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NO.	DATE	FROM	TO	SUBJECT
1.	31 Jan. 49			Standards for Investigation of Qualification of Trade Union
2.	3 Feb. 49	Labor Policy Bureau		On Treatment of the Case of Alleged Violation of Art. of the Trade Union Law by reason of violan.
3.	4 Feb. 49			Thorough information on the objects of Art. the 1 and 2 of the Trade Union Law - Lab. Educ. March
4.	9 Mar. 49	Vice Minister of Labor	Issue No. 32	On the promotion of the Democratization of Labor Unions and Labor Relations
5.	9 Nov. 48	Labor Issue No. 24		Concerning the Revision of the Enforcement Ordina of the Labor Union Law.
6.	11 Mar. 49			Details of Labor Education Program for April
7.	12 Mar. 49	Labor Note No. 102		On Education Activitiew Based on Outline of Labor Education
8.	18 Apr 49			Pursuant to the Law Administering the New Pay of Government employees
9.	16 Apr. 49	Labor Note No. 154		On Sending Out Details of Labor Education Program for May, 1949
10.	23 May			Policy Concerning Treatment of Cases when the N.P. Servants serve as a Member of the Pre.La.Relatn. Comm.
11.		Labor Note No. 196		Details of Labor Education Program for June, 1949.
12.	24 May 49	Labor Policy Bureau		Discontinuance of Payment of Salaries to Full-Time Officers of the Trade Unions.
	9 Mar. 49	Lab.Issue #32.		Same as above.
13.	21 Apr. 49	Lab.Note #15		Policy Concerning Treatment of Cases when the Natnl. Public Servants serve as a member of the Prefectural Labor Relations Committee.
14.	24 June 49	Lab. Note No. 249		On Lab. Edu. Actvties during Forthcoming Three months from Jul.in accordance with the Outline of Enft. of L.
15.	22 Aug	Labor Issue No. 33		On the Enforcement of the Trade Union Law and the Edutn Law for the Partial Amendment of the Labor Relations Adjustment Law.
16.	22 Aug			On the management of Businesses concerned with the Enforcement of Trade Union Law and Labor Relations Asjustment law.
17.	22 August			On the Enforcement of the Public Corporation Labor Relations Law
18.	7 Sept	Labor Note No.311		On sending out "Details of Labor Education Programs for August"
19.	19 September			Instruction by the Labor Ministry to be issued with the CLRC Instruction.

26th, Aug. 1949.

~~Draft of the~~ Instruction by the Labor Ministry
to be issued with the CLRC Instruction.

The enclosure is the instruction No. 326 dated 30 Aug. 1949 issued by the Central Labor Relations Committee to Each Prefectural Labor Relations Committee. This Instruction is issued for the purpose of assuring you the following points in connection of the CLRC.

It is to be added that the matters in this instruction are already agreed on between the Central Labor Relations Committee and the Labor Ministry.

Note:

1. The instruction of the CLRC is issued on the basis of the provisions of Article 18 of the Enfrocement Ordinance for the Trade Union Law.

2. The instruction provides for administration of the laws in accordance with the present circumstances for a transitory period for the sake of actualizing the spirit of the laws most effectively on the basis of strict interpretation of the Trade Union Law and the Labor Relations Adjustment Law.

The instruction is not contradictory with the official interpretation of the laws or other instructions issued by the Labor Ministry heretofor.

3. The CLRC has authority to give direction, suggestion and advices concerning the maters provided in the proviso of Clause 1 of Article 7 of the Labor Ministry Establishment Law According to the provision of Art. 18, and 19 of the Enforcement Ordinance for the Trade Union Law. The Labor Minister is responsible for the enforcement of the laws and has authority to give general interpretation of the laws or issue instruction to the Prefectural Governor and to interprete the laws in regards to labor education etc. At executing this authority, the Labor Minister will be in close contact with the CLRC respect the principle of Art. 16 of the Enforcement Ordinance of the Trade Union Law, and shall see that no contradiction or difference of opinion will rise between the two.

4. The spirit of the instruction is not be considered as to give any such benefit as mediation or conciliation to such organizations which have not intention of complying with the law or openly states that they will remain as the so-called outsiders.

5. If the so-called "Outsider Unions" is eliminated completely, the instruction will become unnecessary. At present, there is prospect that the number of [illegible] outside the law on purpose is lessening; however,

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MIS-100
Subject: OPERATIONAL MEASURES FOR QUALIFICATION ISSUES (3)
(CLRB Interpretive Instruction, No. 1; Releise No. 526)

From: CLRB Office
Date: Aug. 30, 1949.

The CLRB Chairman's Circular already submitted in translation in MIS-99, dated Aug. 25, was dispatched to all LLRB chairman on lasy Saturday with an introductory not by Dr. Suehiro attached to it. The following is the text of the latter:

INTRODUCTORY NOTE

The Labor Minister's Interpretation of the TUL, No. 1 and the counter Policy regarding conciliation, mediation and arbitration for a labor organization not in compliance with the TUL were announced in the Labor Ministry circulars by the Labor Policy Bureau Chief. The Announcements having issues the CLRB in close connection with the business management of the LRB decided, after discussions at the two general meetings of Aug. 17 and Aug. 22, upon transition measures for handling cases, which are herein submitted to LLRB's for reference, as criteria.

It must be borne in mind that the measures do not mean directly to be any amendment to the Ministry's interpretations, but simply expediencies recommended against occurences of serious setback upon the working of the LRB possibly to be brought about by an immediate and too strict enforcement of the interpretations in these days when the new law has not been put into force long enough. As this point will be emphassized in the Chief of Labor Policy Bureau's forthcoming circular to pre fectural governors, which you are kindly referred to, full discretion will be expended in attaining the desired object. (When and if any amendment to the Ministry's Interpretation were found needed hereafter owing to ambiguity cropping up in the interpretion of the Law, the CLRB shall directly inform after discussing and deciding on the issue in pursuance with Paragraph 2 of the Underlying Principles.)

Accordingly, LLRB's are requested to give notice to the following points when operating the present circular:

(1) As no change is contemplated in the basic idea that all labor unions shall be brought to comply with requirements fixed by the law as early as possible the LRB on its part shall do its best at every given chance to drive its orientation home to them by means of recommendation or any other measure conceivable.

(2) The facts in Clauses (a) and (b) to be considered under Paragraph 1 of the Underlying Principles must be taken together into consideration. The transition measures are advisable, therefore, only when it apparently is too short space of [illegible] enforcement of the law that is hindering a labor union from being

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(2) The facts in Clauses (a) and (b) to be considered under Paragraph 1 of the Underlying Principles must be taken together into consideration. The transition measures are advisable, therefore, only when it apparently is too short space of time since the enforcement of the law that is hindering a labor union from being authorized in spite of sincerity on the part of the union. For instance, in case a labor union presents evidence enough for its intention to cling to its own unlawful status, bluntly defying compliance with the law, the LRB shall not exercise adjustment functions for it without regard to the facts under Clause (b).

It may be added that as to this issue full understanding has been reached with the Labor Policy Bureau and besided, that the Labor Devision GHQ has given its formal approval.

MJS-99
Subject: OPERATIONAL MEASURES FOR QUALIFICATION ISSUES (2)
(Final Draft, by CLRB)

From: CLRB Office
Date: Aug. 25, 1949.

UNDERLYING PRINCIPLES

I. It is a matter of course that the Labor Relations Board in engaging in examination of union qualifications should exert itself for a strict enforcement of the law, in serious cooperation for all labor unions to remould themselves into lawful unions at the earlist date. However, at the present time when the new law has not been put into force long enough, a simple strict working of the Law without any reservation might only entail unnecessary confusions. Such being the case practicable transition measures may be well-advisedly adopted by taking into consideration facts given in (a) and (b) which follow:

(a) Facts, for which there is enough evidence to warrant that, with a national federation or similar big union, a prompt and complete compliance with legal requirements is difficult owing to the complicated internal structure of the union or in its relationship with the employer, and that the union on its part is sincerely trying all possible means to come within the provisions.

(b) Facts, for which there is enough evidence to warrant that from the very nature of a dispute, failure in timely disposal in adjustment service, compelled by the delay while qualifications examination is going on, would threaten the public welfare or give the parties concerned undue disadvantage.

II. As any disagreement of views in interpretation of laws between the labor policy Authority and CLRB is least desirable, both parties shall hereafter in drafting an official interpretation have the whole issure under complete discussion prior to publication. As to those provisions of the Law governing the authority of the Labor Relations Board, as for instance: those governing the examination of union qualifications, unfair labor practice, the adjustment service of a labor dispute, etc., it is the reasonable conclusion of the new law that the CLRB who operated the law shall hold itself chiefly responsible for coordinating the interpretation of those provisions. Even of these, however, the CLRB shall have preliminary talks with the Labor Policy Authority in making an official interpretation.

APPLIED TO REPRESENTATIVE ISSUES

Three representative issues present themselves now pending before the CLRB and LERB's, which shall be disposed of in the following manner. Cases involving other issues, that may turn up in future, shall generally follow the foregoing principles and be made definite each time.

I. On Qualifications Examination Relative to Registration of Labor Union As Juridical Person

(1) In the case labor union which had been already registered as a juridical person at the time of the enforcement of the revised Trade Union Law, applies for the proof in accordance with Par. 2 of the Supplementary Provisions to the same law:

(a) Even in the case such proof is requested when 60 days have elapsed after the enforcement of the TULaw, the Board shall accept the request and carry on examination.

(b) As a general policy of examination, the Board shall do all it can for serving the proof as quickly as possible in view of Par. 2 of the Supplementary Provisions to the TULaw.

Accordingly, should a union be found after examination not meeting requirements, recommendation for revising or supplementing shall be made in virtue of Art. 24 of the Regulations, or in another instance that the issue in question requires to be settled by labor-management discussions, as provided in Clauses 1 and 2, Art. 2 of the TULaw, the Board shall cooperate by means of conciliation or the like, if necessary; and then if the compliance have been confirmed or given assurance for, the step to serve the certificate shall be taken immediately.

(c) The Underlying Principles shall apply in carrying out examination of a federated organization of labor unions or national union, beside not only the federation itself but also all the constituent unions to have to undergo examination for legal requirements. However, if in such a case constituent unions are so numerous and examination takes long with a possible result of giving the union undue disadvantage, an expediency as given under (b) may be employed.

(2) In the case the proof is requested for registrating anew as a juridical person:

A general policy shall be to apply (b) and (c) under (1). Note shall be taken especially in this case on the following two points:

(a) In this case a more strict examination shall be exercised than for the one already on the registry book.

(b) A union which is trying to comply in all sincerity to the provisions

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(a) In this case a more strict examination shall be exercised than for the one already on the registry book.

(b) A union which is trying to comply in all sincerity to the provisions of the law shall receive preferential and prompt attention and enjoy the utmost expendiency by the Board along the line discussed under (b) and (c) of (1). To give some light on this point, a reference to the sample case of the Coal Miners' Unions handled by the CLRB is recommended.

II. <u>On Qualifications Examination in Adjustment Services</u>

(1) In carrying on conciliation, mediation and arbitration in accordance with the Labor Relations Adjustment Law, the Board shall insofar as it sees the case mature for adjustment service promptly start adjustment procedures on the line of the purport of Art. 5 of LRALaw, while meantime the public members meeting shall proceed with examining union qualifications.

(2) While qualifications examination is going on, the Board shall endeavor to h
union to comply with the prescription of the Law, following the policy set out in
paragraph on qualifications examination relative to registration as a juridical

(3) Even prior to the completion of qualifications examination, the Board shall, i
it sees that adjustment service has well advanced enough to assure it to bring a dis
pute to solution, not miss the change for some definite steps, as for instance: to
present a mediation proposal and recommedn parties to dispute for acceptance, but b
always on guard for keeping with the prime purpose of the IRALaw which is the prom
settle ment of a dispute.

III. On Unfair Labor Practice Case Petitioned by Individual Workers

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When individual workers seek relief in accordance with Clause 1, Art. 7 of the TULaw, examination may be effected for the relief laid down in Art. 7 in view of the proviso of Par. 1, Art. 5, even if their labor union is not qualified with the legal requirements.

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Doherty
8th army

Labor Note No 311. July 25th, 1949.

FROM: Director of Labor Policy Bureau.

TO: Each Prefectural Governor.

SUBJECT: On sending out "Details of Labor Education Programs for August"

Above-mentioned "Details of Labor Education Programme for August" is sent as in attatched paper, so we wish you make good use of it according to former practices.

Details of Labor Education Program
for August, 1949.

1. Theme.

A Although it was ~~xx~~ already notified in the "Points for Enforceing Labor Education from July to September" that Thorough Information on purports of the Amendment of the Labor Laws " shall be the common theme from July to September and what points shall be emphasized, the details for August are reprinted to be made sure as follows:

I Union constitution.

1. There have been examples that various evils were brought about in the past becauses of the incompletoness of union constitution.

2. Such items must be provided in the union constitution as union members to have ~~xxx~~ the right of equality any workers not to be discriminated for union membership in no event because of race, religion, sex, social status or family origin, union officials to be elected by direct secret ballot of union members, no general strike to be started without the decision made by secret ballot; financial status to be made public after being audited; no union constitution to be revised without the support of a majority. If these are not provided in the union constitution, no union can be eligible to participate in the formal procedures provided in the Trade Union Law and Labor Relations Adjustment Law and to avail itself of the remedies provided in the Laws.

3. Union constitution must be made democratic according to the actual circumstances of each union after a full deliberation because it is the Constitution of a trade union.

it is carried out. When a trade union is lacking in such efforts, it will be not allowed to participate in the formal procedures provided in the Trade Union Law and Labor Adjustment Law and to avail itself of the remedies provided in the laws.

5. The expense will be very heavy when an auditor is engaged independently by a trade union. Such methods are desired to be adapted in order to reduce the expenses as engage an auditor through the upper union or incollaboration with other unions in the region.

II. Especially on Article 5 of the Trade Union Law.

1. Union movement has become more free than ever as a result of the removal of submitting reports, qualification investigation and dissolution order.

2. However, trade union must not be puppetary or undemocratic in order to be eligible to participate in the formal prodedures provided in the Trade Union Law. Trade union must probe itself by submitting evidences to the Labor Relations Committee.

3. Trade Union will be troubled in an emergency unless it efforts to become independent and democratic according to the demands of the Law. For instance, it can not receive any facility of conciliation, mediation and arbitration from the Labor Relations Committee in case of labor dispute and not desire any remedies even when unfair labor practices are doene.

III. Labor agreement.

1. Labor agreement should be confluded between labor and management to their satisfaction. Industrial peace cannot be maintained without a democratic labor agreement. The labor agreement, therefore, must include the concerned provisions on mutual rights and duties of employer and workers, wages, working hours, working conditions, limits of application and establishment of grievance machinery.

2. Labor agreement shall include a provision fixing a definite termination date. No labor agreement can continue in effect when an apposition is expressed by either one of the parties concerned after the termination date.

3. As the provision on renewal of labor agreement is very important, it must be made definite so as not violate the Law.

4. The provision stipulating for the financial support from an employer must be revised.

5. Labor agreement shall take effect when it is put in writing and signed by both of the parties concerned.

6. Such efforts must be paid for the amendment of insufficient reports in this opportunity. T

The nation-wide Women Workers' Welfare Promotion Movement" which is scheduled to be operated from August 1 to 7 under the auspices of the Womentand Minor Workers Bureau shall be used for our education activities in view of the movement's purpose.

B. Method

I. Labor Education Advisory Committee.

1. The Labor Education Advisory Committee shall be opened at the begining of the month and after explanation of the theme for this month, both labor and management shall be requested to cooperate for this movement in their respective quarter. Each members shall be requested carry out possitive education activities and guide his quarter concernd to become a model of the rest.

2. Labor Office shall open the District Labor Education Committee for the purpose of consultating education activities according to these enforcement details and carry out individual guidance to trade unions within its jurisdiction.

II. Press.

The chief of the Labor Dept. of prefectural Government shall pay a visit and explain the purpose of educational activities according to these enforcement details to local daily newspapers effective for the leadership of public opinions and ask for their cooperation on the following. Meanwhile, similar cooperation shall be requested to weekly newspapers, periodicals and organs considered propar.

1. Editorial.

Editiorials emphasizing the following points available for "the rapid development of the free and constructive trade union" shall be requested to be inserted.

A union constitution must include provisions provided for in the law and must be made democfatifically after a full deliberation and study according to each actual circumstance, because it is the constitution of a trade union. Each members shall participate enthusiastically in the union activities, being familiar with each provision of the union constitution.

2. Article.

The function program during the month according to these enforcement details shall be given as press release, and newspapers shll be desired to insert the progress situation of the function.

papers shall be desired to insert the comments which
made in accordance with ~~theme~~ (A) theme and offered to them.

4. Filler.

Proper item for promoting the cooperation of both labor and management among the items shown as the points of theme shall be changed into such simple sentence as "Industrial peace can be main tained by conluding a detailed labor agreement which complied with the conditions provided for in the Law" and offered as fillers to new newspapers.

5. Question colum.

Choose proper problems especially relating on Article 5 of the Trade Union Law on local level from among the items shown as the points of themes, make simple questions and answers, and offer them to newspapers.

III. Radio.

1. As the Tokyo Central Broadcasting Station broadcasts "Labor Hour" in the national broadcast from 8:00 a.m. to 8:30 every Tuesday of the month, August 2, 9, 16, 23 and 30 in which general ~~fax~~ affairs as well as the themes for this month will be treated, encourage schools and cultural or economic bodies as well as trade unions and employers organizations to listen in them. "Labor Hour" is rebroadcasted in the second broadcast from 10;00 a. m. to 10.30 every Thursday.

2. Those who have a broadcasting station in their prefectures shall ask for it the following broadcast concerning the themes for the month.

a. Station break

Make several simple and impressible sentences on proper points for station break as shown in the following and offer them to station.

"A trade union receiving the employer's support is a puppet union. It can't get any remedy provided in the Law. The employer who continues such an unfair labor practice will be punished".

"Let's studay Article 2 and 5 of the Trade Union Law in order to organize a democratic trade union. Near-by Labor Office is ready to serve every union member, preparing various reference materials".

by all union members for all union members. A strike started while it is not known by union members puts them as well as the general public to trouble".

b. Lecture

Plan a Lecture broadcasted by a prefectural Governor (Chief of Labor Department or Labor Policy Section as his deputy) or proper person representing trade union or employers organization. The lecture shall be over general affair on the union constitution and labor agreement of the themes for this month, but emphasize that the foundation of a free trade union is that every union member will realize and the protect the diguity and authority of their own personality.

c. Miscellaneous

Offer the function progfam according to these enforcement details to station at the same time of press release and ask it for broadcasting.

IV. Meeting.

1. Encourage foderations of trade unions and employers organizations to open lecture meetings or table-talk meeting dealing with all or part of the themes for the month for their respective members and general public, and accomodates them by recommendation of lecturers, offer of materials and etc.

2. Direct Labor Office to make the following plans.

a. To open lecture meetings dealing with the themes for the months under the sponsorship of Labor Office or District Labor Education Committee where the Staffs of Labor Policy Section and Labor Office will give lectures.

b. Wokoshop meeting.

Encourage local unions to hold the study and debate meetings dealing with the themes for the month during lunch time or after work. Staffs of the Labor Policy Section and Labor Offices shall attend the meetings in key unions, and expand a positive enlightment pregram with the cooperation of district Labor Education members while giving necessary cooperation [illegible] Labor [illegible]ation

V. School and social education facilities.

a. Urge the labor school to add the themes according to the enforcement details into the subject carriculm.

[illegible] ...rities to deal with the themes [illegible] b. these enforcement details, especially the revised Law.at the special lessons and accommodate them by recommendation of lecturers and offer of materials if nècessary.

d. Use the public hall to emphasize to the general public that they must correctly understand the revised law as a people.

VI. Publication.

1. Plan to insert special articiles concerning the themes of the month in the prefectural government periodical and offer materials to periodicals published by trade unions or employers organizarions.

2. Ask for various economic or cultural bodies including employers organizations to publish pamphlets, leaflet, etc. according to these ~~xxxx~~ enforcement details.

3. ~~Pxxxx~~ Prope ly change the fillers which was used in case of press and ask for various organizations within the jurisdiction to insert them in the spaces of their periodicals.

VII. Visual.

Make a plan that film, Gento and Kamishibai will be used also in the activities mentioned in the item of Meeting and school and social education facilities. Such Gentoes as "Our Trade Union (organization)", "Our T ade Union (Activities)"(Partial amendment is required), "Operation and Constitution of a Local Union "(Partial amendment is required) and "Collective Bargaining and Labor Agreement" and such Kanishibais as "Otokisan and A Trade Union" and "Cooperating Power"shall be used for because they are supposed most proper.

VIII. Bulletin Board.

Make poster and wall newspaper dealing with the themes of the month and put them not only on the bulletin beards of trade unions but also on the public bulletin boards controlled by city, town or village office, station and theatre or cinema house and other facilities.

IX. ~~Rxdx~~ Places where general public gathers.

Make thorough information by the following facilities under the circumstances baside putting on poster or wall newspaper in such places where general public gathers as station, theatre, cinema house and play-gournd.

~~xxxxxxxxxxxxxxxxx~~

1. Loud Speaker

If any facility of laud spaker can be use[illegible] station to make loud speaker announcement of the materials which shall be made with proper items among the themes for the month and offered by the prefectural government.

2. Slide.

If any facility of slide, offer materials and ask for projection.

3. Fillers of hand-bill and program.

Make manuscripts dealing with the themes of the month which are proper for to fillers of handbill or program distributed in theatre or cinema house and request to prin in it.
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6. Materials

There are great deal of materials useful as reference materials for theme of this month among these have been already published and distributed by G.H.Q. and the Labor Ministry. So it is desirable to make use of them.

Especially as to the union constitution, second week in Details of Labor Education Program for March and as to labor agreement, Details of Labor Education for April include reference materials in their materials column. So we want you make good use of them Following materials are publications published especially relating to the enforcement of the revised laws and recognized as proper.

(New Publications)

1. Minute Explanation of Revised Trade Union Law, written by Saijiro Kaku Director of Labor Policy Bureau, published by Central Labor College. Price ¥ 250.

2. Constitution and Agreement in Accordance with Revised Trade Union Law, edited by Labor Policy Bureau, ~~xxxx~~ published by Central Labor College. Price ¥ 150.

3. Union Constitution and Labor Agreement) — New Guide for Making Them, written by Shingo Kaita, Chief of Trade Union Section, Labor Ministry, Published Labor Times. Price ¥ 60.

4. New Labor Agreement, Edited by Japan Labor Institute. Price ¥80.
5. Commentary on Revised Trade Union Law and Labor Relations Adjustment Law (Their Interpretation and Operation), Jointly written by Dr. Itsubaro Suehiro and Saijiro ~~xxxx~~ Kaku, Director of Labor Policy Bureau, Labor Ministry, Published by Information Department of Japan Federation of Employers Associations.

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Labor Ministry Labor Issue No.30.

FROM: Vice-Minister of Labor

TO: Each Prefectural Governor

SUBJECT: On the Enforcement of The Public Corporation Labor Relations Law.

Public corporation Labor Relations Law, which is aimed at securing the uninterrupted operation of the public corporation at maximum effieiency for the promotion and protection of the public welfare, by establishing the usages and procedures of collective bargaining in order to bring about an amicable and peaceful adjustment of grievances or disputes over wages and working conditions between labor and management, has been enforced from June 1 1949. Accordingly, as to the enforcement of this law, you are notified by order to make through information on purports of this law for not only the public corporations, employees of them, and their Trade Unions but also the general public as well as to expect perfectness, minding following matters especially. In order to make sure, it is reported further that copies of this notification have been sent to the Vice-Minister of Finance, the Vice Minister of Transportation, the President of Japan Monopoly Corporation, the President of National Railway, the Chairman of Central Executive Committee of National Railway Workers Unions, the chairman of Central Executive committee of all Monopoly Workers Union and the chairman of Central Executive Committee of Monopoly Bureau Employees Union.

Note

1. Through information of purports:

How systems such as negotiations committee, Practical use of Arbitration system, and limitation of scope of negotiations which differ from the Trade Union Law and the Labor Relations Adjustment Law of Japan, are provided in this law, so we wish you will take trouble so that concerned officers shall fully understand this law, and also other concerned parties shall be thoroughly informed of the purports of this law, by explaining this law plainly for the Public Corporations, employees of them and their Trade Unions by means of labor education and so forth, or by practical examples.

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2. Relationship with each Prefectural Governors

Business belonging to the authority of the Labor Minister, which is provided on the Public Corporation Labor Relations Law (hereinafter called the Law), and limited to one prefecture, except rights to apply for mediation and arbitration, can be entrusted to the Prefectural Governor under Article 7 of the law concerning the enforcement of the Public Corporation Labor Relations Law (hereinafter called the Enforcement Law). Accordingly, as to the business entrusted by the Labor Minister, we wish you will take proper measures to manage in accordance with the Policy instructed by the Labor Minister.

3. On Article 3 of the Law.

This article stipulates the relationship between the Law and the Trade Union Law and the Labor Relations adjustment Law concerning the Trade Union of employees of the public corporations (hereinafter called the employees). And also it stipulate that the Labor Relations Law shall not be applied to Trade unions of the employees, but it makes clear that the Trade Union Law is the general law in relations to this Law, and this Law is the special law althought the Trade Union of the employees is the Trade union under the Trade Union Law, this Trade Union shall be controlled by this Law moreover. And Provisions which shall not be applied among provisions of the Trade Union Law are stated in parentheses in this Article.

4. On Article 4 of the Law

(1) According to provisions of Paragraph 1 of this Article, scope of persons who may not organize or join the Trade Union is indicated clearly in annexed table 1 and 2 according to by the provision of Article 1 of the Enforcement Ordinance of the Law (hereinafter called the Enforcements Ordinance).

Decision on questions about the scope of non-union members shall be done by the Labor Ministry accordance with provisions of Article 38 of the Law, therefore the scope naturally cannot be decided only by between parties partisaned concerned.

(2) Paragraph 3 provided that only the employees of the public corperation shall be eligible to become members of the employees union. However, as to persons who were not employees of the public cooperation and joined in the trade unions of the National Railway and the Monopoly Bureau before June 1, 1949, they are regarded as withdrawn from the union of the employees in accordance with the providion of Paragraph 3 of Article 1 of the Enforcement Ordinance.

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5. On Article 1 of the Enforcement Law.

Trade Unions of the National Railway and the Monopoly Bureau before June 1 may be continued hereafter according to provisions of of this Article, provided that constitution of the union, and address and name of the union officials must be submitted to the Labor Minister by June 30, 1949.

6. On Article 6 of the Law

A s no union of the employees shall be entitled to avail itself of the rights and procedures provided in the Law unless its constitution provides for all conditions provided in this Article, it is desireable to make thorough information on its purports for the union of employees.

And as to trade union of employees which has been continued since before June 1, Article 2 of the Enforcement Law provides the exception that its constitution need not provide conditions of the Article 6 of the Law during the Term till June 30.

7. On Article 7 of the Law.

This is provision for so-called full-time union officers Legally the number of those officials shall be decided by the Public Corporation itself on its own initiative, but practically it is desirable to take proper measures to bring fulltime with actual circumstances. And it is not always necessary to make these officers with become negotiation committeemen concurrently.

8. On Article 9 of the Law.

Number and functioning of negotiation committee are clearly indicated in Article 2 and 3 of the Ordiance for the Enforcement. But at actual collective bargaining negotiation, it is desirable to conduct it with the attendance of ~~negotiation~~ committees of both parties respectively.

As to other collective bargaining procedures we wish you will encourge the Public corporation and the union of employees thereof to decide them between both negotiation committees so that the collective bargaining ~~procedures~~ negotiation may be smoothly carried out.

9 On Article 10

The designation of the bargaining unit is to be submitted to the Minister of Labor. But it shall be submitted through a prefectural Gove nor concerned if the bargaining unit is confined within a profecture. As the transitory measure of this year the designation of the bargaining unit shall be submitted by June 20 according to Article 3, Paragraphll of the Enforcement Law.

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10. Article 11

(1) When a bargaining unit is confined in a prefecture the designation of bargaining agents shall be submitted through a prefectural Governor concerned. It shall be submitted this year by July 10 according to Article 2 of the Enforcement Law.

(2) Each Prefectral Governor is requested to have full knowledge of the actual conditions of the public corporation and it s employes because the authority of the Minister of Labor is to be entrusted to a prefectural Governor if necessary when a case is confined within a prefecture.

(3) A Cabinet Order concerning Paragraph 3 is not enated as yet, but it will be enated and promulgated when it is necessary.

11. On Article 12

The employees or their unions who can raise objections shall file protects through the prefectural Governor concerned according to the provision of Article 4 of the Enforcement Order. The form of a statement paper of protest is not especially fixed, but the prefectural Government shall get the employees or their unions to properly change or supplement those not complying with the conditions provided in Article 4 of the Enforcement Order.

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12. On Article 13.

The notification provided in this Article shall be made to the Labor Minister through the Prefectural Governor concerned when the bargaining unit is confined within a prefecture. It shall be made this year by June 10 according to the provision of Article 3, Paragraph 2 of the Enforcement Ordinance.

13. On Article 14.

The certification provided in Paragraph 1 is to be issued by the Labor Minister. The certification of bargaining agents of bargaining unit which is confined in a prefecture is scheduled to be issued by the prefectural Governor concerned. The form of the certification paper will be soon notified reported .

14. On Article 19.

Although it is providdd that the details of juriadiction and operation of the Grievance joint Adjustment Board shall be decided in the negotiations between the bargaining agents, the Labor Policy Section of the prefecture concerned is requested to be well versed in jurisdiction and operation of the Board which is confined within a prefecture in view of the importance of the Board. For this end it is desired to have the public corporation or its employees union positively in close touch with the Section.

Article 20

Although the location, name and jurisdictional area of each Local Mediation Committee shall be designated by Cabinet Order based upon the recommendation of the Central Mediation Committee after its members have been appointed the present scheduled is shown in the attached sheet.

16. On Article 21

(1) The selection procedure of members of Mediation committee provided in Paragraph 2 is a quite new method. This means that the mediation needs to be conducted by those who can understand the opinion of each of the parties concerned. But since it is desired that the members of the Mediation Committee are selected not from among the parties concerned, ~~t~~ those registered in a list of members should be the persons other than the parties concerned. The employes and executive officers of the National Railways can not become the members of mediation Committee according to Article 21 and Article 26, Paragraph 2 of the National Railway Law.

And the Labor Ministry had notified to the Monopoly Pubic Corporation to the effect that the executive officers and employes are not hoped to become the members so long as they do not resign from their positions.

(2) Although the members of Mediation Committee are the National public employes belonging to the general ocupation, there are provided many exception for their in additional office, etc. according to Article 6 of the Enforcement Law.

(3) Article 6, Paragraph 26 of the Enforcement Ordinance provides for the bargaining agents who will respectively select a candidate of member from those submitted by the other party exchanging a list in which the names of more than five persons shall be entered according to Article 6, Paragraph 1 of the Enforcement Order.

(4) The list provided in Paragraph 2, Clause 6 shall be presented to the Prime Minister through the Labor Ministry in the case of the Central mediation Committee, and in the case of the Local Mediation Committees through both the prefectural Governor ~~thereof~~ to each ~~through~~ of Committee is located and the Labor Minister. In this year the list of the Central Mediation Committee shall be presented by July 30 according to Article 4 of the Enforcement Law while as for the lists of the Local Mediation Committee it will be separately decided by the Government Order.

(5) The term of office of a member provided in Paragraph 3 shall be this year from the date entrusted to March 31, 1950.

(6) The amount of allowance and compensation of ~~Paragraph~~ expenses, and payment method provided in Paragraph 4 shall be based upon the provisions of Article 13 and 14 of the Enforcement Ordinance.

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17. On Article 26

The bargaining agents are those provided in Article 10 of the Enforcement Ordinance. Although the members of Arbitration Committee as well as the members of Mediation Committee are the national public employes blonging to the general occupation there are provided many exceptions for them in additional office, etc. according to Article 6 of the Enforcement Law.

18. On Article 8 of the Enforcement Law.

The payment of allowance and compensation of expenses shall be made under the provisions of Article 13, Paragraph 2 and Article 14 of the Enforcement Ordinance according to the provisions of this article.

19. On Article 38

This article makes it clear that the responsibility for the administration and enforcement of the law shall be vested in the Ministry of Labor unless otherwise spirifiedd therein, and the ministry of Labor shall administrate all beside the right of claim of the Ministers of Transportation or Finance for mediation and arbitration (Article 24, Clause 5 and Article 34, Clause 5 of the law), the right of commission of the Prime Minister on the members of Mediation or Arbitration Committee (Article 20, clause 2 and Article 26, Clause 4 of the Law), the right of claim of the Ministers of Transportation or Finance to the Prime Minister for dismissal of the members of Mediation Committee (Article 29, Clause 1 of the Law) and the right of the Prime Minister for dismissal of the members of the Arbitration Committee (Article 29, Clause 2 of the Law)

20. Miscellaneous.

(1) As all labor relations of the employes in the National Railways Corporation and the Japan Monopoly Public Corporation shall be based upon the Law according to Article 35 of the National Railway Corporation Law and Aritcle 26 of the Japan Monopoly Public Corporation Law and their labor relations are controlled by the Law and the Trade Union Law.

(2) The necessary amendments have been made upon Article 3 and 37 of the Law and Clause 3 of the Supplementary revisions according to to Clause 6 of Supplementary Provisions since the Trade Union Law was revised.

TO: Each Prefectural Governor

FROM: Vice Minister of Labor

SUBJECT: On the management of Business concerned with the Enforcement of Trade Union Law and Labor Relations Adjustment Law.

We already instructed you on the enforcement of the Revised Trade Union Law and Labor Relations Adjustment Law by the Instruction of Labor Issue No. 33. However, we instruct you by the order that you shall deal with the businesses of the enforcement of the Laws according to the following provisions.

Moreover we inform you in order to make sure that we have notified this matter to the chairman of C.L.R.C. as shown in the annexed sheet.

1. Such disposition as the issuing of the certificate of labor unions according to the Article 6 of former Enforcement Ordinance of Trade Union Law shall not be made hereafter by Prefectural Governors because the certification of Labor Union is construed as the business of Labor Relations Committee on the basis of Revised Laws.

2. We hope you will consolidate strenuously to furnish the basic materials, on the situation of organization of Labor Unions, constitutions of Labor unions and labor agreements etc. in the cooperation with Labor and Management and in the close connection with Labor Relations Committees and so on, for we deems it necessary to run the labor policy administration.

3. In the case of receiving the report of the end of liquidation according to Article of the Civil Code concerning the labor unions which are juridical persons, Prefectural Governors shall be requested to inform it to the Chief of Labor Policy Offices concerned. In addition the certificate for the report on the end of labor union liquidation according to the Enforcement Ordinance of Trade Union Law shall be made pursuant to the form in the annexed sheet.

4. Whenever the Prefectural Governor had made decision according to the Article 18, Paragraph 1 or Trade Union Law, he shall inform it to the employers concerned, concurrently putting it on public notice according to the provision of the same Article Paragraph 3.

5. When the Prefectural Governor has appointed the members of P.L.R.C., he shall report without delay their addresses, names, occupations, atributions to any political parties and carrers, and only their names in the case of their retirements, dismissals or death.

As for the public members he shall make necessary report to Minister of Labor in the case of the change of their attributions to any political parties. Besides that, the measure by the Instruction of Labor Minister, Labor Issue No. 2, dated 8th January, shall be perfomed irrespective of the above.

6. Any Trade Union which is going to recommend the candidates for the labor members of a Labor Relations Committee shall prove to the Labor Relations Committee that the union is in compliance with the provisions of the Law, but the Prefectural Labor Policy Sections can, of source, investigate whether the union is qualified to recommend the candidates for committee members according to the provisions of the Law or not. Therefore, at the procedure of appointing the labor members of the Committee, Prefectural Labor Policy Section shall first investigate the documents and other, materials submitted by the union and then send them to the Labor Relations Committee concerned for the recognition of the proof provided for in Article 5 of the Law.

7. As for the salary of Prefectural Labor Relations Committeemen, you are requested to fix it by the Prefectural Regulation in accordance with the example of Art. 203 of Local Autonomy Law to the best of your power, until the promulgation of any other law. As for the compensation of expenditure you are requested to fix it as soon as possible according to the Article 24 of the Enforcement Ordinance of Trade Union Law, Moreover we request you that you shall fix the amount of compensation and paying method etc. so as not to make a difference between them.

8. Establishment of Section of Business Bureau in P.L.R.C. and the scope of the business under its jurisdiction shall be fixed by the Prefectural Governor after getting the agreement of the Chairman according to the example of Central Labor Relations Committee. And Fixed number of personnel shall be fixed by the Prefectural Regulation according to the Provision of Art. 25, Par. 4 of the Enforcement Ordinance of the Trade Union Law.

Organization Regulation etc. of Business Bureau of Central Labor Relations Committee are scheduled to be fixed in near future by Ministerial Ordinance of Labor. it shall be dealt with at their own discretion by P.L.R.C. according to the example of the C.L.R.C. in compliance with the actual situation. We have agreed with the Prefectural Autonomous Government Office on the clause 7 and 8.

6. Any Trade Union which is going to recommend the candidates for the labor members of a Labor Relations Committee shall prove to the Labor Relations Committee that the union is in compliance with the provisions of the Law, but the Prefectural Labor Policy Sections can, of course, investigate whether the union is qualified to recommend the candidates for committee members according to the provisions of the Law or not, Therefore, at the procedure of appointing the labor members of the Committee, Prefectural Labor Policy Section shall first investigate the documents and other, materials submitted by the union and then send them to the Labor Relations Committee concerned for the recognition of the proof provided for in Article 5 of the Law.

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quasi-juridical

9. The ~~quasi-juridical~~ function is far more strengthened in the Revised Laws, however, you shall make efforts to elect at least one lawyer for the public member concurrently adding the lawyers as many as possible for the staff of business bureau at the appointment of staffs for next term for the purpose of the security of man-power.

10. You are requested to understand the Menagment Regulation of the Business for the Enforcement of Trade Union Law (dated March, 1947, Instruction of Welfare Ministry No.7) has been properly void at the revision of whole provisions of the Law in this case.

11. Though a part of Article 9 of the Labor Relations Adjustment Law has been revised, the matter concerned with that shall be handled according to notification No. 6, Welfare Ministry Labor Issue No. 44 in 1946 insofar as the conflict with the revised law and the revised ordinance is not brought about.

12. The cabinet order (cabinet order No. 232 dated June 29, 1949) which amends the enforcement ordinance of the Trade Union Law (cabinet order No. 231 dated June 29, 1949) and the cabinet order for partial amendment to the enforcement ordinance of the labor relations adjustment law (cabinet order No. 232 dated June 29, 1949) shall be applied retrospective as from June 10, and the chief points of difference from the old enforcement ordinance are as follows:

(1) The jurisdiction of the labor relations committee had been provided for en bloc in Article 26 in the old enforcement ordinance. However, according to the new enforcement ordinance the jurisdiction in Article 5 of the Law, that in Article 11 of the Law, that in Article 18 of the Law, that in Article 27 of the law and that of conciliation, mediation and arbitration under the labor relations adjustment law are stipulated respectively.

(2) Attention shall be paid to the fact that, in spite of the deletion of Article 27, Paragraph 3 of the old enforcement ordinance of the trade union law, that the mediation committee is made use of in place of the provisions and the appointment by virtue of the powers as the result of the deletion of Article 37, Paragraph 4 of the said ordinance cannot be recognized.

13. In addition as for the management of the instruction for the interpretation regulation concerned with the former Trade Union Law and Report regulation of Labor situation etc. you will be instructed later.

Annexed form:

No. Certificate

Name:

Location of
Principal
Office:

Name and
Address
of liquidator:

We certify that above person has already reported the end of liquidation of the labor union.

Date: Prefectural Governor:

Signature:

Annexed sheet No. 2

Labor Issue No.
Labor Ministry

TO: Chair man of C.L.R.C.

FROM: Vice Minister of Labor

SUBJECT: On the business-management concerned with the enforcement with the enforcement of Trade Union Law and Labor Relations Adjustment Law.

On the above subject we have instructed to each Prefectural Governor as shown in the annexed sheet therefore we request your committee shall transmit the purport of the annexed sheet to the P.L.R.C.

Ministry of Labor
Labor Issue No. 33 9th June, 1949.

Labor Issue No. 33

SUBJECT: On the Enforcement of the Trade Union Law and the Law for the Partial Amendment of the Labor Relations Adjustment Law.

FROM: Vice Minister of Labor.

TO: Each Prefectural Governor.

The Trade Union Law and the Law for the Partial Amendment of the Labor Relations Adjustment Law have been promulgated since 1st June and will be enoforced on and after 10th June. These laws are aiming at the proper adjustment of relations between the labor dispute and public benefits, and the maintenance of the fair relations of labor-management, further developing the promotion of a free and constructive trade union movement.

Accordingly, as for the enforcement of these laws, we instruct you by the order that you are expected to make a complete publicity of the meaning not only to employers and trade unions but also to general public, and concurrently to pay your attention to the following matters for the complete performance of our intention.

In addition, we inform you the Chairman of Central Labor Relations Committee has already been notified as for the above matter as stated in the annexed sheet.

N O T E

I. We hope you will make a thorough-going publicity of the meaning of the revised laws widely not only to the staffs concerned with labor policy administration but also to those who generally concerned with such as trade union, employer etc. and other general public as soon as possible, since new provisions which we cannot find in the former Trade Union Law and Labor Relations Adjustment Law, are stipulated in these laws and the day of the enforcement of the revised laws will come soon.

II. The acts of violence are prohibited in the proviso of Article 1, Paragraph 2, of Trade Union Law. It is merely provided to make sure the matter of course. Therefore, we hope you will make effort not to cause any misunderstanding of the meaning which should be spread over even to the ends of administrative organs

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II. The acts of violence are prohibited in the proviso of Article 1, Paragraph 2, of Trade Union Law. It is merely provided to make sure the matter of course. Therefore, we hope you will make effort not to cause any misunderstanding of the meaning which should be spread over even to the ends of administrative organs, so as not to fall into such an action as a suppression over a healthy trade union movement as the result of abusing your powers.

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III. On the relationship between Art. 2 No. 1-No. 2 and the Instruction of Vice Minister of Labor, Labor Ministry Labor Issue No. 4, "On the Standards of Qualification Examination of Trade Unions."

1. The above instruction of Vice Minister of Labor is quite an interpretation of the former law, but not an interpretation itself of the revised law, i.e. the instruction of the Labor Vice Minister is the standard in the case of qualification examination of trade unions, which examination is stipulated in Article 6 of the former law, and such system shall not be adopted according to the revised law.

However, the standards shown in the instruction of Vice Minister of Labor are generally in conformity with the interpretation of Article 2 of the revised law. Namely, it is no difference between the interpretations of the coverage of "the persons who should be regarded to represent the interest of employer" and the coverage of Article 2, No. 1 of the revised law. The scope of "major expenses" is same with the scope of "the financial support by employer" provided in Article 2, No. 2 of the revised law as a rule, however, "to pay the wages of an appropriate number of union members who will attend the convention by an appropriate number of locals or the national convention" is not approved in the revised law.

And it is not permitted to offer any office by the instruction of Vice Minister . But such offices are approved by the revised law, being stipulated as "the furnishing of minimum office space".

2. As the result of the enforcement of the revised law, naturally, they should be judged by the revised law but not by the instruction of Vice Minister as to Article 2. However, the interpretation shown therein should be almost succeeded by the revised law. Therefore we hope you will call your attention to the point that such labor unions whose full-time officials have been still paid even after the enforcement of the revised law, will not be regarded as the labor unions provided in the Article 2 of the revised law.

IV. On the constitution of labor union.

1. The matters to be entered in the constitution of labor union were very formal in the former law. But they are proved to be concrete in the revised law, being fixed with nine paragraphs in Article 5, Paragraph 2. Unless labor union put the provisions prescribed in every number of Article 5, Paragraph 2, in their constitutions, they cannot participate th procedure provided in the Trade Union Law and Labor Reations Adjustment Law and avail itself of remedies therein as a labor union. Therefore it is necessary to understand this point and take a measure for the enlightenment of labor unions.

2. As "Name" of (1) and "Address of the main office" of (2) from among every number of Article 5, Paragraph 2 are included in any constitution of labor union, it is no matter for us, but even in that case, we don't expect to be put such a provision as "the office shall be located in some factory" that means an establishment of the office in the employer's building, in constitution only by the will of the trade union-side, before the company will approve it. As for the provision from (3) to (9), some unions have not some of them in their constitutions. However, we hope you will pay your attention to the following points, being necessary to guide cleary the labor unions concerning the matters to be put in their constitutions, as soon as possible, in every prefecture, because there is no period of grace after the enforcement of the revised law as for the matters to be put in the constitution of labor unions.

a. When every number of Article 5, Paragraph 2 has not been provided in the constitution of labor union, the necessary conditions are not satisfied in such a constitution of labor union, which cannot participate procedures provided in the Trade Union Law and Labor Relations Adjustment Law and avail of remedies provided therein.

b. It is ideal for labor union to have the constitution including the matters provided in every No. of Article 5, Paragraph 2 after the change of its constitution, at the enforcement of the revised law. However, even in the case of having not been put the matter provided in every No. of Article 5, Paragraph 2, in the constitution of labor union even after the enforcement of the revised law, the constitution itself is not void.

c. When it becomes necessary for the labor union to participate procedures provided in the Trade Union Law and Labor Relations Adjustment Law and to avail of remedies provided therein as a matter of fact, we are to discuss if the constitution includes a concrete matter provided in every No. of Article 5, Paragraph 2 or not. Therefore, it is necessary to have the constitution changed by the time. It is proper to change the constitution as soon as possible, because we are difficult to know clearly when such a problem will occur.

d. The right to be rendered equal treatment, which is provided in Article 5, Paragraph 2, (3), includes the possibility of claiming their equality to the labor union. But, it does not mean to exclude the existence itself of Women's Department or Youth's Department, but it means to take measure for the women or young men, so as not to have a double right to vote and other privileges, being differed from a rank and file.

e. The labor union can participate procedures provided in the Trade Union Law and Labor Relations Adjustment Law and avail of remedies provided therein in the term of offices of those who are officials of the labor union at present, when any question occurred, if the constitution of the labor union has the provision in conformity with No. 5, even though the officials of the labor union have not been elected through the procedure provided in Article 5, Paragraph 2, (5). But, it is expected to elect the officials immediately through the method in conformity with the provision of Article 5, Paragraph 2 of the revised law.

f. "A professionally competent auditor" provided in Article 5, Paragraph 2, (7), means a certified public accountant and a public accountant at present, but they are not necessary to run the business of a certified public accountant or public accountant. It is enough, if they have been qualified. As for the appointment of public accountant, it is not necessary to appoint one person for every union, but enough to ask a auditing whenever it needs. But, as minor unions are considered to be economically difficult to entrust to such an auditor, we hope you will guide the labor unions so as not to increase the expenses of the labor unions to the utmost, taking a necessary measure for making their expenses beared by the federation which is the upper organization of the labor unions, and concurrently to get the certificate at a low cost, asking the public accountant association, or so as they can get simply the certification, positively using your good offices for the opportunity of confabulation between the labor unions and public accountant association and of holding a lecture on the accounting method and so on, in every prefecture.

V. On the Unfair Labor Practice of Employer.

We hope you will pay your attention to the following point, thought the coverage of the unfair labor practice of employer is enlarged in comparison with Article 11 of the former law according to the provision of Article 7 of the revised law.

1. If the employer gives a disadvantageous treatment to a worker who is constituent of the labor's organization which does not come under Article 2 of the Trade Union Law, when he is going to establish a labor union, we consider it as unfair labor practice except when it is clear that the labor union which a worker will establish, is a company union etc., because being usually presumed he will build up a labor union provided in the Trade Union Law.

2. Though the employer's rejection of collective bargaining without any fair and appropriate reasons is prescribed as an unfair labor practice in Article 7, No. 2 of the revised law, we hope you will make the meaning thoroughly known among the employers on the point that the collective bargaining which employers are obliged to accept, means both cases to bargain collectively with the representative of the labor union and with the one of strikers' group who has a letter of attorney.

VI. On the Trade Agreements.

1. The trade agreement shall take effect, only when the agreement is put in writing in accordance with the former law. However, the necessary factor to be effective is prescribed as "to be put in writing and signed by both of the parties concerned" in Article 14 of the revised law. Accordingly, the trade agreement shall not take effect, when it is only put with their names and seals, but it is necessary to be put their own names by themselves. We hope your attention will be paid to the point that the trade agreement without signatures shall not take effect.

2. As it has not been forced to provide a definite termination date in the trade agreement according the former law, there are trade agreement which have not a definite termination date now. But, all the trade agreements which have have not a definite termination date will be void according to the provision of Article 15, Paragraph 1, at the enforcement of the revised law. In addition, We hope you will pay your attention to the point that the condition to be effective or void is regardless of the length or kind of a termination date, though we have a fixed or an unfixed termination date.

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3. The trade agreement is stipulated, as "it shall in no event continue in effect for a period exceeding three years", in the latter part of the first paragraph of Article 15 of the revised law. However, it is as similarly as in the case of the former law, because being stipulated as "in the case of having a definite termination date, it should be within the limit of three years", in Article 19 of the former law too. The first day of the three years is not the day of the enforcement of the revised law, but the day that the present agreement has taken effect.

4. When the validity of the trade agreement has already been extended automatically since before the enforcement of the revised law, all the agreement shall be void according to the provision of Article 15 Paragraph 2, if either of parties concerned speaks its mind to oppose against the extention, on and after the enforcement of the revised law.

5. In the case of being stipulated the provision that the employer shall pay the wages of full-time officials, in the trade agreement, if both of parties shall put the clause into force irrespective of the validity of clause, the labor union cannot be a labor union provided in the Trade Union Law after the enforcement of the revised law, and then cannot participate procedure provided in the Trade Union Law and Labor Relations Adjustment Law and avail of remedies provided therein. And such an enforcement can be an unfair labor practice for the employer as to the wages paid after the enforcement of the revised law.

VII. On the Labor Relations Committee.

1. The functions of the labor relations committee were fixed as the functions to make statistics over labor disputes, to investigate the labor situations and to make a recommendation to the administrative authorities concerned, in the former law, but, in the revised law, those functions were deleted.

2. The Central Labor Relations Committee is regarded as an Outer Office of the Labor Ministry according to the law for the Establishment of Labor Ministry. However, the authority of the Central Labor Relations Committee should be performed independently without asking for the instruction and supervision of the Labor Minister, as a matter of course, from the nature of the organ of the representative system, and we hope also the Prefectural Labor Relations Committee will be dealt with similarly.

3. But, this is concerned with the matter belonged to the authority of Labor Relations Committee which is provided in the Trade Union Law and Labor Relations Adjustment Law. Naturally, the budget of the committee and personnel affair of the Business Bureau should be under the supervision of Labor Minister and Prefectural Governor.

latter part of the first paragraph of Article 15 of the revised law. However, it is as similarly as in the case of the former law, because being stipulated as "in the case of having a definite termination date, it should be within the limit of three years", in Article 19 of the former law too. The first day of the three years is not the day of the enforcement of the revised law, but the day that the present agreement has taken effect.

4. When the validity of the trade agreement has already been extended automatically since before the enforcement of the revised law, all the agreement shall be void according to the provision of Article 15 Paragraph 2, if either of parties concerned speaks its mind to oppose against the extention, on and after the enforcement of the revised law.

5. In the case of being stipulated the provision that the employer shall pay the wages of full-time officials, in the trade agreement, if both of parties shall put the clause into force irrespective of the validity of clause, the labor union cannot be a labor union provided in the Trade Union Law after the enforcement of the revised law, and then cannot participate procedure provided in the Trade Union Law and Labor Relations Adjustment Law and avail of remedies provided therein. And such an enforcement can be an unfair labor practice for the employer as to the wages paid after the enforcement of the revised law.

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3. But, this is concerned with the matter belonged to the authority of Labor Relations Committee which is provided in the Trade Union Law and Labor Relations Adjustment Law. Naturally, the budget of the committee and personnel affair of the Business Bureau should be under the supervision of Labor Minister and Prefectural Governor.

However, the Labor Policy Section can participate the business of the Prefectural Labor Relations Committee within the limit of its power. But, we hope you will take care consequently not to cause any circumstances of interfering the businesses performed by Prefectural Labor Relations Committee.

4. We hope you will clearly deal with the point that all the prevention of labor disputes, making-up of statistics, and investigation of labor situation except those based on its own material, are excluded from the functions of Labor Relations Committee and shall be done on the responsibility of Labor Department of each Prefecture.

5. As for the members of the Prefectural Labor Relations Committee, which have been scheduled to be as a special occupation according to the Bill of the Local Public Service Law studied up to now, we expect your treatment along this Line, although their kind of occupation has been not yet decided. Moreover, the issue of Prefectural Labor Relations Committeeman's holding an additional post of national public servant or local public servant shall be dealt with as similarly as before even after the enforcement of the revised law.

6. The staffs of the Business Bureau of the Prefectural Labor Relations Committee shall be switched to the regular staffs of the Prefecture, after the enforcement of the revised law, and we hope you will rationally deal with their salaries. On the above details you will be notified by another instruction.

7. The allowances for the members of Prefectural Labor Relations Committee are suspected to be fixed by the Prefectural Regulation and paid after it. (Article 203, Paragraph 2 of Local Autonomy Law) The "another law" provided in Article 19, Paragraph 14 of the revised law has not been yet decided up to now, however, we hope each Prefectural Labor Relations Committee will be dealt with as before for a while, because we don't consider Prefectural Labor Relations Committee are prohibited to be paid by other than law.

8. The election method of the members of Prefectural Labor Relations Committee are same with the former law. i.e. they should be appointed from among those who are recommended by labor and management, on the clear responsibility of each Prefectural Governor. But, the labor unions which can recommend members of Labor Relations Committee should be those which come to under Article 2 of the revised law and meet the constitution provided in Article 5, Paragraph 2.

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Accordingly , it is necessary to make a public notification for the
recommendation of the members, Beforeea considerable length of period,
paying your attention to the point that labor unions should prove
themselves towards the Labor Relations Committee. On this score, we
hope you will pay a special attention, so as not to cause any un-
necessary troubles in the business, making a complete publicity
not only to the staffs of labor relations, but also to Profectural
Labor Relations Committee and labor unions, and making a public
notification which must be contained with the above matters, in con-
formity to the performance of the business by Profectural Labor Re-
lations Committee. And moreover, as for the method of enforcement, you
will be notified by another instruction later.

VIII. We hope you will take measure to delete the name of the person
from the panel of the candidates, when he is concurrently
as the candidate of conciliator and the member of Labor Relations
Committee, because, those who are put in the panel of the con-
ciliators cannot be a member of Labor Relations Committee according
to the revision of Article 11 of the Labor Relations Adjustment Law.
Besides, even when a person is the member of Labor Relations Committee,
he can be a conciliator, as an exception according to Article 12.
But, the application of this proviso is expected to be considered
seriously.

IX, On the abolition of the report system and the measure
to be taken thereafter.

All the reports of labor union and trade agreement are dis-
continued by the revised law, however, it is to exclude the partici-
pation of any administrative organ, being on the basis of the funda-
mental spirit of the revised laws, which is for the bringing-up of a
free and constructive labor union. But, we believe, it is necessary
for the development of this free and constructibe labor union to
give a cooperation and an advice etc. to labor unions at the present
stage. Therefore, also in future, we consider that you should power-
fully enforce the labor education and give a cooperation and an
advice to labor unions for the healthy development of labor unions
as before thoroughly on the basis of the spirit of the revised law,
as well as you are particularly expected to handle the matter fur-
ther positively,casting away an easiness which goes together with
the report system.

Labor Ministry
Labor Issue No. 33

9th June, 1949.

SUBJECT: On the enforcement of the Trade Union Law and the Law for the Partial Amendment of the Labor Relations Adjustment Law.

FROM: Vice Minister of Labor.

TO: Chairman of the Central Labor Relations Committee.

Each prefectural Governor has been instructed on the above subject as stated in annexed sheet.

We hope also your committee will transmit the meaning of the annexed sheet to each Prefectural Labor Relations Committee.

Labor Note No. 249 June 24

SUBJECT: On Labor Education Activities during Forthcoming Three Months from July in Accordance with the Outline of Enforcement of Labor Education.

FROM: Director of Labor Policy Bureau

TO: Each Prefectural Governor.

Labor education activities in accordance with the Outline of Enforcement of Labor Education (Labor Note, No. 538 dated Dec. 8, 1943) are being operated throughout the country since January with the cooperation of prefectural Government Offices and other fields concerned.

The period of a term of education activities is limited to three-months. "How a healthy trade union to be operated" was made the educational objective for the first term and "How fair labor relations to be kept" for the second.

They proved very successful. During the forthcoming third term from July to September, the education activities with thorough information of the laws amending the Trade Union Law and a part of the Labor Relations Adjustment Law which were promulgated on June 7 and enforced from June 10 as their objective, will be operated more strongly.

The enforcement points have been decided as in attached sheets. You are desired to make more efforts than ever for the expansion of activities, understanding that active promotion of labor education has become more important under the present acute labor circumstances.

It is stated furthermore that these enforcement points aiming at the thorough information of the revised laws were planned in line with the purpose of Vice-Minister's notification "On the enforcement of the laws amending the Trade Union Law and a part of the Labor Relations Adjustment Law" (Labor Note, 33 dated June 9.)

Points for Enforcing Labor Education

(From July to September)

I. Enforcement Policy.

Continuously from the former periods the labor education shall be carried out in district and in detail under the nation wide scale based on the outline of Labor Education, so that it may be expected to contribute to the development of free and constructive Trade Unions. Especially, points shall be put on the through information on purports of Amendment of the Trade Union Law and the Labor Relations Adjustment Law in th is period while we recommend and cooperate with trade union for democratization according to spirit of the revised laws, we make active publicity and enlightenment of the revised laws for employers and general public.

II. Themes of the Education.

(1) Theme of the education shall be through Information on purports of the amendment of the Labor laws.

(2) As to the theme of the education the following Nine Items shall be emphasized and be common to three months. These items shall be taken up for one month.

a. How the free and constructive trade union to be operated.

b. Independence of the Trade Union.

c. Democracy of the trade union.

d. Union constitution

e. Especially on Art. 5 of the Trade Union Law.

f. Labor agreement

g. Unfair labor practices.

h. Labor Relations Committee.

i. Responsibilities of the Trade Union.

+ Points of above-mentioned items are explained in attetached sheets.

"National Safety Week" in July, "Women Workers' Wefare Promotion Week" in August and "Labor Education Week" in September shall be

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"National Safety Week" in July, "Women Workers' Wefare Promotion Week" in August and "Labor Education Week" in September shall be carried out from the 1st day of each month. So, measures to connect these weeks mutually with the above-mentioned themes, shall be taken.

II. Methods of Enforcement.

(1) Selection of the Theme.

Education shall be carried out under the same theme for three months and above-mentioned nine items shall be selected as the theme of each week or month.

(2) Objects of activities

The education shall be carried out all over the country, for the trade union members, unorganized workers, employers and the general public.

(3) Methods of activities.

It shall be carried out according to methods which have been used since January. (newspaper, Radio, meeting, publications and other methods). Especially, in this period synthetic plan shall be taken up in connection with summer labor schools which shall be held in each prefecture. As to the Trade Union, the direct guidance by labor policy office shall be done individually if necessary.

(4) Materials.

Necessary materials to carry out this programme shall be made by the Labor Ministry as much as possible. However, according to problems of expenses, the ministry cannot make enough copies in all materials, so it is desireable that each prefecture will make the proper materials, considering on actual conditions of the prefecture.

Furthermore, Detailed Programme for the month shall be abolished and not be sent hereafter, and "Explanation" or "Table of References" shall be destributed temporarily in case of need.

V. Others.

(1) On enforceing this plan especially individual guidance, it is necessary to contact with M.G., and cooperate with the Labor Education Advisory Committee, each Government offices concerning labor, and other concerned organizations specially positive activities of the Labor Education Advisory Committee shall be expected.

(2) In Report on Enforcement of This Points (according to Labor Note No. 587 dated Dec. 24, 1948) Column of "Matters Enforced" shall be abolished. Matters shall be stated only in colomns of "outline" and "Remarks" as "Monthly Report on Enforcement of Labor Education Programme".

Attached Sheets

Theme of Labor Education Program for Third Term (July to September)

(Theme and Points of Labor Education for Third Term accor-ding to Points for Enforcement of the Labor Education)

The Trade Union Law and a part of the Labor Relations Adjustment Law have been amended according to the experiences in the past and change of the various circumstances. The fundamental policy of the amendment is to further promote the growth of the free and constructive trade union movement, which will be available for the maintenance of fair labor-management relations and appropriate adjustment of the relations of labor disputes and public welfare.

The key of economic rehabilitation of Japan is both labor and management look squarely at the reality of Japanese economy under the Nine Point Economic Stabilization Program, respect with each other mutual position and establish the strong cooperative system for production, and it is most important for employers and workers first of all to understand the purports of the revision of the law as fast as possible and carry out strictly the revised laws. During forthcoming July to September, the educational guidance shall be given to both labor, and management, and the general public according to the theme of "thorough information of the purpose of the amendment of the Trade Union Law".

1. How free and constructive trade union to be operated.
2. Independence of trade union.
3. Democracy of trade union.
4. Union constitution.
5. Especially on Article 5.
6. Labor agreement.
7. Unfair labor practices.
8. Labor Relations Committee.
9. Responsibilities of trade union.

The establishment of economic foundation for rebuilding of Japan by rationalizing scientifically productive labor is promoted through the "National Safety Week" operated for week from July 1 to 7.

In August, the "Women Workers' Welfare Promotion Movement" is operated from 1 to 7. During the week the general society is asked for the full understanding and cooperation to give women good circumstances for working and pro-

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In August, the "Women Workers' Welfare Promotion Movement" is operated from 1 to 7. During the week the general society is asked for the full understanding and cooperation to give women good circumstances for working and protect their characteristics. Women workers are, meanwhile, urged to advance right activities to organize and develope their consciousness and abilities as workers.

In September, the promotion of cultural activities of trade union and recreation for workers is carried out through the "Labor Education Week" operated during the correspodding week of the month.

Points to be emphasized by item are as follows:

(July)

I. Free and constructive Trade Union.

1. Trade union should be independent. Mainly on the prohibition from affiliating with trade union of persons representing the interest of employer and from supporting expenditures for the management of trade union by the employer.

2. Trade union should be democratic. Mainly on trade union must possess a democratic union constitution.

3. Trade union should have responsibilities to the society. Mainly on the prohibition from making use of acts of violence, and labor dispute should be settled as peacefully as possible.

4. Trade union not providing the above conditions shall not be eligible to participate in the formal procedures provided in the Trade Union Law and Labor Relations Adjustment Law and to avail itself of the remedies provided in the Laws.

5. On expansion of limit of employers' unfair labor practices, and that penalties for such practices are strengthened.

6. As to the Labor Relations Committee, provisions are arranged, faults are improved and power of the committee is strengthened.

7. Both employer and workers should aim at the maintenance of industrial peace and increase of labor efficiency, by looking squarely on the reality of Japanese economy under the Nine Point Economic Program and cooperating for the execution of the Law, and contribute to the rebuilding of Japanese Economy.

II. Independence of trade union.

1. It is the basic condition for trade union to be independent. Independence means workers stand on the fundamental principle of Democracy, organize a trade union and carry out union activities, making it a main purpose to aim at the maintenance and improvement of labor conditions and the raise of their economic status in this case participation, interference and control on trade union of Government, political party, employer and other outsiders shall not be permitted.

2. Limits of persons representing the interest of employer who are not permitted to affiliate with trade union have been specified more definitely. Accordingly they must be provided definitely in union constitution or labor agreement.

2. Trade union should be democratic. Mainly on trade union must possess a democratic union constitution.

3. Trade union should have responsibilities to the society. Mainly on the prohibition from making use of acts of violence, and labor dispute should be settled as peacefully as possible.

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2. Limits of persons representing the interest of employer who are not permitted to affiliate with trade union have been specified more definitely. Accordingly they must be provided definitely in union constitution or labor agreement.

3. Employer's financial support in defraying the operational expenditures of trade union shall not be recognized as a rule and such act of employer shall be regarded as a unfair labor practice. The salaries for full-time union officials must be paid by union members hereafter.

4. According to the above, union constitution or labor agreement should provide definitely the limits of union members and the labor agreement providing expenditures to be defrayed by employer must be revised at the earliest possible time.

Union finance should be examined in full in order to bring about the complete financial position.

III. Democracy of trade union,

1. Many of trade unions, at present, are not organized yet on the consciousness of each union member and are rather in some danger of being controlled by a few union officials.

2. It must be the first step for the democratization of trade union that each union member is conscious of trade union is nothing but an organization" of union member, by union member and for union member" and not a possession of a few union officials, and as much interested in trade union all the time.

3. Union constitution, just as the Constitution of a nation, should include democratic provisions so that trade union may be operated democratically.

4. Union constitution should provide surely the right of equality of union members, fair auditing and secret ballot by all members in cases of the election of union official, amendment of union constitution and general strike.

(August)

IV. Union constitution.

1. There have been examples that various evils were brought about in the past because of the incompleteness of union constitution.

2. Such items must be provided in the union constitution as union members to have the right of equality, [illegible] worker not to be discriminated for union membership in no event because of race, religion, sex, social status or family origin; union officials to be elected by direct secret ballot of union members; no general strike to be started without the decision made by secret ballot; financial status to be made public after being audited by; no union constitution to be revised without the support of a majority. If those are not provided in the union constitution, no union can be eligible to participate in the formal procedures provided in the Trade Union Law and Labor Relations Adjustment Law and to avail itself of the remedies provided in the Laws.

3. Union constitution must be made democratic according to the actual circumstances of each union after the full deliberation because it is the Constitution of a trade union.

4. Each of union members should understand the contents of the union constitution and make efforts for its complete operation because the union constitution however excellent it may be is quite nonsence unless it carried out.

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4. Each of union members should understand the contents of the union constitution and make efforts for its complete operation because the union constitution however excellent it may be is quite nonsence unless it carried out.

When a trade union is lacking in such efforts, it will be not eligible to participate in the formal procedures provided in the Trade Union Law and Labor Adjustment Law and to avail itself of the remedies provided in the Laws.

5. The expenses will be very heavy when an auditor is engaged independently by a trade union. Such methods are desired to be adapted in order to reduce the expenses as engage an auditor through the upper union or in collaboration with other unions in the region.

V. Especially on Article 5 of the Trade Union Law.

1. Union movement have become more free than ever as a result of the removal of submitting reports, qualification investigation and dissolution order.

2. However, trade union must not be puppetary or undemocratic in order to be eligible to participate in the formal procedures provided in the Trade Union Law. Trade Union must prove itself by submitting evidences to the Labor Relations Committee.

3. Trade union will be troubled in an emergency unless it efforts to become independent and democratic according to the demand of the Law. For instance, it can not receive any facility of conciliation, mediation and arbitration from theLabor Relations Committee in case of labor dispute and not desire any remedies even when unfair labor practices are done.

VI. Labor agreement.

1. Labor agreement should be concluded between labor and management to their satisfaction.

2. Industrial peace can not be maintained without a democratic labor agreement. The labor agreement, therefore, must include the concrete provisions on mutual rights and duties of employer and workers, wages, working hours, working conditions, limits of application and establishment of grievance machinery.

3. Labor agreement shall include a provision fixing a definite termination date. No labor agreement can continue effect when an apposition is expressed by either one of the parties concerned, after the termination date.

4. As the provision on renewal of labor agreement is very important, it must be made definite so as not violate the Law.

5. The provision stipulating for the financial support from an employer must be revised.

6. Labor agreement shall take effect when it is put in writing and signed by both of the parties concerned.

7. Much efforts must be paid for the amendment of insufficient respects in this opportunity.

(September)

VII. Unfair labor practices.

1. Article 11 of the previous Trade Union Law was insufficient in either case of holding down the interference of employers with trade union or of relieving workers.

2. The remedies for workers are much regarded by providing employer's unfair labor practices in detail.

2. Industrial peace can not be maintained without a democratic labor agreement. The labor agreement, therefore, must include the concrete provisions on mutual rights and duties of employer and workers, wages, working hours, working conditions, limits of application and establishment of grievance machinery.

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2. The remedies for workers are much regarded by providing employer's unfair labor practices in detail.

3. The provision that employer's refusal of the collective bargaining is prohibited as an unfair labor practice has an important meaning for the assurance of the right of workers to bargain collectively.

As the good faith of both employer and workers is indeed an element for the success of collective bargaining, they must respect the mutual rights and engage in negotiation with the good faith.

4. The procedures on the order of the Labor Relations Committee are provided definitely, and penalties are more strengthened than ever.

5. As the provisions on unfair labor practices are importance of for the protection of union movement trade unions are desired to become democratic in response to the purpose of the provisions.

XIIV Labor Relations Committee.

1. Labor Relations Committee is an agency indispensable to workers.

2. Many provisions have been completed and defects of the past corrected in the new Laws.

3. Labor Relations Committee becomes much responsible than ever.

4. The Relations between Central and Prefectural Labor Relations Committee has become more closer.

III Responsibilities of trade unions.

1. Trade union must shoulder the responsibilities as a member of the society.

2. It is natural that labor disputes are desired to be as less as possible. According to the revised Labor Relations Adjustment Law, to go on a strike bridly after the acceptance of the mediation proposal can not be admitted and new limitations are put on pulic utilities.

3. A provision that no act of violence is admitted came into the Trade Union Law.

4. Healthy trade union never maintained without independence, democracy and responsibility which are available for the rebuilding of Japan

Labor Ministry

LABOR MINISTRY

(23) Labor Issue No. 32 9 March, 1948

SUBJECT: On the promotion of the Democratization of Labor Unions and Labor Relations.

FROM: Vice Minister of Labor.

TO: Each Prefectural Governor.

We notify that you shall deal with the matters in accordance with the instructions mentioned below, notwithstanding that, we have heard that some persons have doubts on the purports and meanings of these instructions and there are arguments on them.

We requested, by the instruction on the above subject given at the end of last year, that you should make an individual guidance in constitutions of labor unions and labor agreements, and on 2nd Feb. of this year we sent you the standards for the qualifications of labor unions stipulated in Art. 2 of the Trade Union Law, and moreover we notified the matters as regards the above, calling for your attention on the enforcement of these standards on 11 Feb. by the instruction of Director of the Labor Policy Bureau, Labor Issue No. 54.

N o t e .

I. Application of the standards for the qualifications of labor unions shall be made by the instruction, Labor Issue No. 54, of Director of Labor Policy Bureau.

Accordingly:

1. The organizations which aim political activities, friendly relations, culture, welfare, and benefit, etc. for their prime objects shall be denied their qualifications after making examinations instantaneously.

2. On the exclusion of "those who are regarded to be representing the interest of employers" from affiliation and prohibition of getting "major part of expenses" from aids of employers, you shall advise to labor and management that they will carry out them voluntarily as was shown by the standards for qualifications.

As for the unions which can immediately take above measure, you shall have the concrete steps for the revision of their constitutions and agreements, etc. taken as soon as practicable.

You shall advise national unions and others which are regarded to have need of preparatory measures, that they will take measures required by the standards for the qualifications within the suitable period fixed by your consideration (It's maximum is considered to be not longer than about 90 days)

3. The submission to the examination of Prefectural Labor Relations Committees shall be made when their abuses would not be reformed after your sufficient advices.

II. As we mentioned above, we must expect the voluntary effort of both labor and management under the sufficient advice and guidance.

However, you shall emphasize to both labor and management that this does not mean the facts of Violation of Article 2 shall be overlooked for ever and that the stanaards for the qualification are to be enforced under the firm resolution.

April 21, 1949

Labor Ministry Note No. 15

FROM: Labor Vice Minister

TO : Prefectural Governor

SUBJECT: Policy Concerning Treatment of Cases When the National Public Servants serve as a member of the Prefectural Labor Relations Committee.

There have recently been some doubt concerning the above-mentioned subject, and some questions have been raised from a few prefectures; therefore after consultation with the National Personnel Authority as stated in the enclosures, it has been decided that the case should be treated uniformly as follows:

1. It is permitted only with the approval of the National Personnel Authority and the head of the authority concerned according to the provision of Article 104 of the National Public Service Law, that the national public servants take the post of the members of the Prefectural Labor Relations Committee getting the rewards.

2. Even in case they do not receive the rewards, they can not take the post in case of violation of the principles of the provisions of the former portion of Paragraph 1 of Article 101 of the National Public Service Law.

Provided that those national public servants who are covered by the Exceptional Law of Education Public Servants can be a member of the Prefectural Labor Relations Committee so far as it does not hinder the normal performance of their duties, as they are permitted by Education Ministry Notice No. 11, 1949 (Enclosure 2).

3. Except in the cases as provided in the proviso of the preceding paragraph, no other national public servant can be a member of the Prefectural Labor Relations Committee. If there is any such in your Prefectural Labor Relations Committee, you are requested to take necessary measures.

(Enclosure - 1)

April 4, 1949

Labor Ministry Note No. 15.

FROM : Labor Vice-Minister Midoru Eguchi

TO : Chief of Business Bureau of the National Personnel Authority.

SUBJECT: On cases when the National Public Servants serve as a Member of the Prefectural Labor Relations Committee.

There have recently been some questions raised concerning the above-mentioned subject your immediate answer is requested to the following:

The selection and allowances of the members of the Prefectural Labor Relations Committee are as stated below.

Is it all right to understand that the national public servants cannot serve as a member of the Prefectural Labor Relations Committee without getting approval of the provision of Article 104 of the National Public Service Law?

In case, also, that they do not receive any rewards, under the provision of the same Article, is it to be understood that they shall have to retire the post because it violates the provision of the former portion of paragraph 1 of Article 101 of the same Article to serve as a member of the Prefectural Labor Relations Committee?

On Prefectural Labor Relations Committees.

The Prefectural Labor Relations Committees are the Prefectural agencies established in each prefecture according to the provisions of Article 26 of the Trade Union Law and Article 35 of the Enforcement Ordinance of the same Law. This agency consists of the same number of members representing employer, members representing labor and third party members. As provided for in Paragraph 1 of Article 26, and Prefectural Governor appoints them from among those selected democratically according to the provisions of Paragraph 2 of Article 26 of the Law and Article 37-2 of the Enforcement Ordinance.

Their functions are adjustment of labor relations disputes as provided in article 27 of the Law, adjudication of unfair labor practice as provided in Article 11 of the Law and Article 40 of the Labor Relations Adjustment Law, quasi-judicial businesses as provided in Articles 6, 8 and 15 of the Law and presentation of proposals and so on. Thus their work is concerned not only with the labor unions but general labor administration.

Enclosure 1-d Cont'd.

The term of office of the members is one year as provided by Article 39 of the Ordinance. The allowances of the members are not provided by the Trade Union Law. Generally 6,000 yen for a chairman and 3,000 yen for the members are paid for a month from the prefectural budget, (half is paid from the national government as a subsidy.)

April 8, 1949

Enclosure 1- 2

FROM : Chief of Business Bureau of the National Personnel Authority

TO : Labor Vice Minister.

SUBJECT : On case When the National Public Servants serve as a member of the Prefectural Labor Relations Committee.

The following Answer is given to your question issued by Labor Ministry Note No. 15 dated April 4, 1949.

It is permitted only with the approval of the National Personnel Authority and the head of the authority concerned according to the provision of Article 104 of the national public service law that the National Public Servants take the post of the members of the Prefectural Labor Relations Committee if they get the rewards.

Even in case they do not receive the rewards , they can not take the post in case of violation of the provisions of the former portion of Paragraph 1 of Article 101 of the National Public Service Law.

Enclosure 2

Feb. 2, 1949

Education Ministry Notice 11.

Education Minister, Yasumaro Shimojo.

The working hours for the teachers employed at schools are fixed as follows according to Paragraph 2 of the Cabinet Bureau order No. 1. 1949, concerning the working hours of Government Employers.

As regards the working hours of teachers employed at national schools, the head of a school can fix separately the arrangement of 48 hours a week according to special necessity for guidance, study, class and kinds of schools.

May 24, 1949

FROM: Director of Labor Policy Bureau.

TO: Major National Trade Unions and Major National Employers Organization.

SUBJECT: Discontinuance of Payment of Salaries to Full-time Officers of the Trade Unions.

As you know the trade union law has been much revised at the Diet and is to be promulgated and enforced not before long.

According to the revised trade union law those trade unions which have in their members the workers in supervisory positions having direct power as for employment, dismissal, promotion and transfer, the workers who have access to confidential matters concerning the employers policies and plans as to labor relations, so that their official duties and obligations directly conflict with their loyalities and obligations as members of the trade union concerned, those who represent the employers interest, or those unions the full-time officers of which are getting their wages paid by the employers are clearly not come under the trade union according to the same law.

Therefore such unions are not qualified to concern themselves with the procedures stipulated by the trade union law and labor relations adjustment law, and are not only given benefit provided by these laws but also it constitutes an unfair labor practice if the employer should pay the wages to the full-time union officers.

Since it is a matter of course, even without the revision of the law, that the such unions should not be recognized as the trade unions under the trade union law, we have been urging the abolition of evil practices in trade unions of our country since the end of last year. But the fact is that such things have not yet been wholly corrected.

The revised trade union law is to be enforced wholly without setting up special preparatory period to enable the trade union to exclude those representing the employers interest or to take measures for discontinuance of employers' payment of full-time officers wages.

Especially as for the discontinuance of the employers' payment of the wages to the full-time union officers we had made it our policy to set June 9th as its deadline.

Therefore you shall look into various circumstances, take such necessary steps as the renewal of labor agreements and constitutions and the like, and we should like to remind you that you shall have both labor and management make

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Therefore you shall look into various circumstances, take such necessary steps as the renewal of labor agreements and constitutions and the like, and we should like to remind you that you shall have both labor and management make preparations lest the trade union should be denied to be trade union under the trade union law, the management should be charged with unfair labor practice or other unnecessary confusion should be occasioned.

F-I-N-I-S

(Labor Note: 196)

Details of Labor Education Programme for June, 1949.

A Theme

The first requirement of the 9-Point E.S.P. is to establish the sound finance. To ballance the National Budget is not only the necessary element for undependency of the Japanese economy but also condition for receiving economic aids from foriegn countries.

As the result of establishment of the sound finance and fixing of the single exchange rate, former unsound enterprises can not help being rationalized or readjusted. Basic element for making the enterprise sound is that both labor and management look stright at the practical situation of Japanese economy under 9-Point E.S.P., mutualy respect each other's stand point and try to establish strong cooperative system for production. In this month under the theme of "National Finance, Enterprise and the Trade Union" thorough informations and publicity on following four items are done for labor, management and the general public, in order to establish the industrial peace.

I. National Finance.

II. 3 Economic Principles.

III. Introduction of Foreign Capitals.

IV. Industrial Reconstruction and the Trade Unions.

Points: I National Finance.

Those which most strongly control the amount of issued currency at present are the national finance and the prefectural finance, especially the most strong is the national finance. Implementation of ballanced badget is necessary condition for establishing the independent Japanese economy, as well as for receiving economic aids from foreign countries.

10-Points Economic Stabilization Programme was shown last July and 9-Points E.S.P. was issued December the last year. Ballanced finance is the common problem of both Programmes. It is clear how necessary the sound finance is under the present situation of inflation, but it cannot be achieved without voluntary cooperation of all circles. For that purpose, it is necessary for each nation, including workers, to deepen the understanding on general finance. Accordingly, education shall be done, putting emphasis on following points.

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(1) To understand the National Finance (general accounts and special accounts) thoroughly.

(2) Stabilization and independency of economy is achieved as the result of making the National Finance sound.

(3) Establishment of the sound finance is the first requirement, of 9-point E.S.P.

(4) To throughly understand the unique character of the budget of 1949.

(5) As the result of securing the ballanced budget the people including workers should have expected long term of hardship and self-denial.

II. 3 Economic Principles

-1-

Points

Sound enterprise can be realized only when both labor and management mutually try to promote the labor efficiency and to increase production, looking straight at the objective situation where Japan stands at present. 3 Economic Principles has already issued and payment of wage which exceeds

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Sound enterprise can be realized only when both labor and management mutually try to promote the labor effeciency and to increase production, looking straight at the objective situation where Japan stands at present. 3 Economic Principles has already issued and payment of wage which exceed ability of payment by the enterprise has not been admitted. Now the time when labor and management should try their best efforts to maintain the industrial peace by mutually respecting each other's stand point and to rapid progress on increasing the production by maintaining stand point of high wage for high efficiency, under the iron rule of 3 Economic Principles. Education and guidance on the above mentioned shall be strongly done, by putting emphasis on following points.

(1) High wage and low cost are iron rule for plant management.

(2) Payment which exceeds company's ability for payment is not recognized.

(3) System which clerifies responsibilities of labor and management should be set up.

(4) Sound enterprise is maintained only when productivity is increased.

III. Introduction of Foreign Capital.

Point

There is much necessity of receiving the foreign credit foreign trust for the economic rehabilitation of Japan in a crisis. Therefore, to convince the structure of receiving forigen capital and adjust it, is very important.

Guidance is given on the following points.

(1) To understand fully the structure of receiving foreign credit.

(2) Introduction of foreign capital not to mean the colonization of slavery of our country.

(3) To establish the structure for economic independence.

(Elâmination of dependence on foreign countries)

IV Industrial Reconstruction and Trade Union.

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Industrial construction of Japan is not possible without constructive cooperation of democratic Trade Unions. The elevation of productivity is indeed the first question in the present conditions of Japan who is suffered

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(Elimination of dependence on foreign countries)

IV Industrial Reconstruction and Trade Union.

Point

Industrial construction of Japan is not possible without constructive cooperation of democratic Trade Unions. The elevation of productivity is indeed the first question in the present conditions of Japan who is suffered from the extreme scortage of materials and over-labor power. It is essential to keep the industrial peace with mutual respect by each of labor and management and to strive for improvement of labor efficiency.

Employers' thought must be strictly warned that aims at industrial construction with only workers' sacrifice and distress, taking advantage of the Nine Point Stabilization Programme. Guidance is given in accordance with the following points.

(1) Industrial construction not to be achieved without the existence of trade union.

(2) Industrial rehabilitation to be carried out satisfactorily by pushing forward the 9 Point Stabilization Programme.

(3) All sacrifice and distress for achieving industrial construction to be assumed equally by both employers and workers.

B Method.

I. Labor Education Advisory Committee.

1. The Labor Education Advisory Committee shall be opened at the beginning of the Month and after explanation of the themes for this month, both labor and management shall be requested to cooperate for this movement in their respective quarter. Each member shall be requested to practise possitive education and five thorough information of the themes in his quarter concerned.

2. Labor Office shall hold the District Labor Education Committee for the purpose of consultating education activities according to these enforcement details and carry out individual guidance to trade unions within its jurisdiction.

II. Press.

The chief of the Labor Dept. of prefectural Government shall pay a visit and explain the purpose of educational activities according to these enforcement details to local daily newspapers effective for the leadership of public opinions and ask for their cooperation on the following. Meanwhile, similar cooperation shall be requested to weekly newspapers, periodicals and organs (considered proper)in.

1. Editorial.

Insertion of editorials pointing out the following points shall be requested.

Economic independence is not possible without sound national finance, which is achieved by the people who look straight on the present condition of Japan and cooperated with the Government, being conscious of an economic crisis. Their cooperation will result in failure if they do not understand correctly public finance. Therefore public finance, especially general and special accounts shall be explained easily so that they may recognize it to the full. Then, as healthy enterprise and industrial reconstruction can not be achieved without the support of democratic trade unions, they are desired to be conscious of themselves and sound in their trade union movement.

2. Article.

The function program during the month according to these enforcement details shall be given as press release, and newspaper are desired to print the situation of its progress.

3. Comment.

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2. Article.

The function program during the month according to these enforcement details shall be given as press release, and newspaper are desired to print the situation of its progress.

3. Comment.

Newspapers are desired to print the comments which are made in accordance with the theme (A) and offered to them.

4. Filler.

Proper item for promoting the cooperation of both labor and management among the items shown as the points of themes shall be changed into such simple sentence as "Economic reconstruction achieved by the support of trade unions" and offered as fillers to newspapers.

5. Question column.

Choose proper problems on local level among the items shown as the points of themes, make simple questions and answers, and offer them to newspapers.

III. Radio.

1. As the Tokyo Central Broadcasting Station broadcasts "Labor Hour" in the national broadcast from 8:00 a.m. to 8:30 every Tuesday of the month, June 7, 14, 21 and 28, in which themes will be treated in its order, encourage schools and cultural or economic bodies as well as trade unions and employers organizations to listen in them. "Labor Hour" is re-broadcasted in the second broadcast from 10:00 a.m. to 10.30 every Thursday.

2. Those who have a bradcasting station in their prefectures shall ask for it the following broadcast concerning the themes for the month.

a. Station break.

Choose proper points emphasizing the necessity of sound public finance, and the effects of three Economic Principles and Nine-Point Stabilization Program on enterprises etc. into several impressive sentences for station breaks and give them to station.

b. Lecture.

Plan lectures over general matters emphasizing industrial peace by prefectural governor (chief of Labor Department or Labor Policy section as the case may be) or proper person representing trade union or employers organization.

c. Table-talk.

A table-talk on national finance shall be opened with a moderate person of learning or experience as a center.

d. Other.

Present the function program according to these enforcement details to station at the same time of press release and ask it to broadcasting.

IV. Meeting.

1. Encourage federations of trade unions and employers organizations to hold lecture meetings or table-talks dealing with all or part of the themes for the month for their respective members and general public, and accomodate them by recommendation of lecturers, offer of materials and etc.. It is desired that they are held under the joint auspices of both labor and management in the prefectures where labor relations are comperatively peaceful.

[illegible] Labor Offices to make the following plans.

Nine-Point Stabilization Program on enterprises etc. [illegible] sentences for station break and give them to station.

b. Lecture.

Plan lectures over general matters emphasizing industrial peace by prefectural governor (chief of Labor Department or Labor Policy Section as his deputy) or proper person representing trade union or employers organization.

c. Table-talk.

A table-talk on national finance shall be opened with a moderate person of learning or experience as a center.

d. Other.

Present the function program according to these enforcement details to station at the same time of press release and ask it to broadcasting.

IV. Meeting.

1. Encourage federations of trade unions and employers organizations to hold lecture meetings or table-talks dealing with all or part of the themes for the month for their respective members and general public, and accomodate them by recommendation of lecturers, offer of materials and etc.. It is desired that they are held under the joint auspices of both labor and management in the prefectures where labor relations are comparatively peaceful.

2. Direct Labor Office to make the following plans.

a. To hold lecture meetings dealing with the themes for the month under the sponsorship of Labor office or District Labor Education Committee in which staffs of Labor Policy Section and Labor Office will be lecturers and excellent practical men among employers and union officials when they are, will be recommended as lecturers. It is free to open lecture-meetings either separately for workers and employers or together, but much attentions must be paid for the establishment of fair labor relations even when the points of holding meeting are decided.

b. Workshop [illegible].

[illegible] local unions to hold the [illegible]

b. Workship meeting.

Encourage local unions to hold the study and debate meetings dealing with the themes for the month during a lunch time or after work. Staffs of the Labor Policy Section and Labor Offices shall attend meetings in major unions, and expand a positive enlightenment program with the cooperation of District Labor Education members.

V. School and social education facilities.

a. Urge to add the themes according to these enforcement details into the course of study or labor schools.

b. Encourage colleges and universities to deal with the themes according to these enforcement details, especially national finance and workers at the special lessons and accommodate them by recommendation of lecturers and offer of materials if necessary.

c. Thorough information shall be given to general public on the necessity of correct understanding of national finance as the people and a great mission of trade union for industrial reconstruction.

VI. Publication.

1. Plan to insert special articles concerning the themes of the month in the prefectural government periodical and offer materials to periodicales published by trade unions or employers organizations.

2. Ask for various economic or cultural bodies including employers organizations to publish pamphlet, leaflet, etc. according to these enforcement details.

3. Ask for various orgshizations within the jurisdiction to insert in the spaces of their periodicals the fillers which are used in case of press and shall be modified properly.

VII. Visual.

Plan to make good use of film, Gento and Kamishibai in the activities mentioned in the itmes of Meeting and school and social education facilities Gento "Trade Union and production rehabilitation" deemed most proper are desired to be used for.

VIII. Bulletin Board.

Make poster and wall newspaper dealing with the themes of the month and put them not only onth bulletin boards of

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VIII. Bulletin Board.

Make poster and wall newspaper dealing with the themes of the month and put them not only onth bulletin boards of trade unions but also on the public bulletin boards controlled by city, town or village office, station and theatre or cinema house and other facilities.

IX. Place where general public gathers.

Make thorough information by the following matters under the circumstances: beside putting or poster or wall newspaper in such places where general public gathers as station, theatre, cinema house and play-ground.

1. Loud speaker

If any facility of loud speaker can be used request station to make loud speaker announcement of materials

which shall be made with proper items among the themes for the month and offered by the prefectural government.

2. Slide.

If any facility of slide, offer materis and ask for projection.

3. Fillers of hand-bill and program.

Make manuscripts dealing with the themes of the month which are proper for fillers of handbill or program distributed in theatre or cinema house and request to print in it.

C. Material

I. National Finance.

(Book)

1. "Public Finance" written by Gotaro Ogawa and Saburo Shiomi, published by Yuhikaku.

2. "An outline of Public Finance" written by Hanya Ifuji published by Nippon Hyoron-sha.

3. "A guide to public Finance" written by Saburo Shiomi, published by Kobun-sha.

4. "Problems on Post war "Public Finance," problems on Postwar Economics (No. 2) written by Kiyoshi Nagata, published by Yuhikaku.

5. "An Introduction to Public Finance" written by Kataro Iwano, published by Gendo-sha.

6. "An Outline of National Finance" written by Hanaya Ifuji, published by Ganshodo.

7. "Fundamental Problems on National Income" written by Taizo Takahashi, published by Oriental Economic press.

8. "Analysis of National Income" edited by Yuzo Yamada, published by Nippon Hyoron-sha.

9. "Digest of Finance and money" edited by Press men Club of Money, published by Jiji-Tsushin.

2. "An outline of Public Finance" written by Hanya Ifuji published by Nippon Hyoron-sha.

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9. "Digest of Finance and money" edited by Press men Clubs of Money, published by Jiji-Tsushin.

10. "General Principles of Public Finance" (Volume 1 and 2) written by Hyoe Ouchi, published by Iwanami Shoten.

(Magazine)

1. "Carrying out of Nine Point Stabilization Programm and Accumulated Capital" written by Yonosaku, Goto (Jitsugyo-no-Nihon, Mar. 15, 1949.)

2. "Siggicance of 1949 Fiscal Year Budget" written by Tosho Hisaoka.

3. "1949 Fiscal Year Budget and Working Class" written by Kihachiro Kimura (Rodo Hyoron, May, 1949)

4. "A chracteristic of 1949 Fiscal Year Budget and Economic Fitire of Japan" Table-talk by Taizo Takahashi and other Persons (Jitsugyo-no-Nihon, May, 1949.)

5. "1949 Fiscal Year Budget and Accumulated Capital" written by Masaki Horie (Jitsugyo-no-Nihon, May. 1, 1949).

6. "Analysis of 1949 Fiscal Year Budget" written by Kanta Ifuji (Keizai Hyoron, May. 1949.)

(Pamphlet)

"National Finance and Workers" (recently published) edited by Labor Ministry.

II. Three Economic Principles.

(Book)

1. "Labor and Management" translated by Hiroshi Kaneko, p published by Kogaku-sha.

2. "A study of Labor from Management" edited by Labor Section, Commerce and Industrial Ministry, published by Central Labor College.

3. "Reconstruction of Industry and Management in Best Conditions" written by Genroku Suematsu, published by Industrial Management Association.

4. "Management Policies" written by Akira Yamashiro, published by Keiei Hyoron-sha.

5. "Lecture on Enterprise Finances" written by Teizo Odaka, published by Keio Shuppen-sha.

6. "Lowest Cost of Living and Wage Problems" edited by Osaka Prefectural Institute of Industrial Medicine, published by Sogne-sha.

7. "Theory and Practice of Management Council" written by Sumpei Ota published by Nippon Hyoron Sha.

8. "Management Council" written by Shin Takayama published by Dobun-sha.

(Magazine)

1. "Three Economic Principles and Their Effect" (Economist, Dec. 11, 1948)

2. "Enterprise Adjustment and Unemployment Problems" written by Koshun Nakamura (Hoso Hyoron, Mar. 1949.)

3. "Fixtion of Single Exchange Rate and its Effect to Japanese Economy" written by Hideo Imada (Separate Volume No. 4 of Jitsugyo-no-Nihon, 1949.)

3. "Reconstruction of [illegible] Conditions" written by Genroku Suematsu, published by Industrial Management Association.

4. "Management Policies" written by Akira Yamashiro, published by Keiei Hyoron-sha.

5. "Lecture on Enterprise Finances" written by Taizo Odaka, published by Keio Shuppan-sha.

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4. "Significance of Fixation of Single Exchange Rate" Nov. 29, 1949)

55. "Monopolistic Capital and Enterprise Adjustement" written by Seizaburo Nobuo (Rodo Hyoron, April 1949).

6. "9 Point Stabilization Program and Small and Medium Enterprises" written by Shoshiro Kudo (Information of Small and Medium Enterprises, March 1949)

77. "Increased Output and Wage Paying Ability" written by Tatsuzo Kimura (Nihon Noritsu, June 1948.)

8. "Establishement of Trade Unions Independence" written by Shichiro Mastui (Keiei Hyoron, July 1948.)

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9. "Democratization of Trade Union in Progress?" written by Takeo Kikuchi (Rodo Hyoron, July, 1948)

10. "Labor Efficiency and Trade Union Movement" written by Keisaku Sato (Nihon Noritsu, July 1948).

11. "Increase of Labor Efficiency and Labor Control" written by Keisaku Sato (Romu Kenkyu, July, 1948)

12. "Rationalization of Management and Efficiency Pay" written by Yukichi Sasegawa (Nihon Noritsu, July 1948)

13. Same (Nihon Noritsy, August 1948, Continued from last issue).

14. "A review of Production Struggle"-written by Matsuta Hosoya (Hasseinmeinin, August 1948)

15. "Limits of Trade Unionism" written by Minoru Taira (Rodomondai Kenkyu, September 1948)

16. "Cooperation of Labor and Management Desired" by Hepler, Chief of Labor Division (Rodo Jiho, September 1948)

17. "10 Point Stabilization Program and Wage Stabilization Policies" written by Shizuichi Ohsawa

18. "Principles and Phenomena of Wage Problems" written by Kiraku Furuyabashi (Study of Economic No. 2, Oct. 1948)

19. "Participation of Trade Union in management" written by Kiyoshi Kurosawa (Keiei Hyoron, Nov. 1948.)

20. "Rationalization of Management and Workers" written by Akira Yamashiro (Rodo Mondai Kenkyu, Dec. 1948.)

21. "Industrial Management and Labor Problems" written by Katsuzo Baba (Sangyo Keiei, December 1948).

22. "There Economic Principles and Situation of Working Class" written by Minoru Takano (Economist, Dec. 11, 1948)

23. "Elimination of Economic Concentration and Future of Enterprises" written by Kichisaburo Sakaki (Keiei Hyoron, Feb. 1948.)

24. "Reorganization of Enterprises and Labor Problems" written by Manjo Otsuka (Rodo Jiho. April 1949.)

13. Same (Minon Noritsy, August 1948, Continued from last issue).

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17. "10 Point Stabilization Program and Wage Stabilization Policies" written by Shizuichi Ohsashi

18. "Principles and Phenomena of Wage Problems" written by Kiraku Furuyabashi (Study of Economic No. 2, Oct. 1948)

19. "Participation of Trade Union in management" written by Kiyoshi Kurosawa (Keiei Hyoron, Nov. 1948.)

20. "Rationalization of Management and Workers" written by Akira Yamashiro (Rodo Mondai Kenkyu, Dec. 1948.)

21. "Industrial Management and Labor Problems" written by Katsuzo Baba (Sangyo Keiei, December 1948).

22. "There Economic Principles and Situation of Working Class" written by Minoru Takano (Economist, Dec. 11, 1948)

23. "Elimination of Economic Concentration and Future of Enterprises" written by Kichisaburo Sasaki (Keiei Hyoron, Feb. 1948.)

24. "Reorganization of Enterprises and Labor Problems" written by Manjo Otsuka (Rodo Jiho, April 1949.)

25. "Trade Union Struggle for Increasing Output" written by Gitaro Takamura (Romu Kenkyu, Dec. 1948).

26. "Enterprises and Trade Union in Economic Rehabilitation" written by Toyosaburo Satoo. (Employer, Jan. 1949)

III. Introduction of Foreign Capitals.

(Books)

(1) Significance of Introduction of Foreign Capitals and Domestic and Foreign Situations.
Published by Industrial Rehabilitation Conference, Edited by Industrial Rehabilitation Conference and Seiji Keizai Kenkyujo.

(2) Various Comments on Problems Concerning Introduction of Foreign Capitals.
Published by the National Diet Library.

(3) Economic Rehabilitation and Introduction of Foreign Capitals.
"View on the Prewar Economy", written by Ichiro Nakayama, published by Hakujitsu Shein.

(Magazines)

(1) Introduction of Foreign Capital and Economic Rehabilitation.
Special Edition of "Ecofomist" No. 11, published on 21 April 1948.

(2) Introduction of Foreign Capital and Attitude to Receive Them. "Jitsugyo no Nippon" No. 4 Vol. 51 dated 15 Feb. 1948 written by Eizo Nagasaki.

(3) Transition of International Capital and Reconstruction of World Economy.

Relation between introduction of foreign capitals and inflation as its main problem.

"Keizai" (No. 9 Vol.2) Sept. 1948 written by Yoshito Chiba.
Introduction of Foreign Capital and Modern Economics "Economist" 21 July 1948. written by Kiyoshi Matsui.

(4) Introduction of Foreign Capitals and Labor Movement.
"Rodo Undo" June 1948, written by Shizuichi Chashi.

(5) Introduction of Foreign Capital and Working Class.
"Rodo Hyoron" July 1948. written by Yoshimasa Kobayashi.

(6) Introduction of Foreign Capital and Low Wage Labor
[illegible] by Keizo Fujibayashi.

(1) [illegible] Special Edition of "Economist" No. 11, published on 21 April 1948.

(2) Introduction of Foreign Capital and Attitude to Receive Them. "Jitsugyo no Nippon" No. 4 Vol. 51 dated 15 Feb. 1948 written by Eizo Nagasaki.

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(5) Introduction of Foreign Capital and Working Class. "Rodo Hyoron" July 1948. written by Yoshimasa Kobayashi.

(6) Introduction of Foreign Capital and Low Wage Labor "Employment Review" Aug. 1948 by Keizo Fujibayashi.

IV. Industrial Reconstruction and the Trade Union.

(Books)

(1) Various Problems on Economic Reconstruction of Japan. Edited by the Bank Bureau of Finance Ministry.

(2) Various Problems of Economic Reconstruction. Written by Kazuo Ohochi, published by Hakugei Shobo.

(3) Prewar World and Japanese Economy, Written by Masao Takahashi, published by Hihyosha.

(4) Inflation in Japan and Prewar Economy. Edited and published by Diamond-sha.

5. Prewar Economy. written by Kiyoshi Tsuchiya, published by Masu Shobo.

6. World Economy and Structure of Japanese Nations Economy. written by Morishita, published by Hakugei Shobo.

7. Present Situation of Japanese Industries edited and published by Jiji Press.

8. View on the Prewar Economy. written by Ichiro Nakayama, published by Hakujitsu Shoin.

9. Japanese Capitalism and Labor Problems. written by Kazuo Okochi, published by Hakujitsu Shoin.

10. Trade Union and Unemployement problems written by Kazuo Okochi, published by Hakujitsu Shoin.

11. Trade Union and Economic Rehabilitation.
"Labor School Lectureship vol. 2" written by Kokei Goji, edited by Labor Dept. Tokyo Prefectural Government, published by Central Labor College.

12. Trade Union in Captalistic Society. "Philosophy and Practice of the Trade Union" written by Hitoshi Yamakawa, published by Jiji Press.

13. Development of Labor-Management Conference in U.S.A. Written by Yutaka, Tsunoda, published by Central Labor College.

14. Fundamental Problems of Social Policies.
written by Kazuo Okochi, published by Nihon Hyoron.

(Magazines)

1. On 9-Point "J.S.P. "Rodo Jiho" March 1949. written by Koji Nakagawa.

2. 9-Point J.S.P. and Labor Problems "Rodo Jiho" March 1949. written by Sanji Nakayama.

3. 9-Point J.S.P. and Future Labor Movement.
"Rodo Hyoron" May 1949 Round Table Conference (Takeo Kikuchi and other.)

4. View on the unemployment and its problems. "Rodo Hyoron" April 1949. written by Akutsuo Nakayama.

12. Trade Union in Capitalistic Society. "Philosophy and Practice of the Trade Union" written by Hitoshi Yamakawa, published by Jiji Press.

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4. View on the unemployment and its problems. "Rodo Hyoron" April 1949. written by Atsutaro Nakayama.

5. Economic Rehabilitation and Rule of the Trade Union "Rodo Hyoron" April 1948. written by Toyosaburo Sato.

6. Preparation for single exchange rate. "Keizai Rengo" Feb. 1949 written by Shim Arai.

7. Fixing of the single exchange rate and its influence on Japanese economy. "Jitsugyo no Nihon,"

8. 9-Point E.S.P. and New Steps on Labor Relations. "Rodo Kenkyu" March 1949. written by Seijiro Koku.

9. Future labor situation and measures for it "Jitsugyo no Nihon" 1 May. 1949. written by Sajiro Koku.

10. 9-Point E.S.P. and Japanese Economy. "Zenshin" March 1949. written by Kiyoshi Tsuchiya.

11. How economy will be changed by strict enforcement of 9-point E.S.P. "Diamond" 21 March 1949. written by Kenkichi Ishiyama.

12. Ho

12. How will 9-Point E.S.P. be enforced. "Economist" 11 Feb. 1949. written by Shuzo Inaba.

13. 9-Point E.S.P. and public enterprise. "Kenseteu Jiho" Feb. 1949.

14. Trade union movement standing at the turning-point. "Shakai Sjicho" June 1949 written by Kenju Keto.

15. Independency of Japanese Economy and working Class "Rodo Monday Kenkyu" written by Yoshio Kobayashi.

16. Methods of Economic Reconstruction. "Teichin Rodo" Aug. 1948, written by Shinjiro Kitagawa.

17. Economic Reconstruction and Wage Problems "Employment Review" Oct. 1948, written by Ryotaro Iwai.

18. Japanese Economic Rehabilitation and Working Class. "Rodo Mondai Kenkyu" Nov. 1948. written by Shinjiro Sekome.

19. Development of the Production Rehabilitation Struggle, "Rodo Hyoron" Dec. 1948 written by Morikichi Sawaki.

May 23, 1949

SUBJECT: Policy Concerning Treatment of Cases when the National Public Servants serve as a Member of the Prefectural Labor Relations Committee.

FROM: Labor Vice-Minister.

TO: Each Prefectural Governor.

The interpretation of the laws and ordinances which form the basis of the above subject has been already notified to you by the Labor Ministry notice No. 15 dated April 21, 1949. This is the additional instruction to that, for the purpose of making some points clear. You are requested to follow the following policy hereafter.

(1) The Prefectural Governor has the right to appoint the members of the Prefectural Labor Relations Committee at his own discretion selecting anybody whom he thinks most appropriate from among the persons recommended by labor unions and employers associations according to the provision of Article 37 of the Enforcement Ordinance of the Trade Union Law.

(2) Neither the National Public Service Law nor the Cabinet Ordinance No. 201 prohibits completely the employees of the local public organization who are covered by the National Public Service Law and the Cabinet Ordinance No. 201 to become the members of the Prefectural Labor Relations Committees.

(3) However, it is unappropriate that the national public servants, who do not have the benefits of conciliation, mediation or arbitration of the Labor Relations Committee under the Law, and the employees of the local public organizations who are covered by the Cabinet Ordinance No. 201 will become the members of the Labor Relations Committee. The Governor should be careful at making his discretion at performing his authority under paragraph (1)

(4) However, it is not always unappropriate to appoint the teachers of national schools as a neutral member, as it is already mentioned in Labor Ministry Note No. 15, dated April 21, 1949.

Labor Note No. 154

April, 16 1949

FROM: Director of the Labor Policy Bureau

TO : Each Prefectural Governor.

SUBJECT: On Sending Out Details of Labor Education Programme for May, 1949.

As the "Details of Labor Education Programme for May, 1949" will be sent as following attached sheets, we wish you will pay every possible effort to make this programme carried out according to "Points" attached to "On Education Activities Based on Outline of Labor Education" (Labor Note No. 102, dated May 12, 1949).

Details of Labor Education Programme for May.

Remarks;

1. This details are made based on "Outline of Labor Education" and "Points for Enforcing Labor Education from April to June '49".

2. Common theme from April to June is "How should be Fair Relationship Between Labor and Management."

A. Theme:

Economic reconstruction of Japan can be achieved only when production is increased by severely observing 9 Point Economic Stabilization Plan. For that purpose, industrial peace should be maintained between labor and management at first.

Aiming at establishment of the industrial peace, thorough informations concerning with following four items under the theme of "Industrial Peace and Grievance Machinery" shall be developed.

I. Shop system and personnel affairs rights.

II. Management rights.

III. Grievance machinery.

IV. Management council.

Points to be emphasized according to each item are as follows.

I. Shop system and personnel affairs rights.

(Points)

Shop system governs employment conditions and labor agreement concluded between labor and management has great influence upon union and management.

Especially it given certain limitation on personnel affairs rights of the employer. Therefore, it is expected to contribute to stabilization of labor management relations by making guidance about clear recognition and pro-

creased by severely observing 9 Point Economic Stabilization Plan. For this purpose, industrial peace should be maintained between labor and management at first.

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I. Shop system and personnel affairs rights.

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Shop system governs employment conditions and labor agreement concluded between labor and management has great influence upon union and management.

Especially it given certain limitation on personnel affairs rights of the employer. Therefore, it is expected to contribute to stabilization of labor management relations by making guidance about clear recognition and proper operation of the labor agreement. Emphasis is put on following points.

(1) To understand various form of shop system.

(2) Especially on union shop.

(3) Provisions of labor agreement concerning with shop system should be clearly specified.

Explanation:

1. On various form of shop system.

(a) Closed shop.

There are various forms of closed shop. However, severely saying, it is the shop which has provision that if a worker wants to work

in a certain shop, he should be a member of the union in the labor agreement. In this case workers are employed newly only through the union. Those who withdrew from the union or are expelled by the union are automatically discharged by the company. In U.S.A. closed shop is prohibited by Labor Relations Act, 1947, so-called Taft-Hartley Act as "most hateful form of monopoly", and the union shop is permitted only when two-thirds of workers who are qualified to vote recognize it.

The closed shop cannot be understood unless in such place where a organization of the national union has been established and worker is still a member of the union even after he leaves the shop. So-called closed shops in Japan is not closed shop in real meaning but almost all of them belong to the union shop.

(b) Union shop.

Same as the closed shop, the union shop provides that all employees should be members of the union except certain specified employees, in its agreement.

However, if a worker will be employed newly, the employer can hire anyone he wants, and not always necessary to employ the worker only through the union.

That is, the employer has right to govern the employment of the workers and at the same time it is not necessary for the worker to be a member of the union when he is employed. He may be discharged if he would not join in the union during definite period after he has been employed, It is this form which has been generally called as closed shop in Japan.

(c) Maintenance of membership.

It is modification of the union shop, under this form those who are members of the union at the time of the conclusion of the agreement must be continuously the members of the union until the expiration of the agreement.

Newly employed workers are not required to join in the union, but if they join, they should be continuously a member of the union - Furthermore, the employer agrees that he will hire new worker among union members when the member of the union leaves the shop. Most cases if a worker withdraws from the union during negotiation of new contract, he shall not lose his position.

(d) Preferential shop.

Under the preferential shop newly employed workers are not required to join in the union. But the employer agrees that he will employ the worker from the union as much as possible and that the union member shall be the last who will be fired in depression or in case of enterprise adjustment. And if the union member is unemployed, he will be re-employed preferentially to other workers (non-unemployed, he will be re-employed preferentially to other workers (non-

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(e) Sole bargaining agency. (Shop system which recognizes the union as sole bargaining agency.)

Under this form the company agrees that it recognizes only one union and negotiate with it. The employer may hire and fire the worker by his own choice, but he agrees that he shall not negotiate with other union than the union during the term of the agreement. Thus the union can secure his status by provisions of the agreement without specially providing its definite form of shop system.

(f) Open shop.

In this case, the employer recognizes the union as bargaining agency but he can freely employ the worker whether he is a union member or not. Accordingly, the employer may hire and fire without any relation to the union and also he can continuously employ the employee who has withdrawn from the union.

Under this system, the employer can manage the personnel affairs without any interference by the union. It doesn't make any reference to the union, when the union has such solid ground as it can cover a few workers who are employed from non-union members.

2. Especially on the Union Shop.

As above-mentioned, there are various forms of shop system; and form of union security may be decided after considering about practical conditions of the union and kinds of crafts by the collective bargaining of both labor and management. But at the present situation of the union in Japan it will contribute to the development of the union to adopt the union shop, especially in meaning of strengthening the union solidarity. However, be careful that the union may not be the puppet union under circumstances where each individual member has no clear consciousness about the union and union has not been yet so solidly founded, when the union shop is adopted.

3. On necessity to specify in the labor agreement clearly.

Provisions of the labor agreement concerning with union status are very vague in Japan. So it is necessary to specify clearly. That what shop system would be adopted should be carefully decided according to practice or kinds of industries and crafts, organizing power of the union, and other various conditions.

It will be against the spirit of the labor agreement to insist selfishly upon his own right and not consider on other party's status or other objective circumstance. Also such attitude as to imitate unconsciously the closed shop which is proposed by the radical union should be improved.

II. Managerial right.

(Point)

It is emphasized that in order to establish true stablization of labor relations, trade unions must make sound and independent growth and employers try the realization of solid management of enterprises with increased capital and both carry out their respective duties paying respect to the mutual right each other.

Especially emphasis are put on the following point.

(1) Rights of labor and management must be respected by each other.

(2) Managerial right belongs to employer and must not

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Especially emphasis are put on the following point.

(1) Rights of labor and management must be respected by each other.

(2) Managerial right belongs to employer and must not be violated unreasonably by trade unions.

(3) Managerial right shall not be absolute and is restricted by labor right.

(4) Limit must be put upon trade union's participation in management from its principle.

(5) Both labor and management must try the establishment of the responsible system as well as the cooperative system respectively.

(Explanation)

1. Respect of mutual right by each of labor and management. Stabilization of true labor relations can not be brought about by anything but respect of mutual right by each of labor and management.

2. Managerial right belongs to employer.

Since enterprises are based upon the economic constitution of capitalism, management right belongs, of course, to company and must not be violated unreasonably by workers. Trade Unions have not few times committed such acts considered as unlawful including "control of production" and interfered in the field of forming capital, but these acts or attitudes must be eliminated under the economic order of present Japan.

3. Managerial right is restricted by labor right.

According to Article 29 of the Constitution, the right to own or to hold property is not absolutely inviolable. It is protected by law only in case of conformity with the public welfare. This will apply to managerial right, the exercise of which as a means for pursuing profits, disregarding workers' fundamental rights must be eliminated because it is against the principles of Democracy.

Although these of democratization, rationalization and socialization of enterprises are important problems in Japan, the final decision of management which will be participated with workers must be regarded to rest with employer.

4. Limit of workers participation in management.

Although workers are a central producing body in management, their trade union is not a machinery in management organization but a living combination with the intention of raising the status of workers and developing working conditions. Therefore its unreasonable violation in management right shall not be admitted. Trade union's participation in management must be restricted within the development of working conditions, matters directly relative with workers' living and constructive opinions for production increase.

5. Responsible and cooperative systems of labor and management.

The opposition of rights of management and labor will be resolved by the establishment of their respective responsible system, which can make clear the relations of rights and duties between labor and management and raise the productivity. The management is required to contrive possitively the use of workers opinions and responsibilities at production committee (joint management council) and shall decide rationally the cooperative systems of labor and management as occasion demands.

III. Grievance Machinery.

(Points)

By emphasizing that to provide the grievance procedures in the labor agreement is the fundamental element for establishing the peaceful

with employer.

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III. Grievance Machinery.

(Points)

By emphasizing that to provide the grievance procedures in the labor agreement is the fundamental element for establishing the peaceful relations between labor and management, and letting them properly understand the meaning of the grievance machinery, method of its operation shall be guided.

Emphasis shall be put on following items.

(1) For the purpose of the economic reconstruction the industrial peace should be maintained.

(2) Grievance taken place in the shop should be settled peacefully and independently between labor and management.

(3) Purpose of establishing the grievance machinery should be fairly recognized.

(4) Establishment of the grievance machinery will protect the workers.

(5) Grievance Machinery is not a place of collective bargaining.

(6) Grievance Machinery must not have the function of management council.

(7) Grievance machinery shall be managed rapidly by shop committee members and the shop steward.

(8) Arbitration by arbitrators mutually elected by both labor and management shall be the last step.

(Explanation)

1. On necessity to maintain the industrial peace.

As the result of maintaining the industrial peace, labor efficiency is elevated and production increased.

Accordingly the enterprise is soundly maintained. Thus, the economic reconstruction in Japan possibly achieved. Therefore, it is necessary for both labor and management respect each others' stand point, at the same time labor agreement which specifies each others' rights and duties in detail is required.

It is necessary to provide the grievance procedures which settle the grievance or disputes between labor and management on applications or interpretations of the agreement as the contents of the agreement and measures to settle such complaints, unsatisfactory ex peacefully.

2. On necessity of establishing the grievance machinery.

Grievance machinery is organ which provides that if there are any questions or disputes on interpretation of the agreement or any acts of violation of it, they shall be finally settled by this machinery and both parties should obey its decisions. Accordingly, if the grievance machinery is set up, industrial democracy is established in plants and mine and stabilization of labor relations is possibly promoted. Furthermore, it is necessary to understand the following points on the grievance machinery.

(a) Relationship to the Right to Strike

Grievance machinery intends to settle the matter peacefully by voluntary mutual agreement of both parties and only certain limited matters are treated by this machinery, so it never make pressure on right to strike at all. This procedures have been gained in U.S.A. by the union, in order to settle disputes rapidly as counterplan against capitalists' measurers of postponing the settlement of disputes. Accordingly, in U.S. it has developed remarkably and almost all agreements have provisions of grievance machinery.

(b) Relationship to Labor Relations Committee.

It has no influence upon on the power and management of Labor Relations Committee to set up the grievance machinery. The Labor Relations Committee is legal organ which is in charge of settling labor dispute concerning with general and all matters, while grievance machinery is voluntarily set up

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(b) Relationship to Labor Relations Committee.

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(c) Relationship to Labor Laws.

To set up the grievance machinery does not mean to neglect the labor laws. The grievance machinery is set up based on agreement of both labor and management and not by others compulsion. Therefore, it harmonizes with the spirit of the Trade Union Law and the Labor Relations Adjustment Law. So to set up the grievance machinery does not mean to neglect present labor legislations.

3. On that the grievance machinery is not ~~and~~ place of collective bargaining.

The grievance machinery is the independent adjustment organ

of grievances specified in the labor agreement which has been concluded as the result of collective bargaining. Negotiation to decide such standards as Wage, hour, and other working conditions should be treated at the collective bargaining.

4. On operation of the grievance machinery.

Management council mainly treatsthe problems concerning with technical matters of production increase, and it is mistake to give functions of the grievance machinery to it. Problems of interpretation and application of labor agreement should be managed by the machinery which is set up in the labor agreement separately with the management council.

(a) Duties of the ship committee members are important.

Those who takes most important part in operation of grievance machinery is members of the ship committee of the union. They have important duties to settle the matters concerning application and fulfilment of provisions and spirit of the labor agreement, and also they have educational responsibilities to enlighten the rank and file members of the union.

(b) Members of the shop committee should be carefully elected.

Taking consideration on important duties of the members of the shop committee it should be tried to elect the man who is wise, and tries to fulfil the labor agreement and to promote the stabilizations of labor relations.

(c) Recall system for members of the shop committee should be provided in the union constitution.

Provisions that when the member of the shop committee shall not fulfil his responsibility, that is, he is idle or has no ability and represents the company more than the union, union members may request his discharge shall be set forth in the union constitution.

(d) Shop stewards or members of the shop committee should mind following matters.

(1) Members of the shop committee should have understanding to the same degree as the supervisor of the plant has.

(2) He should always conduct his act as the representative of the union.

(3) All the records concerning settlement of grievance should be kept.

(4) Records of all meeting or agreement should be kept as written documents.

(5) All grievances and complaints should be settled

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(3) All the records concerning settlement of grievance should be kept.

(4) Records of all meeting or agreement should be kept as written documents.

(5) All grievance and complaints should be settled through the grievance machinery.

(6) All grievance and complaints should be reported to the unions members at once.

(7) Before he negotiates with foreman of the company, he should thoroughly survey the problems.

(8) Grievance card shall be written simply and practically. Copy of it shall be sent to the main office of the union.

(9) When problems shall have not been settled by the shop committee, they shall be transferred to upper grievance machinery.

(e) Shop steward or members of the shop committee should prevent from the following matters.

(1) Piling up problems unsettled.

(2) Submitting grievance without making study about it.

(3) Having such feelings as if he were a great man.

(4) Receiving private consideration from the supervisor.

(5) Giving the opportunity to split the union to the management.

(6) Having different opinion between representatives of the union at the conference with company. (If there is any difference in their opinions, it should be discussed before the conference.)

(7) Taking up new problems, while former grievance has not yet decided.

(8) All representatives' speaking at the same time when they intend to insist upon union demands (It rather loses points of the argument.)

(9) Giving way to his feelings (He should not commit breach of etiquette for the other party, as well as he should bravely insist upon his opinion with firm belief.)

(10) Forgeting to keep records of grievance procedures.

(f) Duties of foreman are also important.

It is said that in U.S. 90% of grievances taken place at the working shop are settled by foreman's hand. If the foreman has not ability to settle the grievance, a little grievance gradually develops larger and larger. So the foreman should minds following matters.

(1) To manage the grievance as soon as possible.

(2) Not to abuse the grievance machinery as measures of making the union puppet of the company or of splitting the union.

(3) Should try to settle the disputes sincerely.

(4) Should not be controlled by his own feelings.

(5) Should thoroughly understand the labor problems.

5. On that the grievance machinery is set up for the benefit of workers.

not yet decided.

(8) All representatives' speaking at the same time when they intend to insist upon union demands (It rather loses points of the argument ~~xxxxxxxxx~~.)

(9) Giving way to his feelings (He should not commit breach of etiqqette for the other party, as well as he should bravely insist upon his opinion with firm belief.)

(10) Forgeting to keep records of grievance procedures.

(f) Duties of foreman are also important.

It is said that in U.S. 90% of grievances taken place at the working shop are settled by foreman's hand. If the foreman has not ability to settle the grievance, a little grievance gradually develops larger and larger. So the foreman should minds following matters.

(1) To manage the grievance as soon as possible.

(2) Not to abuse the grievance machinery as measures of making the union puppet of the company or of splitting the union.

(3) Should try to settle the disputes sincerely.

(4) Should not be controlled by his own feelings.

(5) Should thoroughly understand the labor problems.

5. On that the grievance machinery is set up for the benefit of workers.

If the grievance between labor and management were rapidly set up by the grievance machinery, industrial peace would be established. And as the result of the industrial peace both labor and management will gain great benefit. Especially for workers, they can fully engage in production activities under peaceful working conditions as grievance or complaints concerning with wage and other working conditions which they have hold in their mind every day are settled in a short time.

The fundamental elements to maintain sound enterprise is to elevate productive efficiency. That the company can maintain its soundness means to promote the workers economic bliving directly. This also meets with the purpose of 3 Economic Principles. From the view point of the history of grievance machinery, it is provided as the result of demand of union for the purpose of rapid settling of grievances, as the counter steps of the union for the employer who plans to postpone the settlement of disputes. This machinery has not been established by request of the employer or the government. Thus, the grievance machinery is set up for the benefit of workers and never has intention to deprive the workers of their right to strike which is fundamental rights of workers.