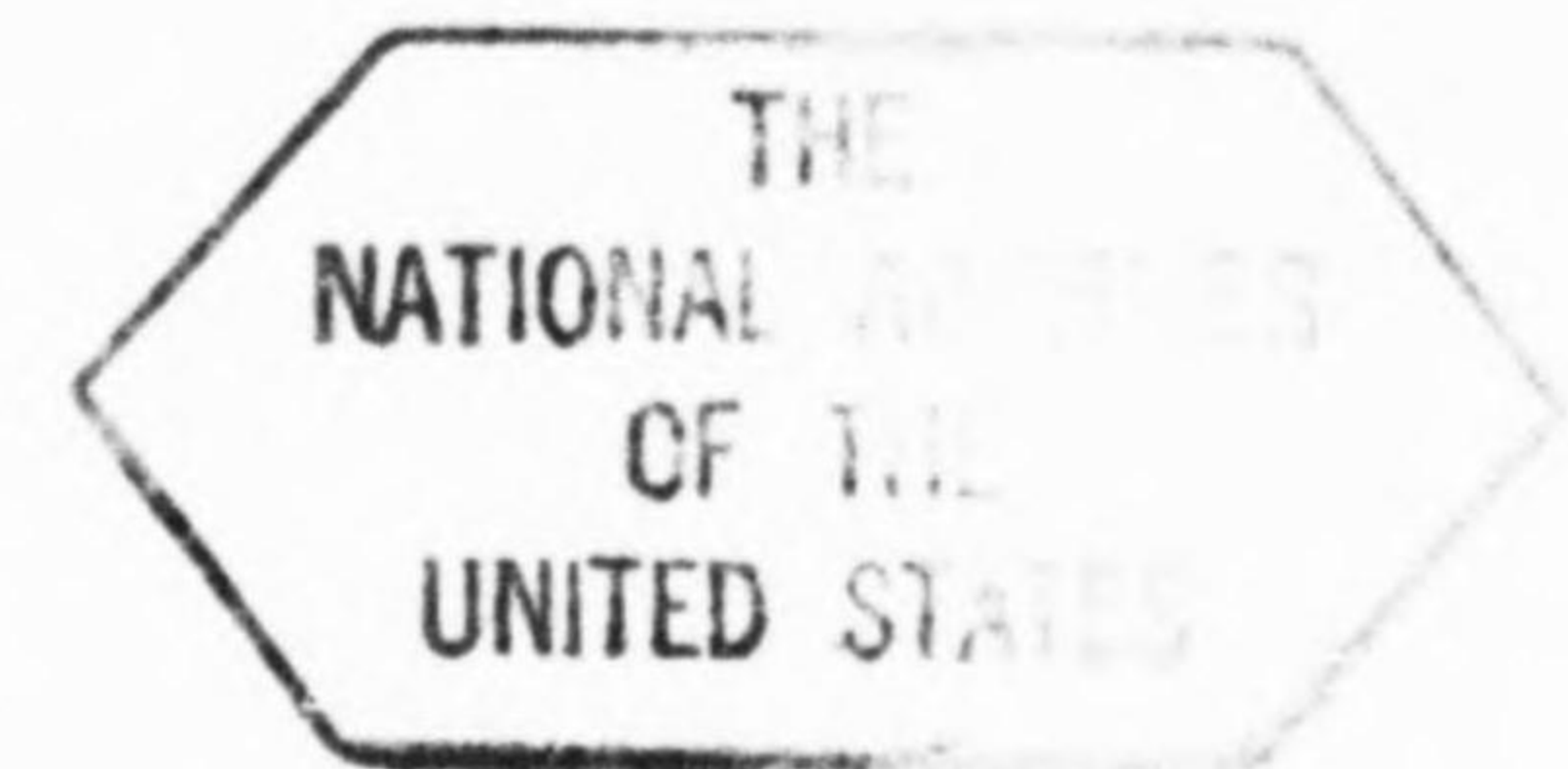


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'Sha-Otsu-Hatsu' NO. 51
April 10, 1950

SUBJECT: Renovation of Workhouse Enterprises
FROM: Director, Social Bureau, Public Welfare Ministry
TO: All Prefectural Governors

On the subject, we notified you to enforce the re-adjustment of work providing facilities through the "Sha-Otsu-Hatsu" No. 200, dated August 17th, last year. We had after that strong suggestions concerning the fundamental policy for the operation of workhouse enterprises. We have studied so intently on it since then that a fundamental policy for the renovation of workhouse enterprises has finally come to be formed with a complete mutual understanding. This is a plan in which the former operational policy of workhouse enterprises is discussed from a view-point of new criterion and which makes it an aim to sweep away completely, by carrying out the plan strictly, various evils that were apt to be seen in the old workhouse enterprises. The substance is as undermentioned.

In carrying out the plan, a prompt attainment of the expected aim is needed with a time-limit of its completion not later than September 30th, this year, and so I notify you by order that your Metropolitan, Hokkaido or Urban or Suburban Prefectural Government will pay attention thoroughly to it that a rise or fall of our future workhouse enterprises will be directly affected depending upon how this plan is executed and that you will take the trouble to do your utmost for the attainment of the aim.

NOTE:

I. A General Classification of Workhouse Enterprises

It is a fundamental policy to treat them by classifying them distinctly into two types of them, -- one is a workhouse enterprise as a protectional facility according to the Daily Life Security Law (hereinafter to be called "a protectional workhouse") and the other is a workhouse enterprise according to the Social Work Law.

II. The Fundamental Policy on the Protectional Workhouse Enterprise

1. The Aim;

a. The protectional workhouse enterprise aims at giving them aid by allowing persons in need who are limited in their working capacity utilize the facility for the purpose of giving them some jobs or industrial training to acquire skills publicly. Consequently the facility aims at occupational aid as is provided for by the DLSL.

b. The protectional workhouse enterprise makes it a rule to give an indoor job training, but may not be prevented from giving occupational aid through an outdoor job training.

c. In view of the above aim of the protectional workhouse enterprise, the mayor of a city or town or the headman of a village who is of a protectional organ under the DLSL should be mindful of the growth of the protectional workhouse enterprise, make the persons in need within his jurisdiction know thoroughly the substance and always drive to raise the rate of utilization of the facility.

2. Central Body of Operation:

The central body of operation of a protectional workhouse enterprise is the Metropolitan, Hokkaido Urban or Rural Prefectural Government, or a city, town or village office, or a juridical person for public interest according to the Civil Law, and its facility is restricted to the one that is authorized as a protectional facility according to the DLSL.

3. The Standard of Authorization for the Protectional Work Providing Facility:

The job training facility (hereinafter to be called a "protectional workhouse") as a protectional institution according to the DLSL should fulfill the requisities as are provided for by this plan in addition to the requisities as are stipulated in the same Law, and have a fixed number of more than 30 indoor workers (or trainees), and keep at any time receivers of occupational aid according to the same Law whose number is prescribed to be more than 80% of persons treated (or admitted).

4. Qualifications of Workers (or Trainees):

a. The worker (or trainee) in a protectional workhouse shall be restricted to a person who comes under any of the following items, out of persons whose working abilities are restrained physically or mentally or in their living environments.

- (1) A person who is presently receiving himself or herself some living aid according to the DLSL, or a person who has some other person who is receiving a medical aid in the

one and the same family, and a person who is not presently receiving any of these aids but is qualified for an aid or another member of the family which the said person belongs to.

- (2) A person who is not presently receiving as a household a living aid or medical aid according to the DSL, but who or whose family member or members will soon come to receive such an aid or aids, in case the said person ceases to work in workhouse.

b. A person who has no limitation to his or her working ability is not authorized to be a worker even if he or she is a person aided under the DSL. To cite an illustration, either a man householder or an unmarried woman who is a jobless or a repatriate shall seek a job at a common labor market no matter what the cause of his or her living distress may be. In consequence such a man or woman should be treated as a person to be aided at by a labor policy under the jurisdiction of the Labor Ministry through the Public Employment Security Office and the Public Vocational Training Center or by unemployment counter-measures of unemployment counter-measure enterprises, and other labor policies.

5. The Procedure for the Determination of Workers (or Trainees):

a. A person who desires to be a worker (or trainee) of a protectional workhouse enterprise (hereinafter to be called an "applicant for a worker") is required to submit a written application of separate Form No.1 to the mayor of a city or town or the headman of a village, where he resides.

b. In case the mayor of a city or town or the headman of a village accepts a written application, he shall determine whether or not the applicant is qualified for a worker according to the following standard of determination.

- (1) The standard of determination concerning whether or not a person has a working ability.
 - a. A mother of a family constituted of mother and child (or children) and who is supporting child (or children) under age shall be treated as a person who has a limited working ability.
 - b. Even if a mother of a family constituted of mother and children has a family member who has a working ability, in case the mother is in living distress because the family member is unable to work caused by an illness or other reasons, the mother ought to be treated in the same way as in "a".

- c. In case a housekeeper of a family of mother and children or a housekeeper of a common family is distressed in living, because the householder or a family-member who has a working ability cannot work caused by an illness or by other reasons, the housekeeper of the family shall be treated as a person who has a limited working ability.
 - d. In case the family of any of the physically handicapped, the aged, patients of slight diseases and the cured, who cannot find common jobs, and of the mentally handicapped slightly, is in a living interest, no matter whether he or she is a householder or a member of the family, he or she shall be treated as a person limited in his or her working ability.
- (2) The relation between the procedure for the determination of workers and the procedure for the determination of an occupational aid under the DSL.
- a. With respect to a person who is presently receiving himself or herself a living aid under the DSL or to a person who has a family member to whom a medical aid is given, a decision of aid shall be given regarding him or her as a person whom one more occupational aid is given.
 - b. With respect to a person who is presently receiving neither living aid nor medical aid according to the DSL, the determination of aid shall be made according to the following:

 1. To practise reliably the determination as is provided for by the DSL on the minimum living cost and income of each family.
 2. If, after the determination of "a" is made more than one per three months on the whole or workers of a protectional workhouse enterprise, the said person's family turns out to be unauthorized to receive either living aid or medical aid but to be so distressed in the living of the family that the person is compelled to receive a living aid or a medical aid unless the said person works in the workhouse enterprise, a determination of an occupational aid will be given to such a person only in case his or her family's monthly sum of determined income (inclusive of his or her income earned from the work providing facility and all

other incomes) is less than the sum obtained by adding the following amount according to the number of members of the family to his or her monthly sum of the determined minimum living cost.

NO. of family members	1 person	2 persons	3 persons	4 persons	5 persons	More than 6 persons
Amount to be added	₹700	₹800	₹900	₹1,000	₹1,100	₹1,200

In case, however, there are more than two workers in the one and same family, the amount shall be the one obtained by adding to them ₹700 per increase in the number of workers.

3. Accordingly, even if a person who is presently a worker and whose family is compelled to receive at once a living aid or a medical aid unless he works at the work providing facility, has a determined sum of income which exceeds over the sum determined as an occupational aid of "2", there will be left a room for his or her admission into it. Such a person may be approved to be qualified for a worker but cannot be decided to receive an occupational aid.
- c. In case an aspirant for the work submits a written application of separate Form No. 1, the mayor of a city or town or the headman of a village must ascertain whether the aspirant applied for a job to the near-by Public Employment Security Office and must not determine as a worker (or trainee) unless the applicant brings a certificate of there being not suitable job for him or her written by the President of the Public Employment Security Office.

With respect to a person who cannot visit the Public Employment Security Office due to traffic suspension and other reasons, the mayor of a city or town or the headman of a village shall take a trouble in place of the said person for the application of a job to the Public Employment Security Office and take a step to get a delivery of a written certificate.
- d. With respect to patients of slight diseases, the cured from illnesses, or the mentally handicapped slightly, of the applicants for workers, the mayor of a city,

town or village shall ask for the submittance of written certificate (of which any form will do) concerning the disease and its condition certified by the President of the nearest Health Center in addition to the written certificate of the Public Employment Security Office.

- e. The mayor of a city, town or village shall confer a "Certificate of Qualification for a Worker of a Protectional Workhouse Enterprise" of separate Form No. 2 on a person who is recognized to be suitable for a worker after going through due formalities mentioned above, and shall of it inform the President of the Public Employment Security Office to which the applicant applied for a job.
- f. The term of validity of the certificate of qualification shall be six months, and every time six months elapse the certificate must be renewed according to the above-mentioned due formalities.

6. The Responsibility of the Mayor of a City, Town or Village for Workers:

a. The mayor of a city, town or village should draw up ledgers similar to the protection ledger of occupational aid to enter matters related with the persons, whose occupational aids are decided, of the workers of protectional workhouse enterprises within his jurisdiction, and should gather them in a lump to compile and arrange them into a "ledger for the workers of the protectional workhouse enterprises" (which is a provisional name). The written basic proofs per person mentioned in the preceding "5" must be filed in this ledger.

b. It is desirable even for a person of a limited ability to find a job at a common labor market through the Public Employment Security Office and so the mayor of a city, town or village should ask the workers once a month for their submittance of qualification certificates. Every time they submit, he must make workers apply for their jobs to the Public Employment Security Office and ascertain whether or not there are any suitable jobs for them. In case he receives proofs from the President of the Public Employment Security Office that there are no suitable jobs for them, he must describe them in their qualification certificates and in addition, he must enter them in the ledger of the protectional workhouse enterprise workers. The physically handicapped persons, however, whose physical handicaps are conspicuously noted may omit this procedure if they receive comprehensive proofs from the President of the Public Employment Security Office.

7. The Accounting:

Revenue and expenditure which follows the management of the protectional workhouse enterprise should be appropriated in the budget of the said local public body or juridical person for public interest that is a central body of operation, and the state of revenue and expenditure should be clarified.

The expenditures needed for the operation should be administered as follows:

a. The accounting must be divided strictly into two types of office expenses and enterprise expenses, and one must not be misappropriated for the other.

b. As regards the disbursement of office expenses according to the DLSL for a protectional workhouse, they shall be defrayed within the range of the standard amount fixed accordingly to the actual mandays of aided persons who are paid occupational aid grants decided under "5, b, (2)", and should not be defrayed with other persons.

c. The workers who are the basis of the calculation of office expenses are limited to persons who are presently receiving living aids according to the Notification "Sha-Otsu-Hatsu" No. 81, dated March 21, last year, but from now on it has been amended that, in protectional workhouses they shall be aided persons who receive occupational aids.

8. The Supply of Materials:

The materials supplied by the National Government or Metropolitan, Hokkaido, Urban or Rural Prefectural Government are, as a rule, controlled materials and besides are restricted to those needed for the operation of the protectional workhouse enterprises.

Every time when a protectional workhouse needs a supply of materials for the operation it is required to apply to the competent Ministry through the Metropolitan, Hokkaido, Urban or Rural Prefectural Government.

9. The Relation with the Labor Ministry:

Matters (such as referrals, proofs, etc.) related with the Public Employment Security Office of the above-mentioned operational fundamental policy of the protectional workhouse enterprises will be separately notified after the discussion with the Employment Security Bureau of the Ministry of Labor.

III. The Measure for the Switching-Over of Protectional Workhouse Enterprises

1. The Measure for Privately Operated Public Institutions:

Privately operated public institutions are accompanied by various evils. It shall be decided whether they should be made to be a complete public operation or complete private operation. Take steps according to the following:

a. The Switching-Over to a Complete Public Operation

To make efforts to switch over public institutions operated privately to the complete public operation. In switching over, to take care that the change in the permanent property, positions of the personnel will be discussed with the head of the institution for a smooth disposal.

b. The Switching-Over to a Complete Private Operation

To make a disposal of a refundment of grants-in-aid, and others according to the Notification "Sha-Otsu-Hatsu", No. 145, dated May 26, last year. In case the operator of the said institution finds it difficult financially to dispose of the property for a consideration, to devise an expedient means, such as renting the institution at a moderate price.

2. The Switching-Over of Private Institutions Operated Privately

If any workhouses of a complete private operation according to the Social Work Law want to switch over to protectional workhouse enterprises, the said local public bodies shall make positive efforts concerning the switching-over measure.

3. The Disposition of Qualified Workers

With respect to qualified persons of the present workers who fall under the qualification requisites previously mentioned in "II, 4", to confer qualification certificates on them, going through due formalities previously mentioned in "II, 5".

4. The Disposal of Unqualified Workers

The unqualified persons of the present workers who do not come under the qualification requisites in "II, 4" mentioned above shall be discharged from the protectional workhouse within the period of grace of ninety (90) days. To endeavor to accord convenience to them so that they will find proper jobs outside of workhouse enterprises by urging concerned machinery. In consequence by this measure there must be no workers who have no qualification certificates in protectional workhouse enterprises on August 1 and afterwards.

5. The Proceeding for an Approval of the Protectional Workhouse

As regards the existing institutions which are not authorized as protectional institutions according to the DSL wants to switch over to protectional workhouses, to make them go through due formalities of their authorization as quickly as possible.

6. The Period of the Switching-Over

The above mentioned measure for the switching-over must be promptly got under way and be finished completely not later than July 31.

7. The Disposition of Expenditures which follow the Switching-Over

The purchasing expenses in case of the switching-over from ^{private} public institutions to public institutions, and improvement expenses, expansion expenses and repairing expenses for the arrangement of existing workhouses are expected to be defrayed from the subsidy to protectional facilities according to the DSL. Any institution that wants to receive a subsidy from the National Treasury should consult with our Ministry not later than May 20 with a complete plan attached according to the Notice "Sha-Otsu-Hatsu" No. 13 of January 31, this year.

IV. The Fundamental Policy concerning Workhouse Enterprises according to the Social Work Law

1. The Central Body of Operation:

The central body of operation of workhouse enterprise according to Social Work Law is restricted to a local public body or juridical person for public interest, and any private operation is not approved. Accordingly I think you are already disposing of privately operated institutions according to the Notice "Sha-Otsu-Hatsu," No. 20, of August 17, last year. In regard to institutions that want to continue their existence as they were, I request you will give heed to your guidance to and supervision over them so as not to make them use any name of workhouse enterprise hereafter.

2. The Minimum Standard:

The workhouse enterprises according to the Social Welfare Law should be governed by the Social Work Law that is scheduled to be enacted in future. Consequently till the minimum standard is set up, they should be operated according to the abovementioned policy of the "Measure for Workhouse Enterprise Readjustment."

3. The Principle of Self-Support and Self-Sufficiency:

To workhouse (or job-training) enterprises under the Social Work Law, the national government shall not give any subsidy at all. Accordingly workhouse enterprises under the Social Work Law make it a rule to furnish expenditures and materials needed for their operation for themselves. Only for the deficiency based on the clear substance of the accounts they shall be apportioned some amounts from the Community Chest and given donations from common people for their operation.

V. Matters Common to the Protectional Workhouse Enterprises and the Workhouse Enterprises under the Social Work Law

1. The Substance of the Enterprises:

The substance of the former workhouse enterprises was much diverse

and further most of the substance has a nature competitive with common medium and small sized enterprises, and by doing subcontracted works they make interested traders intervene between them who devote without a good cause to an intermediary profiteering in the course of production and sale, and this results in forcing workers contented with low wages and allowances. Getting rid of such traders to the utmost, they must adopt such an operational form as is able to contact directly with orgs to deliver the products. On the other hand they must strive to produce articles which the National Government, the local public body or other public agencies is able to buy.

To put at once the above measure into practice, however, is accompanied by a variety of hardships, and a legal measure such as the physically handicapped persons welfare law, Art. 35, should be taken, I think. On this point our Ministry intends to make efforts to the full hereafter.

2. The Revenue from Working:

a. The amount of revenue from working which should be regarded as net wages for working by making a just cost accounting should be paid to workers. This point will be notified in detail separately.

b. With the workhouse enterprise, it being differed from an operation of common enterprise, money-making which may be what is called a profit from a fund cannot be permissible. The expenses necessary for the remuneration of the personnel, redemption of the fixed assets, accumulated capital for the operation, and others should be administered under the responsibility of the central body of the operation. Herein lies a value of the existence of a workhouse enterprise as a social work.

3. The Working Conditions:

Concerning the relation of workhouse enterprises with the Labor Standard Law, the relation between enterpriser and workers does not always agree with the relation between employer and laborer as is provided for in the same Law, I think. From the view-point of the protection of the workers, an adequate consideration must be paid to the application of various stipulations of safety and health as are provided for in the same Law. Specifically to compel workers to do beyond the ability of them cannot positively be permitted.

4. Books to be Furnished with:

A workhouse must be furnished with the following minimum books.

a. A book for the record of workers (provided that in a protectional workhouse enterprise, it shall be substituted for a ledger for workers of a protectional workhouse enterprise).

b. A cash book.

c. A ledger for wages and allowances.

- d. A book for receipt and payment of materials.
- e. The Law concerning receipt and payment of manufactured goods (*Translator's Note: From the content it may be a book for delivery and sale of manufactured goods).
- f. A ledger for credit purchase of materials.
- g. A ledger for credit sale of manufactured goods.
- h. A book for fixtures.
- i. A list of the staff.
- j. Other books to enter daily transactions and the whole of other items which affect the assets. To adjust and coordinate the accounting and books for articles, we are studying to show you a measure for bookkeeping.

5. The Technical Guidance Personnels:

The workers and technical guidance personnels must be distinguished strictly. Technical guidance personnels should be selected from among those who have an experience of more than one year, and further have a zeal in social works and are suitable for the guidance of workers.

VI. Inspection for Guidance

1. The Inspection for Guidance by the Metropolitan, Hokkaido, Urban or Rural Prefectural Government:

The Metropolitan, Hokkaido, Urban or Rural Prefectural Government shall conduct as occasion calls an inspection for guidance which comprises an investigation not only of the line of the operation but of the qualification of each individual worker of the protectional workhouse enterprises run by a city, town and village office and a juridical person for public interest.

2. The Inspection for Guidance by the Ministry of Public Welfare:

It is slated that the Ministry of Public Welfare will conduct a thoroughgoing inspection for guidance of the state of inspections by the Metropolitan, Hokkaido, Urban or Rural Prefectural Government according to the preceding Item "1", for a month extending through the middle of August this year, Metropolis, Hokkaido and Urban and Rural Prefectures being divided into blocks.

3. The Inspection of Workhouses under the Social Work Law:

Workhouses under the Social Work Law shall be supervised strictly under the same Law, and when the inspections of the preceding Items "1" and "2" are conducted, they shall be inspected concurrently.

4. The Inspection after the Completion of the Renovation Plan:

In order to discuss and confirm the execution of the plan for the renovation of workhouse enterprises according to this notice, the concerned authorities will inspect protectional workhouse enterprises in October.

VII. The Report

Concerning the progress of the execution of protectional workhouse enterprises according to this plan, a mayor of a city, town or village shall submit, till the end of September, a monthly report on the actual state as of the end of each month, according to separate Form No. 3, not later than the 10th in the following month to the Governor of the Metropolitan, Hokkaido, Urban or Rural Prefectural Government, who in turn shall gather reports of respective mayors of cities, towns and villages to report to our Ministry not later than the 20th.

FORM NO. 1

Date: _____

SUBJECT: A WRITTEN APPLICATION FOR A WORKER

TO: Mayor of City, Ward or Town

I apply for the conferment of a "qualification certificate to work in a protectional workhouse enterprise", for I want to become a worker in a workhouse.

Date of Birth: _____

Permanent Domicile: _____

Present Domicile: _____

I am receiving)
I am not receiving) - an aid under the D.M.S.

I have applied for a job)
I have not applied for a job) - to the Public Employment Security Office

From:

Signature: _____

Name: _____

FORM NO. 2

(Front Sheet)

Date of Issuance: _____

Subject: A Qualification Certificate to the Work in a Protectional Workhouse Enterprise

No. of Issuance: _____

To: (Name) _____

Age:

Permanent Domicile: _____

Present Domicile: _____

I hereby certify that the above person is qualified to become a worker in a protectional workhouse enterprise.

(N.B. The validity of this certificate shall be for six months)

Signature: _____

From: Name of Mayor of City, Ward or Town: _____

FORM NO. 2

(Back Sheet)

H.B.

1. When you work in a workhouse, you must carry this certificate with you.
2. Every time an officer in charge demands, you must show this certificate.
3. You must not lend or hand over this certificate to another person.
4. When this certificate is damaged to a great extent or is lost, report it promptly.
5. When the validity of this certificate has been expired, when you have lost the qualification to work in a workhouse, or when you have stopped work in a workhouse, please take a procedure to return it immediately.

.....

Liaison with the Public Employment Security Office

Date of Application for a job	Minutes of Referral	Signature of Mayor of City, Ward or Town
:	:	:
:	:	:
:	:	:
:	:	:
:	:	:

8. Number and Type of Workers whose working ability has been approved:

Type	A mother of a family of mother and children who supports her dependents under age	A mother of a family of mother and children, who is distressed in living because a family member who has a working ability is ill or because of other reasons	A mother of a family of mother and children (or a housekeeper of a common family) who is distressed in living because a householder or a family member who has a working ability is ill or because of other reasons	The physically handicapped, the old, patients of slight diseases, the cured from diseases	Dis-approved persons	Total
Indoor						
Outdoor						
Total						

9. Number and Type of Qualified and Unqualified Workers:

Type	Possessors of qualification certificates		Presently taking procedure for obtaining qualification certificates		Unqualified workers		Total
	Male	Fem.	Male	Fem.	Male	Fem.	
Indoor							
Outdoor							
Total							

10. Various problems that follow the switching-over.

11. The prospect of a complete switching-over.

12. Others:

Date: _____

Name and Signature of the Mayor of a City Town or Village: