company
1 May 1944 - Employed by the Takachiho Optical Industry Co., Ltd.
31 May 1947 - Resigned from the above Company
1 Jun 1947 - Established Tsunoda and Company
20 Jan 1948 - Resigned from Tsunoda and Company
1 Jun 1948 - Appointed trainee of Temporary National Personnel Commission's Secretariat. Later, assigned to Training Section, Efficiency Division

YOKOI Kazuhito was not in the military service during the recent war. His neighbors are of the opinion that he is a moderate and conservative person without any radical thoughts. He still keeps in contact with his classmates through correspondence. Although he was elected as Secretary of the NPA Employees' Union, he does not wish reappointment in the next election. He has no affiliations with the Japan Communist Party nor with any JCP front organizations. His father, Yokoi Hikoichiro, mother, Yokoi Shizuyo, and sister Yokoi Miyoko are all presently unemployed. Their property consists of 150 Tsubo (approximately 529 square yards) of land and one tile roofed house, which are estimated to be worth 700,000 yen. He is very conscientious in his work and is well liked by his fellow workers. He has not made any radical speeches during union meetings or during working hours. YOKO was a below average student. No leftist inclinations were noticed during his school career. According to some colleagues of YOKOI, they believe that he has contacts with anti-Communist elements in other Government Unions. When it was rumored that the Union would join the Zenkankocho, YOKOI reportedly told some of his friends that he was accepting the position as Secretary of the Union to prevent the Union from joining the Zenkanko-cho.

d. SASA Seibi, Chief of the Culture Section, National Personnel Authority Employees' Union.
Date of birth: 21 April 1925
Permanent Domicile: No. 18 Oaza Kawata, Aza Shimogawa, Sengo-mura, Minami-shidaragun, Aichi Prefecture
Present address: c/o Suzuki, No. 591, Minami-oizumicho, Nerima-ku, Tokyo

Schools attended:
31 Mar 1943 - Graduated from Fukuoka Middle School, Fukuoka Prefecture
31 Mar 1945 - Graduated from Fukuoka High School
31 Mar 1948 - Graduated from Kyushu Imperial University, Engineering Department, Metallurgy Course
Employment:
Appointed trainee of the Temporary National Personnel Commission's Secretariat, subsequently assigned to Salary and Wage Section

SASA Seibi was not in the military service during the last war. He has no criminal record. He has no affiliation with the JCP or with any JCP front organizations. SASA is well liked by his fellow workers and carries out obediently the instructions of his senior officials. He is regarded by some of the Union members as a pro-leftist, while others believe that he is a follower of YOKOI Kazuhito. SASA's father is principal of a girls' school.

e. KATO Harue, Chief, Women's and Youths' Section.
Date of birth: 30 January 1916
Permanent domicile: No. 83, Yakuojimachi, Shinjuku-ku, Tokyo
Present address: Same as above
Schools attended:
Graduated from Seijo Girls' High School in Tokyo on 30 March 1933
Employment:
16 Jan 1934 - Employed by Mitsui Life Insurance Company in Tokyo
2 Oct 1943 - Resigned from the above company
30 Jan 1948 - Appointed trainee of Temporary National Personnel Commission's Secretariat, subsequently assigned to Classification Section of NPA

KATO Harue, prior to her appointment in the NPA was an instructor of flower arrangment and used her home as her classroom. She has no particular interest in politics, and has a good reputation among her fellow workers. She is very careful to maintain a neutral attitude regarding all Union activities. It is believed that she does not have any affiliations with the JCP or any JCP front organizations. Her father, Kato Masaji, age 63, is presently employed at the Corona Printing Company, Bunkyo-ku, Tokyo. Prior to this he was employed for 20 years at the Dai Nippon Printing Company.

3. Since the National Personnel Authority Employees' Union was organized in December 1948, the Union has not joined the Liaison Council of All Government and Public Office Workers' Union and it is recognized as an independent Union. As far as it can be ascertained, KUWAHARA, HARA, YOKOI, SASA and KATO do not have personal liaison with other Government Unions.

4. On 25 April 1949, a general meeting was held by the NPA Employees' Union for the purpose of choosing candidates for the coming election. On 28 April 1949, an election of new officers of the Union was held. The results were as follows:

KUWAHARA Kanae	Chairman			
HARA Tetsuo	Vice-Chairman			
FUJII Yasushi	Secretary			
SASA Seibi	Executive Committee Member			
MAEDA Sumako	"	"	"	
UMINO Shingo	"	"	"	
KANAMORI Iwaji	"	"	"	
YOSHIDA Minoru	"	"	"	
SHIOZAKE Seiichi	"	"	"	
HASHIMOTO Hideo	"	"	"	
ITO Hitoshi	"	"	"	
NAKASHIMA Hirobumi	"	"	"	
NISHIMURA Jiro	"	"	"	
GOTO Tsunetoshi	Alternate Executive Committee Member			
MAKIHARA Kisaburo	"	"	"	"
UENO Akira	"	"	"	"
TAKIGAMI Kinsei	"	"	"	"

5. General meetings are held twice a year, in April and October. However, Executive Committee meetings are held at least once a month or when necessary. Executive Committee meetings are usually held during the lunch hours or after duty hours in various offices of the NPA building with the approval from the higher officials of NPA. The term of office for the officials elected is six months. The election coincides with the two general meetings held by the Union. At the present time there is no official Union Constitution, however, the Union fee is 1% of the salary of each Union member per month. Section Chiefs and above are excluded from the Union. All NPA employees below the rank of Section Chief are eligible to join the Union. The only Union activity up to date was some negotiation between the Union and the Business Affairs Chief, Sato Asao, for a loan of 2,000 yen per worker to help employees meet expenses. The workers are paying this back at the rate of 400 yen per month, which is being deduced from the pay beginning in February 1949. The NPA Employees' Union organ is entitled "Morning Bell" (Gyosho). All matters concerning the NPA Union activities are printed. The "Morning Bell" has no set date of publication and at the present time, only two or three editions have been published.

GWP 6-2-49
To File. 6-6-49

CIVIL SERVICE DIVISION
Government Section

31 May 1949

~~Mr Hoover~~ Mr Peterson
I took care of
this pending
NPA

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

SUBJECT : Labor Union Statistics

This morning Miss Balicka of ESS, Labor Division, telephoned regarding the collection and publication of statistics on labor unions and their membership. She explained that the Labor Ministry has been making such surveys regularly since 1946 and that when the NPA was recently notified of the June survey they indicated doubt as to the advisability of including national government employee organizations in the survey. Evidently some fear was expressed that confusion might arise because of NPA's current survey based on its Directive No. 9.

WPB
6/3/49

Miss Balicka understood that NPA would get in touch with the Civil Service Division on the matter, and expressed the opinion that no confusion should arise despite the fact that two surveys might be conducted at about the same time because the Labor Ministry's survey was so old and well-established.

I voiced no opinion in the matter other than to suggest if the Labor Ministry is to make such surveys including public employees it would be helpful to all concerned to keep industrial, local and national employee organizations separate because of the special legislation and jurisdiction applicable to each. NPA has not, so far as I know, requested advice. No action is required on their part, however.

GORDON W. PETERSON
Chief, Organization Branch

GWP:jd

CIVIL SERVICE DIVISION
Government Section

May 26, 1949

MEMORANDUM FOR: THE RECORD

SUBJECT : Policy on Withholding Union Dues From Federal Payrolls.

1. The United States government does not, as a matter of practice, withhold union dues from Federal payrolls.

2. No specific law case could be found in the local area which involves the Federal government and the withholding of union dues.

3. The policy of the United States to refrain from withholding union dues may be inferred from a number of sources:

a. Paragraph 7 of Article 1, Section 9 of the Constitution of the United States reads "No money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law; and a regular statement and Account of the Receipts and Expenditures of all public money shall be published from time to time."

It would seem from the above paragraph that Federal money cannot be spent for purposes other than those specifically stated in the appropriation. If money is not appropriated to collect union dues, this purpose or service cannot be performed. To use Federal personnel and supplies to collect union dues without specific appropriation would result in the curtailing of an activity for which money has been legally authorized.

b. Civil Service Rule XV reads in part, "In the absence of statutory authority, express or implied, an officer or employee of the Government may not be administratively deprived of his lawful compensation."

At present, there are no Federal statutes authorizing withholding of union dues from Federal payrolls.

Deductions which may be withheld from Federal payrolls are listed in Paragraph 3 of Civilian Personnel Regulation 120.1

c. Change 9 in Paragraph 3 Civilian Personnel Regulation 120 defines other deductions which may be authorized: "Except where specifically authorized by statute there is no authority of law

for making deductions from Federal payrolls on account of purely individual obligations (such as indebtedness to commercial establishments, etc.) which involve no government transactions."

This definition describes Federal policy on withholding of pay to mean individual obligations to government agencies may be withheld from Federal payrolls but individual obligations to other than government agencies cannot be withheld from Federal payrolls except where specifically authorized by statute.

d. The National Labor Relations Act, 29 U.S.C.A. Paragraph 151 does not recognize the existence of the right of collective bargaining in public employment and expressly excepts from the definition of the term "employer" the United States and any state or political sub-division thereof.

If the United States were included as an employer under the N.L.R.A. unions would be in a position to violate and nullify Federal laws on public employment. Persons entering public employment do not thereby acquire a right to arrange, by negotiation and contract, terms and conditions of employment which are defined by law or, under established systems, are subject to regulation by government bodies. (Nutter v. City of Santa Monica, 168 P. 2d 741, 74 Cal. App. 2d 292)

4. Reasons why it is not feasible to withhold union dues from Federal payrolls:

a. The government would be acting as a collecting agent for the union. If the government collected money for unions, it would be under obligation to collect for other non-governmental creditors.

b. Collecting union dues is a non-governmental function. It would be an added burden to the government and would require the maintenance of proper records. The extra work involved in withholding union dues would interfere with the work efficiency of present payroll personnel or require additional personnel.

c. The Federal Government would become involved in all litigation between unions and union members in disputes involving union dues. At present the Federal Government is sovereign and cannot be sued unless it consents. If the government went into the collecting business it would have to permit itself to be sued for errors in collection.

5. Mr. Appel of Legal Section, SCAP, is of the opinion that union dues can be collected from Federal payrolls if enabling legislation were passed. It would be a good service to the unions.

6. Mr. Lockner of Legal Section, SCAP, is of the opinion that union dues can be collected if enabling legislation were passed. He is also of the opinion it would be a burden and dis-service to the government and involve the government in disputes between unions and union members. For the government to be an effective collecting agent the union would have to be a closed shop.

7. Direct citations on United States policy regarding withholding of union dues from Federal payrolls could not be found in local references. As a practice, union dues are not withheld from Federal payrolls. Individual obligations payable to governmental agencies may be withheld from payrolls, but individual obligations payable to other than governmental agencies cannot be withheld from Federal payrolls except where specifically authorized by statute. There is no statute authorizing withholding of union dues from Federal payrolls.

Albert R. DeAngelis
ALBERT DeANGELIS
Compensation Specialist

ARD:rr

~~21 MAY 1949~~
7 Issued

CIVIL SERVICE DIVISION
Government Section

26 May 1949

MEMORANDUM FOR : W. Pierce MacCoy
Deputy
Civil Service Division

SUBJECT : Employee Association Payroll Deductions.

Is there any law which permits or prescribes payroll deductions for employee association dues.

BH:mw

BLAINE HOOVER
Chief
Civil Service Division

Translation of Telegram - 24 May 1949 -3392

TO: Executive Chairman of the Oita Prefecture
Branch (TN. Zennorin Union)
% Property Coordination Office
Oita-shi, Tenjin-cho #1274

FROM: Chairman of the Executive Committee
ZENNORIN (All Agriculture-Forestry Ministry
Workers' Union) UNION

"Locals (Branch offices and chapters) need not make notifications (reports) in re (regarding) the NPA Rule. Exercise the right to appeal (petition) from all possible angles and smash (disobey, beat-off, reject) the Rule at each place of work. Chairman"

Translators Note: (Parenthesis includes other translations)

WT-IV

National Personnel Authority

May 23, 1949

To:

Mr. Thomas L. Elliot,

Civil Service Division,

Government Section, GHQ, SCAP

. I beg to enclose herewith for your reference a report on investigations made by the Investigation Division in connection with Labour Ministry Workers Union.

/s/ T. Sato

Sato Tomoo
Director-General
of
National Personnel Authority

NT-V

National Personnel Authority

May 23, 1949

To:

Mr. Thomas L. Elliot,

Civil Service Division,

Government Section, GHQ, SCAP

. I beg to enclose herewith for your reference a report on investigations made by the Investigation Division in connection with Labour Ministry Workers Union.

/s/ T. Sato

Sato Tomoo
Director-General
of
National Personnel Authority

Investigation on Labor Ministry

Workers Union

1. As the Labor Ministry Workers Union, on account of the nature of ministerial business, is well acquainted with the actual condition of union movements and social situation, its activities are not radical and are generally moderate.
2. None of its members is suspected of being a Communist.
3. The above information are obtained from Nakanishi Minoru, Chief of Secretarial Section of Labor Ministry.
4. The list of the officers of Labor Ministry Workers Union is attached hereto.

INVESTIGATION CONCERNING OFFICERS OF GOVERNMENT EMPLOYEE ORGANIZATION

LABOR MINISTRY WORKERS' UNION

As of May 16, 1949

Position in Employee Organization	Name of Employee	Date of Appointment	Term of Office	Official Position	Bureau, Section and Unit in which employed	Remarks
Chairman of General Executive Committee	Nagaoka Mitsugu	Sept. 1,1946	1 Year	Inspector (2nd class)	Supervision Section, Labor Standard Bureau	Chairman of Control Struggle Committee
Vice-Chairman of the same	Yamiya Tamemaro	"	"	(3d class)	Vocational Training Sec.,Employment Security Bureau	Vice-Chairman of the same
"	Fudihara Eiko	Jan. 23,1946	"	"	Women Workers' Sect., Women and Minor Bureau	"
General Executive Committee (Members appointed by chairman)	Hirai Hiozo	"	"	"	Wage Analysis Section, Labor Statistics and Research Bureau	
"	Hayashi Tadasuke	"	"	Temporary Employee	Supervision Section, Labor Standard Bureau	
"	Shinoda Yutake	"	"	Inspector (3d class)	Wage Section, Labor Standard Bureau	
"	Horizoe Kozo	"	"	Clerk	Labor Economic Section, Labor Statistics and Research Bureau	
"	Kanazawa Shigeru	"	"	Secretary (3d class)	General Affairs Section, Labor Std. Bureau	
General Executive Committee (Members elected by the Central Committee)	Yamaguchi Tooru	"	"	Inspector (3d class)	Labor Education Section, Labor Administration Bureau	

General Executive Committee (Members elected by the Central Committee)	Kusuda Takashi	Jan. 23,1946	1 Year	Temporary Employee	Industry Safety Laboratory
"	Yamashita Fudio	"	"	"	Vocational Training Sec., Employment Security Bureau
"	Nakamura Hirotatsu	"	"	Clerk	Worker's Accident Ins. Section, Labor Std. Bureau
"	Kaneko Dirokichi	"	"	"	Minor Workers' Section, Women and Minor Bureau
"	Yumazu Motodi	"	"	"	Labor Union Section, Labor Administration Bureau
"	Matsuo Koichi	"	"	Inspector (3d class)	Account Section, Minister's Secretariat
"	Kurakata Kadsuyoshi	"	"	Secretary (3d class)	Liaison Section Minister's Secretariat
"	Motoi Hisao	"	"	"	Minor Workers' Section Women and Minor Bureau
"	Yanashita Shigeru	"	"	"	Industry Security Bureau
"	Sumita Hayao	"	"	Temporary Employee	Labor Market Survey Sect., Employment Security Bureau
"	Shinnuma Shizau	"	"	"	Gen. Affairs Section, Em-Ployment Security Bureau
"	Homma Haruo	"	"	Technician (2d class)	Labor Economic Section, Labor Statistics and Research Bureau

Central Committee	Miyauchi sho	Jan. 23,1946	1 Year	Worker	Employment Research Section, Labor Statistics and Research Bur.
"	Hisanoki Yukimi	"	"	Secretary (2d class)	Wage Analysis Section Labor Statistics and Research Bureau
"	Takahashi Fukuko	"	"	CLerk	Labor Economic Section, Labor Statistics and Research Bureau
"	Konishi Kinsuke	"	"	Technician (2nd class)	Wage Analysis Section, Labor Statistics and Research Bureau
"	Nagano Fuziro	"	"	Technician (3d class)	Employment Research Section, Labor Statistics and Research Bureau
Central Struggle Committee	Yukita Isao	April 8, 1948	Term of Struggle	Clerk	Minister's Secretariat
"	Yamane Kohei	"	"	"	"
	Uchiyama Noboru	"	"	"	Employment Security Bureau
"	Sekiguchi Saburo	"	"	Secretary (3d class)	Labor Administration Bureau
"	Ando Yasunari	"	"	Clerk	Labor Stat. and Res. Bureau
"	Watanabe Mieko	"	"	"	Women and Minor Bureau
"	Muramatsu Hisao	"	"	Temporary Employee	Industry Security Laboratory

SECRET

WT-I

CIVIL INTELLIGENCE SECTION
PERIODICAL SUMMARY

SPECIAL ARTICLES NO. 40

ANTI-COMMUNISM IN JAPAN

3. Railway Union Democratization League:

a. Right-Left See-Saw: Concurrently with anti-Communist struggles in the NCIU, a similar battle for control was waged in independent unions. Control of the Government Railway Workers Union (Kokutetsu), whose 600,000 members make it an important force in the labor movement, has changed hands four times. Slightly outnumbered by pro-Communist elements at the Sep 47 Kokutetsu national convention, the anti-Communists threatened to dissolve the union in the face of overly aggressive tactics by Communist organizers.

In the ensuing confusion, anti-Communists succeeded in winning precarious control of the union's executive committee and by organizing an "Anti-Communist League of the Government Railway Workers Union," attempted to eliminate Communist influence from the union. From Sep 47 to May 48, the anti-Communists maintained control and the union proved less troublesome than during any other comparable period since the surrender. This abrupt shift from radical Leftism to conservatism was not approved by many union factions and in May 48 the pro-Communists succeeded in unseating the anti-Communists.

In late summer of 1948, however, JCP-dictated extremist tactics opposing the no-strike ban alienated many members. Meanwhile, the Anti-Communist elements formed a Democratization League with a claimed membership of 300,000. (k,l) The national convention 1-4 Oct 48 resulted in a complete victory for the Anti-Communists. Despite Leftist heckling and strong-arm tactics, the league won a strong majority on the new Central Committee. The anti-Communists also adjusted union policy to comply with the spirit of the revision of the National Public Service Law, and retracted a previous union regulation which authorized the Central Struggle Committee to direct all union disputes.

Anti-Communist sentiment at the convention was evident also in the 481,100 vote of non-confidence in the Central Struggle Committee which had sponsored work-desertion tactics. On allimportant proposals discussed at the convention, the Democratization League mustered approximately a two-thirds majority. The single most important decision reached at the three-day meeting was renunciation of Kokutetsu's previously radical dispute policy in favor of a more moderate platform calling for "realization of policies based on a sound union movement" by respecting Occupational recommendations. (m)

b. Leftists Now In Control: By April 49, however, it became apparent that the pendulum of power had swung again from Right to Left. Elections held among the union's lower echelons to select 130 Central Committee members resulted in 56 seats for the Mindo, 36 for the pro-Communist Renovation League, 34 for the Communists and four seats were obtained by neutrals. (n) Elections among Kokutetsu chapters for delegates to the 20 Apr 49 convention followed the

same trend. Of the 618 delegates, 248 were Mindo members, 108 Renovation League members, 165 Communists and 76 neutrals, many of whom were inclined toward the Renovation League. (o)

The only Mindo victory at the NCIU 6th National Convention was election of Kato Etsuo as chairman of the Central Executive Committee. It was reported, however, that this was a conciliatory gesture by the Leftists, who felt that their purposes would be best served with the Mindo remaining in the union. Other Central Executive Committee officials represented either the Renovation League or the JCP. Leftist forces also defeated Mindo proposals to withdraw from the Communist-dominated National Liaison Council of Government and Public Workers Unions and to join the proposed National Trade Union Congress.

Policy decisions made by the union, especially those concerning the establishment of a Central Struggle Committee and the placing of "struggles" on individual workshop levels, were Left Wing demands which portend the adoption of Communist tactics by the union. The Leftist-dominated convention followed the party line by pledging support"in principle" to the Economic Stabilization Program, while opposing administrative reform, raising of railway fares and other concrete steps to carry it out.

Illustrative of the growing realization among anti-Communist elements that opposition to the JCP must be politically organized to be effective was the announcement by Chairman Kato and a large Mindo segment that they were joining the Social Democratic Party. (p)

4. National Trade Union Congress:

In Sep 48 Mindo leaders of the NCIU, Kokutetsu and the Renovation League of the National Liaison Council of Government and Public Workers Unions, as well as anti-Communist elements of the JFL and the Japan Congress of Labor Unions (Nichiro), began to discuss a united front of all workers and unions opposed to "dictatorial leadership," either of the Right Wing or Left Wing. The achievement of such a merger presented obvious difficulties, as there were great disparities of principle and of types of organization. NCIU and Kokutetsu Democratization Leagues proposed that the JFL reorganize itself on the industry-wide system, instead of pursuing its present regional policy which handicaps united action.

Furthermore, the Left and Right JFL elements, though opposed to Comminism, differed on labor union policy. Recalling the prewar history of the non-Comminist proletarian movement, and its tendency to split over minor differences, leaders agreed on the importance of cooperating for the common interest. (q)

a. Preparatory Committee Formed: On 12 Feb 49, 300 union leaders met in Tokyo to establish the policy of the projected National Trade Union Congress (Zenkoku Rodo Kumiai Kaigi). The JFL and Democratization Leagues of the NCIU and Kikutetsu formed the nucleus of the meeting. Also present as observers were representatives of the Japan Congress of Labor Unions, the Renovation League of the National Liaison Council of Government, and Public Workers Unions, the Japan Seamen's Union and the Japan Federation of Coal Miniers Unions. (Tanro).

After predicting an early organization of a united non-Communist labor front, the delegates concentrated on political policy. A majority group centering around delegates from the Kokutetsu's Democratization League came out strongly for rallying to the support of the Social Democratic Party, as the starting point of a movement for unifying and strengthening political activity of trade unions. Delegates from the NCIU Democratization League argued

that support of the National Trade Union Congress should not be confined to the Social Democratic Party but extended to all pro-labor parties, except the JCP. It finally was decided to support a "renovated" Social Democratic Party, with the long-range view of organizing a workers' party of their own. A Political Committee was set up to formulate concrete plans for cooperation with the Social Democratic Party. (r)

b. NTUC Steers Socialist Convention: An outstanding development of the mid-April convention of the Social Democratic Party, held to revitalize the party after its fall from grace in the Diet elections, was the pronounced influence of the National Trade Union Congress leaders. Labor representatives dominated discussion on campaign principles and organization policy and called for reorganization of the party "as a revolutionary party based on social democracy", with Mindo members as a nucleus. With the impetus of the labor group, the Left Wing of the Social Democratic Party succeeded for the first time since the war in electing one of their members, Suzuki Mosaburo, as secretary general. Even Right Wing leaders agreed that the current mass entry of union members into the party would have a profound effect upon the party's reconstruction and future course. (s, t)

9. Conclusion:

Anti-Communist forces have gained more strength in the past few months than during the first three postwar years. On the political level, it is likely that an open and continued battle will be waged against Communist campaigns obstructing government recovery measures. The majority of the nation's newspapers, with their exposes of Communist activities and aims, are assuming a more effective role in counteracting the flood of JCP propaganda.

The most important anti-Communist movement, however, may be expected from Democratization Leagues and the projected National Trade Union Congress, which hopes to find political representation through the Social Democratic Party. Many present supporters of JCP activities would be drawn to a more socialistic type of labor organization which would fight from the workshops to the Diet floor for the betterment of working conditions and wages, which would oppose Rightist forces, but which would not be tainted with Sovietism or lead the workers into costly and unsuccessful strikes.

However, anti-Communist labor elements face a difficult task. Communists are strongly entrenced, well organized and tireless. To dislodge them, Democratization Leagues must present a positive program, administered by capable leaders. It will be necessary for the Social Democratic Party to become a unified, definitely pro-labor organization, able to command loyalty and strive for the goals of non-Communist workers. If these conditions are not met, it can be predicted that the JCP will gain in power; for nature--and people--abhors a vacuum. But if the non-Communist Left can maintain an organization strong enough to fill the long-standing gap between the far Left and the far Right, it should be able to bring about a change in Japan's economic and political scene advantageous both to labor and to the people as a whole.

COMMUNIST ACTIVITIES IN JAPANESE MEDICAL FIELD

4. All Japan State Medical Workers Union:

a. JCP Behind Merger of Hospital and Sanitarium Workers Union: The formation of the All Japan State Medical Workers Union (Zen I Ro) at a convention in Beppu City, Kyushu, on 17 - 20 Nov 48 had its inception in a meeting called by the Communist Party headquarters in Jun 48.

In a directive issued by the Medical Treatment Democratization National Council and the Central Committee of the Party, the JCP high command ordered that all regional committees and prefectural committees dispatch delegates who were either members of the medical workers unions or other medical organizations. The purpose of the meeting was to establish plans for a merger of the All Japan National Sanitarium Workers Union and the All Japan National Hospital Workers Union into a unified medical workers labor front. Party headquarters warned that all delegates must bring proper Party credentials in order to maintain security. (l)

b. Communist Members Strong in Union Headquarters: To insure that the new All Japan Medical Workers Union promotes the proper Communist line, the JCP has placed a majority of Party members among the top officers of the union. Although the union chairmen and the director of the union headquarters are all JCP members. Party member union officials are Hida Shintaro, vice chairman, Suda Shuhachiro, also vice chairman and Kudo Tsuzuku, director of business office of the union. Suda is a prominent JCP member and is also an executive in the Labor-Farmer Movement Relief Society (Rono Undo Kyuen Kai) and the New Japan Doctors League, both Communist front organizations.

Communist membership on the All Japan State Medical Workers Union Central Committee is very strong and at least five of the central committeemen are reported to be known JCP members. Two of the members of the central executive committee are active Party members. They are Ishida Kyo, an executive of the Young Communist League and Nishizawa Ryuji, Communist poet and writer, who is a JCP Central Committeeman. (m, n, o)

The Kanto Shinetsu area of the JapanState Medical Workers Union is also reported to be strongly under Communist influence. A CCD intercepted communication states that the chairman of this area has recently applied for membership in the JCP and that the headquarters of the Kanto Shinetsu Regional Committee is comprised of mostly Party members. At a conference held in Jan 49 by the regional committee, a large number of the delegates, reported to be members of the JCP, were opposed when they attempted to railroad through a JCP inspired union platform. The final platform adopted, however, echoed the Party line calling for more "rights for workers" and "security for those who are working to protect democracy." The regional convention also demanded an adequate social security system be established and asked for the expansion and democratization of government managed medical treatment. (p, q)

c. Organization and Objectives of Medical Workers Union: The new All Japan State Medical Workers Union is the result of a merger of the All Japan National Sanitarium Workers Union (Zen Nippon Kokuritsu Ryoyosho Kumiai) and the All National Hospital Workers Union (Zenkoku Kokuritsu Byoin Rodo Kumiai). The Union headquarters claim that they represent more than 90 percent of all

COMMUNIST ACTIVITIES IN JAPANESE MEDICAL FIELD

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medical workers, but this enthusiastic estimate is not borne out by the membership of the new union which is approximately 27,000. The new State Medical Workers Union represents an excellent opportunity for the JCP to increase its influence among medical workers and the merger provides them with the easier task of being able to concentrate their efforts on one large union.

The organization of the Zen I Ro closely parallels the JCP structure. The supreme body of the union is the National Convention which is held once a year to decide basic Executive Committee with a Secretariat as chief Administrative officer for the union. Zen I Ro headquarters' departments are almost exact duplicates of JCP headquarters department.

Under the Central Committee areeight Regional Committees, which have an organization similar to the national. Regional Committees are broken down into District Committees which in turn are made up of Branch Committees, the lowest echelon in the union organizational structure. Zen I Ro is affiliated with the National Council of Government Office Workers Union (Zen Kanko Shokuin Rodo Kumiai Kyogikai) and the National Liaison Council of Government and Public Workers Unions (Zenkoku Kankocho Rodo Kumiai Renraku Kyogikai), both of which are under Communist control, although an anti-Communist opposition does exist.

In Feb 48 Zen I Ro conducted collective bargaining negotiations with the Welfare Ministry demanding the immediate establishment of a minimum wage system. It also asked for an increase in wages, advance payments on wages and protested the proposed personnel cuts in the government. The general policies of the Zen I Ro demand a protection of collective bargaining rights for government workers, the democratizing and expansion of government management of hospitals and sanitariums and the formation of a "strong united peoples front" to support the reconstruction of Japan. The political nature of Zen I Ro is revealed by the central committee decision to support Communist and Social Democratic Party candidates in the general election of 23 Jan 49. At the same central committee meeting it was decided that "struggles" would be carried out in the Diet by JCP and Leftist representatives or by conducting strikes. (4, s, t, u, v)

CIVIL SERVICE DIVISION
Government Section

23 May 1949

Miss Mueller
File
5-24-49
HM

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

SUBJECT : Resolution Submitted to NPA for the Dismissal of Sato, Director-General; and Kanatsugu, Personnel Director

Attached herewith is a resolution of the Struggle Committee of the All Government Public Workers Union (Zenkanko) demanding the dismissal of Director-General Sato and Personnel Director Kanatsugu. This resolution was also given to the chairman of each personnel committee of both houses of the Diet.

It is Mr. Sato's belief that this was inspired by two actions against the NPA Employees Association. The first was restricting their activities from including participation in the May Day celebration, and the second was advising them against joining Zenkanko.

Dr. Asai rejected this immediately on the basis that such action by Zenkanko was illegal and that they had no business concerning themselves with government business.

MacDONALD SALTER
Chief, Classification
& Compensation Branch

MS:jd
Att.

1-Mr Hower
2-file
5-19-49

CIVIL SERVICE DIVISION
Government Section

May 18, 1949

MEMORANDUM FOR: The Record

SUBJECT : Government Employees Demonstrate at the Diet

5/19/49

WRB
5/18/49

1. Reference is made to the attached article from AKAHATA of 13 May which describes a demonstration at the Diet Building on 11 May, participated in by workers of twenty-eight government unions for the purpose of opposing the Ministries' Organization Bill and the Table of Personnel Organization Bill.

2. Mr. Sato, Director-General, NPA, was requested by this office to investigate this demonstration from the standpoint of the absence of government employees from their working places during working hours and the sponsorship and organization of the demonstration. Messrs. Tonomi and Muraji of NPA Investigation Division reported to this office yesterday as follows:

3. Their source of information regarding the ~~advance~~ events of the demonstration itself was officials of the Diet Secretariat. It was discovered that the demonstration had been planned by the National Liaison Council of Government and Public Office Workers Unions (ZENKANKO). Each government employees union had been directed by ZENKANKO to deliver to the place of the demonstration at least 100 union members. (Diet Secretariat officials state that some of the participants in the demonstration had no knowledge in advance of their arrival of the purpose of the demonstration). How do they (Diet Sec.) know this?

4. Central Executive Committee member, Oikawa, of the National Council of Government and Public Office Workers Unions (ZENKANRO) had called on Mr. Asanuma, a leader of the Social Democratic party, ~~on~~ at 1130 on April 11, and requested him to arrange for Diet members of the three major parties to address the demonstration in the afternoon as follows: Social Democrats, Asanuma and Akamatsu; Democrat ~~Labor~~ Liberal, Nohara; and JCP Secretary-General, Tokuda. All of these persons addressed the demonstration.

5. Diet Secretariat officials estimate that some 1500 persons were present at 1320 at the Diet Building. Members of the National Observatory Meteorological Employees Union, all the Kodan Unions and the Labor Ministry Employees Union were definitely recognized as being present.

6. Questioned by Diet Secretariat personnel as to how they had arranged to be absent from work after 1300, rally participants stated either that they were on their lunch periods until 1330 or that they were simply absent from their work for a little while.

7. In view of the fact that the AKAHATA article mentions specifically the presence of members of the Agriculture and Forestry Ministry and Commerce and Industry Ministry Workers Unions, the investigators contacted the personnel officer in each of these ministries and asked whether or not ministry employees had participated in the demonstration. The personnel officer in each case denied any knowledge of ministry employees having participated.

T.E

THOMAS ELIOT
Personnel Specialist

TE:vr
Att: 1

√

GOVERNMENT EMPLOYEES DEMONSTRATE AT DIET AGAINST BILLS

(Full Translation)

AKAHATA, 13 May -- At 1300 hours 11 May, the Diet building was beseiged by approximately 4,000 workers of 28 unions including the Agriculture and Forestry Ministry Employees Union, the Commerce and Industry Ministry Employees Union, etc., affiliated with the National Council of Government Employees Unions. They clamored for withdrawal of the Ministries Organization Bill and the Table of Personnel Organization Bill, and asked various political parties to state whether they were for or against the bills.

Democratic Liberal Representative NOHARA Masakatsu could not bear up under the heckling and disappeared. Socialist, Communist and Labor-Farmer Party representatives, however, swore unitedly to fight against the bills to the last. Communist Secretary-General TOKUDA severely attacked Democratic Liberal policies as traitorous and delivered a patriotic speech about industrial reconstruction. A storm of applause greeted his statement that the Yoshida Cabinet would be overthrown by September.

About 1500 hours, approximately 2,000 members of the Tokyo Council of the Government Railway Workers Union staged a demonstration march around the Diet building to oppose the two bills in an effort to influence the Diet decision. Communist representatives promised to fight the bills.

~~16 May '49~~
23 May '49

CIVIL SERVICE DIVISION
Government Section

6 May 1949

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

SUBJECT : NPA Employee Association Payroll Deductions

Your attention is invited to Mr. Salter's memorandum for the record on the above subject dated 29 April, my note of 2 May to Mr. Salter, Mr. Roser's comments of 3 May, and Mr. Salter's appended memorandum of 3 May.

I am personally violently opposed to payroll deductions being made on government payrolls to collect dues for membership in an employee union. If my memory serves me correct, there is a Comptroller General's decision in Washington that no deductions may be made on government payrolls for anything other than a government function. It was necessary for Congress to pass an act to legalize payroll deductions covering the purchase of war bonds. I might add that I am just as violently opposed in industry to the union dues "check-off" system. Unions are organized supposedly for employee benefits to the employee and from which the industrial concern or the government, as the case may be, gains nothing but a headache; therefore, if the employees feel that they need an employee union to serve their interests, it is their responsibility to pay for its operation. To require the employer, be he private or government, to bear the expense, irritation and redtape of collecting this money for the union, forwarding the money to the union, and accounting for it to the union is against all my principles of democratic operations.

Of course, all unions and union officials are in favor of a "check-off" system since it conserves money for the union and permits it to build a larger war chest with which to cause trouble. It is extremely unfortunate that this system was ever introduced, particularly into the NPA, but also into any part of the government offices. I realize we have no responsibility for what has occurred in other government offices, but we certainly are solely responsible for what has happened in NPA.

Mr. Roser indicates that Mr. Steward approved the union payroll "check-off" system when the NPA union was established. I am not too sure that this is the case since I know that the NPA union has stated that they secured office space in the NPA Building at Mr. Steward's suggestion when I am reasonably sure in view of my conversations with Luther that he not only suggested no such thing, but actually did suggest the exact opposite.

11 May - 49 Instructed GWP to have rule drafted.
16 " 49 Not ready.

Mr. Steward discussed this matter with me at some length prior to his departure from Japan, and he stated at that time that he had advised the NPA union officials that they should seek office space in a building close to the NPA Building, but that it should be entirely separate and distinct from the structure which housed the NPA since he felt for the union's own good that it must display its independence from even the taint of being controlled through supply of services by the Authority.

Since the union has apparently misquoted Mr. Steward so emphatically on this point, I am inclined to be a little suspicious of their statement relative to the payroll "check-off" system. This matter, of course, can only be finally settled by discussing the matter with Mr. Steward when he returns to Japan. However, I believe the system should be stopped now!!

W. Pierce MacCoy

W. PIERCE MacCOY
Deputy Chief
Civil Service Division

WPM:jb

Mr. MacCay

5/3

Please note comment of Rosen's.

I am not loath to have payroll deduction for it gives to the agency absolute control over knowledge of how many, who is + is not, a member.

I do not agree with present method of authorization, which does not place enough independence of action in employees own hands.

Mr Sallee

~~Hans Aasen~~

~~Dan~~ Salter

Roser:
Suggest you comment on this memo.

CIVIL SERVICE DIVISION
Government Section

April 29, 1949

MEMORANDUM FOR: The Record

SUBJECT : NPA Employee Association Payroll Deduction

1. The NPA Employee Association obtains its dues by means of payroll deductions administered by the Payroll Section of the NPA. Permission to carry out this procedure was given to the Association by Mr. Sato, Director General, last January. The deductions are made against the second pay period in each month. The union provided the original list of members, which is the authority for the NPA Payroll Section to make such deductions. The list is amended periodically, as often as two or three times a month.

2. The estimate of present membership of the Association now subject to payroll deduction is 450 employees of NPA.

Macdonald Salter

MACDONALD SALTER
Chief, Classification and
Compensation Branch

MS:vr

Does any law now in effect give the unions the right to demand that Govt. payrolls include union dues as regular deductions on the regular or special Govt. payrolls? WBR 5/2/49

Seems to me Pierce's question or any others should have investigated before Mrs. Stewart approved payroll deductions. J.B.R.

1) Mr. Horsley
For info.
Return
2) Salter

NATIONAL PERSONNEL AUTHORITY

May 2, 1949

To:

Mr. Foster B. Roser

Civil Service Division,

Government Section, GHQ, SCAP

Re. contribution to the Employees union in the National Personnel Authority.

With reference to the abovementioned case, which was raised by you recently, the following particulars based on our records are hereby submitted for your information. These are:

1. A total number of staff whose contribution to the Employees Union was collected in April by this office upon the request of the Union was 494:

2. Rate of the contribution is 1% of base pay, counting 5 and higher fraction as a unit of 10 Yen and disregarding the rest as shown in the attached table; and.

3. Contribution to the Union is subtracted from the pay for the first half of the month while the contribution (62) to the Mutual Aid Association is subtracted from the pay for the latter half of the month.

Fujita Shigeru

Chief of Budget and Finance Section

Rate of Contribution to the Employees Union.

Contribution	New pay-scale	Old pay-scale
20 Yen	1/1st Grade - 2/1st Grade	1st Grade - 2nd Grade
30 "	3/1st " - 4/4th "	3rd " -14th "
40 "	5/4th " - 9/5th "	15th " -23rd "
50 "	10/5th " - 1-2/6th " 8/6th "	24th " -30th "
60 "	9/6th " - 1-3/7th " 9/7th "	31st " -36th "
70 "	10/7th " - 1-4/8th " 9/8th "	37th " -41st "
80 "	10/8th " - 8/9th "	42nd " -45th "
90 "	9/9th " - 5/10th "	46th " -49th "
100 "	6/10th " upward	50th " upward.

JP/OSA/TLC/12429
Eliot's memo of
22 apr.

CIVIL SERVICE DIVISION
Government Section

26 April 1949

4/28/49 Discussed with Mr Mosley decided to let the matter rest on the basis of rule right at this time

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

SUBJECT : Two Notifications Regarding Union Activities During Working Hours - Monopoly Bureau

Reference is made to Mr. Eliot's confidential memorandum for the record of 22 April 1949 on the above subject and your penciled note inquiring as to where was the NPA rule covering the point in question.

No rule was needed on the particular point raised by the notifications referred to since Article 101 states in its opening sentence, "Personnel of the service, except in cases authorized by rules of the Authority, shall give their full working time and occupational attention to their duties, and perform only those duties which it is the responsibility of the National Government to perform." Further, the opening sentence of the last paragraph of the same Article states, "Personnel of the service shall not, while receiving pay of the National Government, perform duties or carry on activities for or in behalf of employee organizations."

Under the circumstances, the Law is clear and specific without equivocation of any kind, that no National Government employee may receive any form of pay while absent from his position and engaged in union activities; therefore, the Monopoly Bureau acted in full accordance with the National Public Service Law in withdrawing its Notice No. 674 which purported to give authority to pay National Government employees their salary while engaged in union activity provided they requested and received approval for absence from their regular jobs prior to absenting themselves to conduct union activities.

I believe, however, as a side issue that Rule No. 14-0, effective January 8, 1949, should be amended to include another sub-numbered paragraph in compliance with Article 98 and Article 101. The pertinent parts of these articles read as follows:

Article 98. "Through such organizations, personnel of the service may designate representatives of their own choice and negotiate subject to the procedures of the Authority with proper authorities for conditions of work and for other lawful purposes including social and welfare activities, provided, however, that such negotiation does not include the right of collective agreement with the Government. No person in the service shall be denied freedom to express dissatisfaction or voice opinions by reason of his non-membership in an employee organization."

Article 101. "Personnel of the service shall not, while receiving pay of the National Government, perform duties or carry on activities for or in behalf of employee organizations. However, such personnel may perform the activities approved by the provisions of Article 98 under conditions or circumstances approved by the Authority or prescribed by rules of the Authority."

In other words, Rule 14-0 should include a paragraph to the effect that when an employee is properly appealing a case to the National Personnel Authority under the provisions of Article 98, that neither he, his defense counsel, nor his witnesses should be subject to deductions from their pay during the period of such hearing.

W. PIERCE MacCOY
Deputy Chief
Civil Service Division

WPM:jb
cc. Mr. Gordon Peterson

CONFIDENTIAL

CIVIL SERVICE DIVISION
Government Section

22 April 1949

MEMORANDUM FOR: The Record

SUBJECT : Two Notifications Regarding Union Activities During Working Hours - Monopoly Bureau

1. Attention was directed by CCD comment sheet JP/OSA/TLC/12429 (Attachment A) to the "Withdrawal" of Monopoly Bureau Notification No. C-674 under circumstances indicating pressure by the employee union. Mr. Sato, Director General, NPA, was requested to secure information regarding the content and circumstances of withdrawal of this notification.

2. A Mr. Iba, Investigation Division, NPA, was sent to the Monopoly Bureau, and on 20 April secured a Japanese copy of Monopoly Bureau Notification No. C-674, dated 30 March 1949 (an English translation of this document is attached - Attachment B).

3. According to information secured by Mr. Iba from the Chief of the Secretariat of the Director of the Monopoly Bureau, the issuing office, the notification was "in explanation and amplification of Article 20 of the New Pay Law," (Law No. 46, as amended) which reads: "Employees absent from their duties shall have their compensation reduced by its hourly amount as provided in Article 24, for each hour of absence from duties, except when they are given specific authorization for such absence".

4. In brief, this notification provides that:

(1) Employees who desire to engage in union activities during business hours must secure permission and

(2) shall have their allowance decreased for the time they are not actually at work regardless of whether or not such official permission to be absent from their duties is received.

5. In his report to this office on the results of his first inquiry, Mr. Iba stated that Notification No. C-674 had not been withdrawn but was still in force. He was told that this office had been informed that it was highly probable that the notification had been withdrawn on or before April 11 (see Attachment A) and was requested to renew his investigation.

6. Mr. Iba returned to this office on 21 April, still insisting that Notification No. 674 had not been withdrawn. However, it so happened that the Monopoly Bureau office at which he had made his inquiry had furnished him a copy of Notification No. C-32 (Attachment C), dated April 15, 1949

CONFIDENTIAL