BASIC PRINCIPLES OF A POLICY FOR MANAGEMENT-EMPLOYEE RELATIONSHIPS FOR GOVERNMENT PERSONNEL

1. Fundamental concepts.

   a. Duty of government to carry out the will of the people.

   b. All government employees have voluntarily accepted the conditions of public employment and are servants of the people.

   c. Government employees are divided into subordinates and supervisors by their functions but have a unity of interest and purpose as public servants.

   d. Government employees obtain their position and advance on the basis of their own demonstrated merit and are obligated to no one.

   e. A sound policy for management-employee relationships is an essential part of the normal process of day to day administration.

2. Rights and Responsibilities of Management.

   a. Sole right and responsibility for making decisions in accomplishing functions authorized by law.

   b. Responsibility and right to seek and to give careful consideration to employee opinion before making decisions on matters affecting employees.

   c. Responsibility and right to establish two-way channels of communication whereby employees may have ready access to management and management may quickly get information to employees.

   d. Right and responsibility for seeing to it that employees perform their duties, and that the activities of organized or unorganized employees shall not interfere with the proper conduct of the affairs of the agency.

3. Rights and Responsibilities of Employees.

   a. Absolute right to join or to organize an employee association and to elect officers without interference from management.

   b. Right as an individual employee or as a member of an association to be heard by management on matters affecting the interests of employees.

   c. Responsibility to perform his duties and follow the decisions of management.

   d. Responsibility of members of an employee association for lawful and proper conduct of their association, their officers and their representatives.

Folder

EMPLOYEE RELATIONS POLICY IN THE PUBLIC SERVICE

M Salter. Dec 1949.

The difference between public and private employment has not been properly recognized in the administration of the government. There has been a tendency during the past few years to apply union practices recognized in private employment to situations in public employment where such practices cannot possibly be used. As a result a great deal of confusion has arisen in government operations. Recognizing this lack of understanding and in the belief that sound public personnel administration requires a clear understanding of the difference between public and private employment, the National Personnel Authority has developed a brief statement of basic principles underlying a sound and liberal policy for labor-management relations for the Japanese national government. By recognizing these principles, employees in the public service may better understand their position, the privileges of public employment and the guarantees of certain rights assured them under the National Public Service Law.

This basic policy will assist in guiding the relationships between supervisors and subordinates and will eliminate the concept of strife so prevalent in private employment. This policy is not a prescription for handling crsis that maybe generated between supervisor and subordinate. It is a statement of principles which recognizes good labor-management relations as the normal part of day-to-day administration. In fact, proper understanding and application of these principles should stimulate constructive cooperation and teamwork between supervisors and employees. The use of these principles will be beneficial to employees and will assist supervisors in handling employee problems and in dealing with employee organizations.

The confusion of the past may perhaps be attributed to certain lack of understanding of the free labor movement. There seems to have been a tendency that this movement permitted the substitution of the decision of organized labor for that of management which in the public service is charged with the responsibility of the efficient conduct of public affairs. There seems to have been a belief that all matters which can become the subject for contest or collective bargaining in private employemnt may also become the subject for such action in public employment. Such is clearly not the case since many matters involving working conditions, including determination of salary level and pay structure are provided for by Diet action in accordance with the provisions of the new constitution and cannot be the subject of negotiation between supervision and employees. Supervisors do not have the authority or right in many major matters effecting working conditions, to commit the government to expenditures.

There is some evidence in the past few months of a better understanding of the relations between those responsible for the operations of government and the employees of the public service. It is believed that this statement of principles developed by the National Personnel Authority will assist and stimulate this trend. The principles are based on the democratic concepts of the constitution and the merit system for public service personnel provided thereunder and implemented by the National Public Service Law. The principles are based on the concept that the public servant is a servant of all the people and the concept that public employees have voluntarily sought and obtained public employemnt. It recognizes the fact that public servants under the merit system obtain their positions through the influence of any person or special group. and must be selected and maintained in his position unprejudiced by any outside influences. Unless this

is maintained the public servant will be inclined to administer his duties and responsibilities with which he is charged through Diet action in a manner beneficial to some special interests and his position as a public servent serving all of the people will be impaired.

There has also been a feeling in the past that the public servent, unless he were a higher official could contribute little to the efficiency and improvement of operations of the government. This policy recognizes the dignity of the public servant and the potentialities of all public employees. Exchange of opinions and ideas between subordinates and supervisors are encouraged. Management is urged to provide means whereby they may seek employee opinion and ideas. Supervisors and subordinates are encouraged to think of their own work as one which will best be accomplished when team work is performed. Both have a unity of purpose in accomplishing efficiently those duties and responsibilities assigned them through Diet action. Both are public servants and servants of all the people.

This policy is a practical one. It has been developed with the advice of Mr. Luther Steward, President, National Federation of Federal Employees, whose wide experience and knowledge as an employee, as a supervisor, and as a representative of organized employees in the Federal Service in the United States, has caused him to be recognized as a leading authority on these matters. If this policy is properly understood, generally applied and properly interpreted, it will contribute to better administration in the public service and will quickly become recognized as an essential part of sound day-to-day administration. This policy with respect to the activities of employee organizations is not a suppressive policy at all and quite in contrast thereto, it recognizes employee organizations as part of normal and sound administration.

The principles that have been developed by the National Personnel Authority are summarized in the following statement:

DRAFT 11/15/49

BASIC PRINCIPLES UNDERLYING THE POLICY FOR LABOR-MANAGEMENT RELATIONS FOR JAPANESE GOVERNMENT PERSONNEL

1. Fundamental concepts.

   a. Duty of government to carry out the will of the people.

   b. All government employees have voluntarily accepted the conditions of public employment and are servants of the people.

   c. Government employees are divided into labor and management by their functions but have a unity of interest and purpose as public servants.

   d. Government employees obtain their position and advance on the basis of their own demonstrated merit and are obligated to no one.

   e. A sound policy for labor-management relations is an essential part of the normal process of day to day administration.

2. Rights and Responsibilities of Management.

   a. Sole right and responsibility for making decisions in accomplishing functions authorized by law.

   b. Responsibility and right to seek and to give careful consideration to employee opinion before making decisions on matters affecting employees.

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   b. Right as an individual employee or as a member of an association to be heard by management on matters affecting the interests of employees.

   c. Responsibility to perform his duties and follow the decisions of management.

   d. Responsibility of members of an employee association for lawful and proper conduct of their activities, their officers and their representatives.

File 12-29-49
Suit Union
Kankoro

CIVIL SERVICE DIVISION
Government Section

22 December 1949

MEMORANDUM FOR: The Record

SUBJECT : Conference with Kanko-ro

Arrangements were made through NPA, at the request of Kanko-ro for a conference with this office. Conference was held this morning with Messrs. Salter, Hayashi and the following members of Kanko-ro: Oka, Chairman (Nikkyoso), Hara, Chief Secretariat (Nikkyoso), Kijima, Chairman, Wage Committee, and two members of the NPA Equity Bureau staff. Kanko-ro is an Anti-Communist Federated Council of Government and Public Office Employees Union.

The purpose of the meeting was to discuss generally Kanko-ro's attitude toward the year-end payment and a revision of the wage base. It was pointed out that the attitude of this office with respect to the NPA recommendations had not changed nor will this office direct the Japanese government to take any action with respect to a wage change. The attitude of this office has not changed and it is anticipated that the matter will be worked out in the hands of the Japanese.

Mr. Oka stated that Masuda, Chief Cabinet Secretary, repeatedly states that GS has lost a fight with ESS and that NPA has shown its own incapability. He regrets greatly any such statements since it is the sincere feeling of his union that we should have a strong NPA. Furthermore, he is very much upset at the attitude of the government making decisions on pay matters and placing the Diet in the position of a rubber stamp. He wonders whether his organization and the membership of the affiliated unions will be able to stem the feeling against abiding by law and order when such an example was set by the government.

It was evident during this meeting that the government as representatives of the extreme Right were again playing into the hands of the extreme Left in order to cause confusion in occupation administration. The effect of the National Public Service Law and Labor Relations and the Personnel Control Law are now again being lost as the government continues to defeat the intent and purposes of these laws. Mr. Oka stated that should this matter not work out he felt the unions might well fall into Leftist control again by the middle of the summer.

Some criticism is leveled at Dr. Asai for failure to take a stronger stand on the NPA recommendations as that taken by Dr. Suehiro, Chairman of the Arbitration Committee who threatened to resign his association with government if the arbitration award was not properly recognized. It was pointed out to Mr. Oka that the success of NPA was its maintenance of

dignified independence. The failure of NPA to be drawn into this political wrangle over year-end bonus actually had resulted in the improved situation with respect to NPA recommendations. It was pointed out that should NPA have recommended a downward revision instead of an upward revision of pay, undoubtedly labor would have been the first one to have criticized NPA if it had made any militant statement in support of its recommendations under such circumstances. It was recognized, of course, that in practices under American democracy and Japanese democracy they are not always the same. This is particularly demonstrated in this situation where the Japanese feel that once a person has made his recommendation he should be willing to rise or fall with such a recommendation. The reason for this is that a recommendation in Japan has a much stronger implication than such a word and action in the United States.

The union stated that they would continue to work for improved wage level and would not admit defeat until the passage of the 1950-51 budget. They expected to continue the fight for NPA and for what it stands even when its recommendations may not be adopted at this time.

MacDONALD SALTER
Chief, Classification
& Compensation Branch

MS:rj

1) ~~Info Copy~~ Info. WSB

2) Files 12-20-49 Govt Labor Unions

CIVIL SERVICE DIVISION
Government Section

19 December 1949

MEMORANDUM FOR: Mr. M. Grilli, Government Section

SUBJECT: Comment on Union Registration

1. Reference is made to routine report from SCAP to DA WASH DC dated 14 November 1949 in which part a of section 2 includes comments concerning government labor unions which were not accurate as of the date of that report. The following statement portrays the situation as of this date.

The evident desire of government unions to place their organizations on a democratic basis is fully demonstrated in the desire for registration under the NPA Rule 14-2 which required such registration by September 1, 1949. As of this date 301 unions throughout Japan have completed registration with NPA. The first of these was the NPA Employees Association. These unions include approximately 600,000 employees of the regular government service. It is expected that the number of unions to be registered will exceed 700. Among the large unions who have registered is the All Japan Communication Workers Union, having a membership in excess of 290,000 employees.

WS.

MacDONALD SALTER
Chief, Classification &
Compensation Branch

MS:aa

Mr Salter

CIVIL SERVICE DIVISION
Government Section

22 November 1949

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

SUBJECT : Comment on Union Registration

The evident desire of government unions to place their organizations on a democratic basis is fully demonstrated in the desire for registration under the NPA Rule 14-2, which required such registration by September 1, 1949. As of this date, 130 unions throughout Japan have completed registration with NPA. The first of these was the NPA Employees Association. These unions include approximately 300,000 employees of the regular government service. It is expected that the number of unions to be registered will exceed 300. Among the large unions who have registered is the All Japan Communication Workers Union, having a membership in excess of 290,000 employees.

Mr Salter

MacDONALD SALTER
Chief, Classification &
Compensation Branch

MS:rj

Pls see that this info is relayed to Mr. Grillifore for inclusion in the monthly summary. He says you've already talked to him about it.

WSP
12/16/49

Files
Secret
12-31-49

CIVIL SERVICE DIVISION
Government Section

December 14, 1949

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

SUBJECT : Petitions by Postal Savings Bureau Employees Union for General MacArthur

Attached herewith are a number of petitions submitted to me this morning by representatives of the Headquarters Office of the Postal Savings Bureau Employees Union for transmission to General MacArthur.

MACDONALD SALTER, Chief
Classification and Compensation Branch

MS:vr
Att: Petitions

Files
Smith Memorial
12-31-49

CIVIL SERVICE DIVISION
Government Section

December 14, 1949

MEMORANDUM FOR: The Record

SUBJECT : Conference with Postal Savings Bureau Employees Union

1. Through arrangements made by NPA, a conference was held this morning among Mr. Salter, Mr. Bettis, Mr Hayashi and the following members of the Postal Savings Bureau Employees Union.

Horiuchi, T -- Vice Chairman
Taguchi, S.
Ito, H.
Tsuji, F. -- Kinki
Hiragimoto, T.
Waguri, M.
Naeki, R. -- Kobe
Higashi, M.
Sawada, T.

2. These employees wish to present petitions from their principal chapters in the Kinki District to General MacArthur, requesting his assistance in obtaining an increase in pay level for public employees and the year-end bonus.

3. This union has twenty-eight chapters in various parts of Japan. Its members are principally office workers and include approximately 20,000 national government employees. The union claims its membership represents persons who are not really public servants in the true sense of the word, but more of the "laboring group". It was for this reason that the union was organized to represent the interests of this "labor group".

4. The principal points covered in their presentation were:

(1) All members are office workers and with few exceptions, do not receive any outside work benefits.
(2) All members are faced with an increase of 24% in cost of living since the enforcement of the ¥6307 pay level.
(3) There is an urgent need for year-end funds to assist in meeting (a) debts, (b) payment of year end income tax adjustments, and (c) heavier winter expenses.
(4) Unless the present leadership is able to obtain some success in improving the economic conditions of its membership, it will lose its position and leftists interests will gain control. (The union claims a middle road position, associating neither with the left or the right interest of Zentei.)

5. Since it was obvious that these representatives did not fully understand their position as public servants and as members of a government union, or the way in which to approach a problem of this kind, these matters were carefully explained to these representatives. They were informed that this office had reviewed the recommendations made by NPA and considered them technically sound; that this office did not consider the year-end bonus as sound pay administration; and that this office did not make any statement to the Japanese Government that they should or should not adopt the pay level as recommended by NPA and if they did adopt the recommended pay level that this office would not specify an effective date.

6. The union stated that they would continue to fight for the higher pay increase and would continue to try and persuade Diet members to work for their interests. They seemed discouraged because the government itself had not taken any action in respect to legislation or any pay increase. They were assured that actually the decision was a matter as provided by the Constitution to be decided upon by the Diet, and the Diet only. Their interests lay with supporting NPA and presenting their problems to the Diet members.

MACDONALD SALTER, Chief
Classification and Compensation Branch

MS:vr

Jap. Govt. Union activities

file
WPMcC
12/15/49

CIVIL SERVICE DIVISION
Government Section

December 13, 1949

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

SUBJECT : Union Attitude

1. In the past two days, I have held extensive conferences with Zentei and Konkoro. The latter union is a federation representing a membership of about 1,500,000 employees, including the regular service, local public service, teachers and railway employees.

2. It seems to be the consensus of the representatives of these employees that the question of an adjustment in pay level is a crises. It is expressed as a turning point in the development of the moderate unions. It is considered as a crucial matter with respect to the future of NPA and the Civil Service program. In fact, the success or failure of an adjustment in pay level will determine the attitude of many employees in the local public service toward the enactment of a local public service law.

3. All the unions represented by these conferences are concentrating their efforts in a determination to obtain an increase in their pay level. These unions do not seem to be particularly concerned about obtaining a year end bonus.

4. These moderate unions seem to be confused and not know exactly where to turn or on whom they may relie for advice and assistance. They do not fully understand the advisory position of GHQ. They do not understand NPA's attitude of failing to fight for the recommendations they have made with respect to pay level. They are somewhat taken in by the action of the Cabinet introducing the element of a year end bonus and their making an issue with NPA on whether such recommendations for pay adjustment should be made. They are concerned as to whether the Diet itself will stay within normal bounds. All these points have caused the membership of the union to be fretful and perhaps even unreliable. Failure to gain a pay raise on the part of the union leaders will result in a serious deterioration of the union situation, particularly the more recent successful conservative union factions.

5. These unions sought information and an understanding on these points from this office. All points seem to have been explained to their satisfaction. They also sought the outright support and endorsement of GS and the Civil Service Division. They were informed that this office was part of GHQ and as such, is an advisory body to the Japanese government. A review had been made of the NPA recommendations and they were found to be sound and technically correct. This office would not recommend specifically to the Diet or any other group that this pay level should be adopted, nor in the case

Jap. Econ. - Union activities

file
WPB
12/15/49

CIVIL SERVICE DIVISION
Government Section

December 13, 1949

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it were to be adopted would it specify or recommend any effective date. The unions were told that this office was not the office which concerned itself on advising the government on fiscal matters. It was vitally concerned in the improvement of pay administration and pay structure in the government and would bend its efforts constantly in that direction.

6. The unions were advised that the year end bonus was an unsound action with respect to sound pay administration and pay structure. The enforcement of the new pay level, however, would be consistant with improvement of pay administration. Such an increase in pay level, if adopted by the government, should take into consideration past policies and precedence as established last year when the same issue was before the Diet, namely: (1) that there be no retroactive pay increase; (2) that the precedent of the enforcement of the pay level of the ¥6307 could be recognized; (3) that the availability of funds and the Dodge Line would of course have effect and might even control the situation.

7. The union representatives seemed satisfied with the discussions and the explanations. They stated that they would continue their efforts to persuade Diet members to discuss the matter of an increase in pay level and if possible, effectuate such a program. They recognized fully that the decision on pay level was solely within the jurisdiction of the Diet and that no other agency of the government could decide this matter.

MACDONALD SALTER, Chief
Classification and Compensation Branch

MS:vr

Files 12-31-49
Govt Labor Unions
Konkoro

CIVIL SERVICE DIVISION
Government Section

December 13, 1949

MEMORANDUM FOR: The Record

SUBJECT : Konkoro Conference on Pay Level

1. Through arrangements with NPA, a conference was held this morning between 1000 and 1300 hours between Mr. Salter, Mr. Bettis, Mr. Hayashi and the following members of Konkoro:

Oka, Chairman -- Japan Teachers Union
Fuzawa, Vice Chairman -- Ministry of Finance
Sato -- Kokutetsu
Hara, Secretary General -- Japan Teachers Union
Urabe -- Local Public Service Employees
Kijima, Chairman, Pay Committee -- Japan Teachers Union
Takahashi -- Ministry of Finance
Tanaka -- Printing Bureau
Yamashita -- Kokutetsu
Nagaoka -- Zentei
------- -- Agriculture and Forestry

Konkoro is the recently organized federation of conservative unions. It represents a membership of about 1,500,000 public employees.

2. Mr. Oka, Chairman of the Konkoro made a few pointed statements in which he expressed a desire to get to the root of the problem without any theoretical discussion. Major points were:

(1) His membership was vitally interested in effecting NPA's recommendations, but could not understand why NPA did not take a more militant attitude in support of its recommendations. He felt that the membership of the unions they represented did not appreciate the situation and should no pay increase be obtained, the conservative factions would lose support and the union situation would seriously deteriorate.

(2) The unions did not know who to turn to for advice or upon whom they could relie. The function of GHQ as an advisory body was not fully appreciated. They expected GHQ to take a firm hand and stand in such a matter as pay level and thereby directly guide the Japanese government. They did not appreciate the action of the Cabinet apparently taking issue with NPA as to whether its recommendations were sound and whether its recommendations should be adopted.

(3) They desired to seek the outright and direct support of the Civil Service Division for the enforcement of the new pay level recommended by NPA. They believed that Civil Service Division, who had created NPA, would be vitally interested in taking such a stand. Failure to effect this pay increase would result in the collapse of NPA and it was not believed that Civil Service Division desired any such development.

(4) Because of the concern and misunderstanding which seems to be present, a movement of chapters have resorted to lawful actions such as the hunger strike. It is not expected that any violence or revolution will occur, but it is expected that there will be a serious repercussion among government employees if some action is not taken to improve their economic conditions. They believe that this is a prime function of NPA for which it was created and that NPA should therefore take action to try to improve the economic conditions of the public servants.

3. These matters were discussed point by point by Mr. Salter, apparently to the satisfaction of the members of Konkoro. Mr. Salter's presentation involved the following points:

(1) Recognition of the mixed group represented by Konkoro.

(2) A clear understanding of the peculiarities of public employment and the fact that this had been clearly presented in General MacArthur's letter of July, 1948.

(3) That NPA was created by Diet action as an agency to investigate and report to the Diet on many matters affecting working conditions which would be determined by Diet action.

(4) The technical construction of ¥78-77 was briefly discussed. The complete lack of relationship of this figure to the average industrial wage was explained and it was pointed out that while NPA's recommendation appeared to be low, in actuality if effected, would result in a pay level in government equivalent to that of private industry.

(5) The technical soundness of NPA's recommendation was endorsed and reference was made to the public in a statement made by Mr. MacCoy on this point in Fukuoka on December 5th of this year.

(6) The transition that is now occurring in the development of the Japanese democracy whereby pay level and related matters are no longer established by Cabinet action but rather by the Diet was discussed.

(7) That there appeared to be a poor understanding of the relationship on the recommended pay level to such a policy as the Dodge Line or Nine Point Program. The perspective involved in this was brought out and apparently their full understanding was obtained.

(8) It was stated that the function of this office was to advise the Japanese government with respect to pay of government employees. This office would continue to maintain as it always had, a vital interest in tne improvement in pay administration and pay structure. The question of funds was strictly not within the jurisdiction of this office and no opinion would be expressed by this office on such matters.

(9) They were urged to continue their interest and discussions with Diet members and to concentrate on improvement of the wage level and not to regard year end bonuses as a real point of effort or interest. It appears that these unions had already been following this approach and were a great deal interested in an increase of pay level rather than a year end bonus.

(10) It was pointed out that the Japanese statistics indicated a slight loss in real wages to the average worker in industry. Since this fact occurred based on statistics of the current industrial wage, which it is recognized is in excess of a comparable wage level in government, real wages in government have been reduced despite statements made by the Cabinet. Secondly, the very fact that government salaries always lag behind those in industry, any improvement for government employees certainly will not set off any inflationary spiral in wage structure in industry.

MS:vr

MACDONALD SALTER, Chief
Classification and Compensation Branch

Files
Southern Zentei
12-20-49

CIVIL SERVICE DIVISION
Government Section

13 December 1949

MEMORANDUM FOR: The Record

SUBJECT : Conference with Tokyo Chapter Postal Life Insurance Bureau Employees Union

Conference was held this morning with members of the Tokyo chapter of the Postal Life Insurance Bureau Employees Union, local chapter of Zentei (moderate), Messrs. Salter, Rankin, Hayashi, and the following members of the local chapter: Sone, Yasuda, Imazeki, T., Sakuma, Y., Vice Chairman, Ishii, H., Chief Secretary, Yasuda, T., Kotani, K., Suita, T., Kamiide, U., and Murakami and Matsuoka of NPA.

The purpose of this meeting was to discuss position-classification and a petition submitted by this chapter to this office early in December. Unfortunately the petition was not available and the discussion was confined to general matters relating to position-classification.

The following points were the main topics of discussion:

1. The derivation and clear difference between the proposed position-classification law and the pay law was drawn.

2. The union expressed a fear that if pay matters were treated on the basis of comparison with industry, it would result in perpetuation of the traditional practice of treating administrative employees better than operative employees. It was explained that the National Public Service Law did not recognize any such difference among government employees, but treated all as public servants. All matters relating to pay would be considered including the use of public hearings before decisions were made concerning ranges of pay for various occupation groups.

3. They were advised that provisions would be included in the pay law permitting salary increases beyond the maximum of a grade where an individual was in a dead-end job and was serving for a very extended period of time.

4. The union expressed the fear that NPA might take action without consulting employees or unions. They were assured that where hearings were necessary, investigations required consultation with employees or employee groups, that such actions would be taken prior to decisions that might be effected by NPA.

5. NPA and this office will be constantly working with unions in the development of programs in order to assure proper understanding of such programs and to insure that ideas and suggestions of the unions have been properly considered.

Subsequent meeting to be held 12 December 1949.

MacDONALD SALTER
Chief, Classification & Compensation Branch

MS:rj

Files 12-31-49
Suit Unions
Zentei

CIVIL SERVICE DIVISION
Government Section

December 12, 1949

MEMORANDUM FOR: The Record

SUBJECT : Zentei Conference

1. Through the request of NPA, a conference was arranged between Mr. Salter, Mr. Peterson, Mr. Hayashi and the following members of Zentei.

Nagaoka - Chairman, Central Office
Yokokawa - Vice Chairman, Central Office
Oki - Member, Central Executive Committee, Central Office
Takahashi - Member, Central Executive Committee, Central Office
Nakamura - Member, Central Executive Committee, Central Office
Kishimoto - Member, Central Executive Committee, Central Office
Kubo - Chief Secretary, Central Office
Hoshino - Chairman, Special Post Office Council
Nomura - Vice Chairman, Telecommunication Home Office Branch
Mukai - Chairman (President) Non-operative Council
Shimomura - Chief Secretary, Postal Affairs Ministry Home Office Branch
Mitsumura - Representative, Osaka Sector
Sawada - Representative, Osaka Sector
Kodaka - Vice Chairman, Chiba Sector Headquarters
Nojo - Member, Executive Committee, Chiba Sector Headquarters

The conference convened at 1000 and disbanded at 1600.

2. The prime purpose of the meeting was to; (1) discuss the new pay level recommended by NPA and its implementation; (2) to discuss the rule on registration and its relationship to employees on leave and purpose of handling fulltime union duties.

3. Mr. Nagaoka made a number of opening statements in which it was evident that there is still considerable misunderstanding as to the position of the public servant in relationship to employees in private industry; the method whereby NPA determines its pay level; and the relationship of the Cabinet to the Diet in determination of pay level.

4. Mr. Salter traced briefly the development of the free labor movement since the beginning of the Occupation. He placed stress upon General MacArthur's letter of July 1948 in which it was clearly pointed out the difference between public employment and private employment. He emphasized that the right to strike was inconsistant with practices in public employment in a democracy,

and that with this denial of the right to strike must also be associated the denial of collective bargaining as understood in private employment. He further contrasted private employment with public employment showing the lack of similarity. Emphasis was placed upon the fact that working conditions of public servants were established by the Diet. That the Diet, recognizing the peculiar characteristics of public employment, created through the National Public Service Law the NPA to investigate and report to the Diet matters affecting working conditions and to administer certain rights provided employees under the National Public Service Law.

5. In order to clearly point out in perspective the present situation, the transition of control of these matters from the Cabinet to the Diet under the present Constitution was explained. Furthermore, the amazing progress that has been made in spite of obstacles toward a sound labor movement, was used to show that there was a clear-cut tendency to protect the rights of public employees and to a certain extent, guarantee their livelihood. The action of the Diet in enforcing the ¥6307 pay level last December was given as an excellent example of this transition.

6. The construction of the ¥78-77 pay level was explained, pointing out that such a pay level in actuality could not possibly be compared with any such figure as the industrial average wage. The basis of these two figures are quite unrelated. This explanation included how the factor of the minimum cost-of-living for man performing moderate work was determined, and how this was the real critical figure and not the average wage level.

7. It was desired by Zentei that CSD or Government Section make a public statement to the effect that the ¥78-77 was a sound figure. It was explained to them that such a statement had already been made by Mr. MacCoy within the last two weeks on the occasion of two press conferences, one in Tokyo and one in the Osaka area. Apparently this was desired in order to try and offset the rumors and statements being made by the Cabinet to the effect that GHQ was opposed to any adjustment in pay level.

8. Zentei stated that they had been working continuously with Diet members to persuade them for the adjustment of pay in the year-end bonuses. They were afraid, however, that the Cabinet would not be in any way sympathetic to such adjustments and would cause the Diet to take no satisfactory action in this respect. Zentei was urged to continue their work with the Diet members but not to involve themselves in the matter as a political issue. They should discuss it with all members regardless of their party politics and belief that a pay adjustment should be made.

9. The relationship between Kokutetsu employees and public servants was explained. While the Corporation Law provides a pay level shall be established by the Diet, it also provides that the Diet shall take into consideration the pay level of public servants. In view of this, it is obvious that the two pay levels will be closely associated, one with the other. However, with

respect to internal jurisdiction in GHQ, this office would not advise Kokutetsu since it was not legally construed as a union of government employees.

10. Zentei expressed a fear that the failure to attain any pay adjustment would result in a collapse of the Conservative Union. They were encouraged to look on this as one fight of many that they may have to face from time to time. Failure to attain their complete objective should not discourage the unions from continuing their interests and efforts on behalf of government employees. It was pointed out to them that GHQ policy continued to be one of supporting free labor movement and a sound and liberal employees relations policy in the government. It was not expected that the unions would collapse or that any effort would be made to suppress the union movement. In fact, quite contrary thereto, the use of unions in day to day administration was almost essential to effective management in an organization as large as government.

11. Mr. Peterson discussed the question of registration. Apparently there was some conflict in thinking between NPA and Zentei as to whether there should be some modification of the rules for registration and the rules covering leave of absence.

MS.

MACDONALD SALTER, Chief
Classification and Compensation Branch

MS:vr

Files 1-3-50
Shiftwaari
Kokuketsu

CIVIL SERVICE DIVISION
Government Section

2 December 1949

MEMORANDUM FOR: The Record

SUBJECT: Award by Arbitration Committee on Kokutetsu Wage Demand

The Arbitration Committee handling the case of the Railway Employees Union demand for wage increase is released its report to the union and to management this afternoon.

Information received from ESS/Lab Division indicated that the content of the report does not flatly recommend any pay increase, but contains the following items:

1. A flat payment of ¥6,000 per employee for the period Jan-Dec 1949.

2. The addition of an average ¥1,000 per employee per month, continuing from January 1, 1950 by applying overdue promotions, etc.

The Arbitration Committee has been considering this matter for a period of more than 30 days. During their investigation they state that they found that the Railway Corporation had failed to pay to its employees the proper periodic pay increases, family allowances, promotions, etc., over the past 12 months. It estimated that this reflected a loss to each employee on the average of ¥12,000 for the 12-months' period. The Arbitration Committee recognizing that the fiscal limitation of the Railway Corporation precludes the full payment of this amount, recommended payment of only ¥6,000 as a lump sum payment at this time to offset presumed losses for the period Jan-Dec 1949. However, they further recommended that each employee's pay be properly adjusted which it was estimated would augment each employees pay on the average by ¥1,000 per month, commencing January 1, 1950.

MacDONALD SALTER
Chief, Classification &
Compensation Branch

1) Eliot
MacCoy will use this to develop a comment for early inclusion in another rept to D/A.
22 November 1949
2) Dike 11-22-49 Labor Dept.

CIVIL SERVICE DIVISION
Government Section

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

SUBJECT : Comment on Union Registration

The evident desire of government unions to place their organizations on a democratic basis is fully demonstrated in the desire for registration under the NPA Rule 14-2, which required such registration by September 1, 1949. As of this date, 156 unions throughout Japan have completed registration with NPA. The first of these was the NPA Employees Association. These unions include approximately 500,000 employees of the regular government service. It is expected that the number of unions to be registered will exceed 500. Among the large unions who have registered is the All Japan Communication Workers Union, having a membership in excess of 290,000 employees.

MacDONALD SALTER
Chief, Classification &
Compensation Branch

MS:rj

✓

WT-IV

1) ~~Betters info~~ ~~OB~~
2) ~~Eliot~~
Zentei file

~~Mr Salter~~ MS

11-21-49

Thanx WPM

CIVIL SERVICE DIVISION
Government Section

18 November 1949

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

SUBJECT: Conference with Zentei

Attached herewith is a statement prepared by Zentei and submitted to this office. I understand that they desire to submit a similar document to General MacArthur, General Whitney, General Marquat, Minister Dodge and Mr. Amis.

As far as I was able to determine, the new Zentei which is now registered with NPA is the continuation of the old Zentei under new leadership elected through proper procedures established by the Constitution of the Zentei. The ousted leadership is contesting the present group on the basis that the Convention which elected the new group was called illegally. In order to obtain control of funds and property, the present leadership is seeking a court order. A hearing is to be held on 24 November in the Tokyo District Court. The old leadership will contest the case, it is believed, on the question of whether the present leadership has been legally elected.

It was stated that (the present Zentei) among those decisions made at their last meeting of October 23 and 24 were:

(1) Decision to register
(2) Procedures for pay level increase
(3) Procedures for year end payment

MacDonald Salter
MacDonald SALTER, Chief
Classification & Compensation Branch

Encl
MS:aa

~~How Rosar~~
Please return
~~Salter~~ Files
Salt Lake
Utah

CIVIL SERVICE DIVISION
Government Section

1 November 1949

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

SUBJECT : Labor Union Movements to Increase Pay

1. Mr. Takimoto, Chief of Compensation Bureau, NPA, called in person 31 October 1949 to keep this office informed on two labor union movements designed to grant a year-end bonus and increase the base pay level.

2. On 29 October 1949, Mr. Kaku, Chief of Labor Administration Bureau, Labor Ministry, told Mr. Takimoto as follows:

"The Tobacco Monopoly Corporation Union is trying to raise the pay of its members. Instead of aiming to raise the pay base at present, the union has decided to wait until April 1950 to seek a legal increase in pay.

"It was agreed between the labor union and the Tobacco Monopoly Corporation in closed negotiation to give year-end bonuses. According to the Labor Relations Act of the Public Corporation Law, year-end bonuses can be given without consulting the Diet. The Tobacco Monopoly Corporation has a reserve fund of ¥2,500,000,000".

Mr. Takimoto does not know in what form the bonus will be granted. If this information leaks out, he is afraid it will cause discontent among employees of other corporations and regular government service employees.

3. Mr. Kaku, who is also chief secretariat of the Arbitration Committee handling the Railway Corporation labor dispute, made the following remarks:

"The National Railway Corporation Labor Union made recommendation for pay increase to ¥9,700 which figure was cut down to ¥8,058 by the Mediation Committee. The labor union accepted the decision, the National Railway Corporation did not.

"The case will be placed in the hands of an Arbitration Committee and a decision is expected by 15 November. The reason for this date is - NPA should make its recommendations on base pay to the Diet by 10 November. The Arbitration Committee will make its decision on the basis of NPA's recommendations."

Mr. Takimoto told Mr. Kaku he did not know when or if NPA would make

recommendations.

4. The Personnel Committee of the House of Representatives will not open for business before 8 November.

Albert R. DeAngelis

ALBERT R. DeAngelis
Compensation Specialist

ARD:rj

1) Hw ~~Hadley~~ Is this OK? Yes. WBR 10/7 #9

ARTICLE BY LUTHER STEWARD FOR "PUBLIC SERVANT" 2) Sailer

October 1949.

29 September 1949

My life for more than half a century has been devoted to public service. The time I spent in Japan during 1948 and the visit this summer was for the purpose of assisting in the development of a sound labor relations policy for the Japanese government service.

It was to have been anticipated that with the setting-up of a democratic form of government under its constitution the Japanese people would be faced with the difficult task of readjusting their thinking. Within this new concept, the frame-work of law has been enacted by the Diet. Within the terms of the National Public Service Law the Japanese people have an opportunity for developing a public service in which all may take the greatest pride. The design is one which affords to all the opportunity to compete for appointment to government positions and on the basis of demonstrated qualification and continued satisfactory performance of duty to rise to highly responsible positions based entirely upon the merit of the individual and without the interference of politics or other pressures.

The protection thus thrown around Japanese government employees will enable them to devote their talents to service for the people of Japan. It is essential that there be undivided loyalty on the part of every official and employee in the Japanese government service and the recognition that they are all members of one great team working in the interests of the whole people, and with their conditions of employment and rates of compensation geared to the general national economy. Where employees exercise the right, which they have under law, to organize it is the collective responsibility of such an

association of government employees to conduct their affairs in a proper and democratic manner. I was pleased to witness, in this respect, the growth of the NPA Employees Association and the development of its constitution which is based on sound and democratic thinking.

I view with a great deal of pleasure the interest, the enthusiasm, the industry which is being displayed by the great majority of the Japanese people in the rehabilitation of their country on sound principles and I firmly believe that a continuation of this concerted effort and a refusal to be misled by destructive influences will bring the Japanese government service to a point where it will deserve and receive the commendation of right thinking people throughout the world.

CIVIL SERVICE DIVISION
Government Section

28 September 1949

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

SUBJECT : Protest of Government Medical Workers Union Re Union Registration Rule Adopted by NPA

Reference is made to the confidential intercept covering the above subject which you forwarded to me. I think it might be wise to discuss this particular case with the three commissioners and Mr. Sato, supplying them with the answers to the questionnaire which the Government Medical Workers' Union sent to NPA. These answers would not be provided to the NPA in writing, but should be given to them as a guide for the handling of future complaints. Questions and suggested replies are as follows:

(a) Will you accept our present regulations until our next regular general meeting?

Reply: No. The Rule as adopted by NPA applies equally to all unions, and no exceptions can or will be made.

(b) Will you recognize us as a semi-registered but fully qualified union?

Reply: No. There is no such thing as a "semi-registered" union. Either the union meets the qualifications established by the NPA Rule and, therefore, is fully and legally qualified, or it does not and, therefore, cannot be registered.

(c) Will you oppress us as an outsider through strict enforcement of your restrictions?

Reply: The question is not understood since the NPA has no intention of "oppressing" any union or group of employees. Standards have been established and publicly announced through the NPA Rule by which employee unions may be recognized and registered as properly qualified for conducting official business with the government, and in speaking for its members. Each employee union that meets these requirements will be legally registered with the NPA and may legally represent its members before any branch of the government, which includes the NPA. If the employee union does not meet the standards

and, therefore, cannot be legally registered, the union will not be legally recognized, and no further recognition will be taken of the organization nor can it legally represent an employee or group of employees before any branch of the government, including the NPA. Since the organization does not legally exist under these latter conditions, it will be impossible to "oppress" it, as you suggest, and any such illegal aggregation of employees would simply be ignored.

(d) Do you intend to demand revision of union regulations every time you enact rulings or effect changes thereto?

Reply: The NPA has established and will continue to establish rules and regulations which will require government employees to properly meet the requirements necessary to establish a decent, equitable, and efficient public service which will operate in the favor of and for the good of all of the citizens of Japan. If any government employee or groups of government employees establish any organization which in the opinion of the NPA would cause or permit such employees to perform or act in a manner which would not be to the best interests of the citizens of Japan or allow themselves to be led by an individual or group of individuals who do not have the best interests of the citizens of Japan at heart, the NPA will always issue rules that will be a deterrent to such an individual or group of individuals.

The NPA, in return, should direct one question to the Medical Workers' Union. Since the National Public Service Law was passed on 3 December 1948 containing Article 4 in the Supplementary Provisions to the first revision of the Law thereby placing the unions on notice that they would have to meet certain requirements relative to registration, and since the NPA Rule 14-2 was issued effective 3 June 1949, is it possible that the Medical Workers' Union has not held a regular general meeting since 3 December 1948 wherein the members could have voted to comply with the Law, or since June 3, 1949, wherein they could have made necessary amendments in their articles to comply with the rule, prior to the date of 1 September 1949?

If the answer to the above question is in the affirmative, then this indicates a very good reason why the union should not be registered since it very evidently is being run by a small coterie of individuals and not on the democratic principles established in the Constitution of Japan and reiterated in the National Public Service Law.

W. Pierce MacCoy

W. PIERCE MacCOY
Acting Chief
Civil Service Division

WPM:jb

CONFIDENTIAL

CIVIL CENSORSHIP DETACHMENT
CIS—MIS GHQ—SCAP

CCD/OSA/908

INTERCEPT:

From:
ZEN NIPPON KOKURITSU IRYO RODO KUMIAI (National Government Medical Workers' Union)
514 Arai-cho, Nakano-kyoku,
Tokyo-to, (Japan)

LIST: H-31

To:
ZEN IRO (National Government Medical Workers' Union)
Hyogo Chapter
c/o Hyogo National Sanatorium
Miwa-cho, Sanda-kyoku,
Hyogo-ken, (Japan)

LIST: H-31

Type: Letter

Dated: C. 9 Sep 49
P. None

Language: Japanese

Disposition: Passed

Relevant Records:

Examiner: W/L 12624

Prep. Date: 21 Sep 49

7E

Eval-Alloc: 224-23-9

DISTRIBUTION:

25 G2
Tokyo CIC
III CIC
Hyogo CIC

GS
ESS/LA
CIOC/JPPB

TEXT

LABOR: GOVT MEDICAL WORKERS' UNION PROTESTS REGULATIONS REVISION REQUIRED BY NPA

Mimeographed questionnaire, dtd 9 Sep 49, signed by HORIE Shinjiro, Committee Chief of the National Government Medical Workers' Union, addressed to ASAI Kiyoshi (List: H-31), Director of the National Personnel Authority, reads:

"Our application for registration with the National Personnel Authority has been returned with directions for reconsideration of seven specific points. Of the seven points stipulated for revision, five will neccessitate the revision of our Union Regulations, which are used by our entire national set-up with 25 affiliates.

"It is quite impossible to revise our Regulations before your next regular general meeting, in May, 1950. This would necessitate an extraordinary meeting, which would cost us ¥3-million for our 300 delegates, and require two months' preparation.

"In view of the above, we desire your clarification of the following two questions:

"1. Since it is impossible to revise our Union Regulations by the next Regular General Meeting, because of expenses, long-range preparations, etc, what attitude will the National Personnel Authority take toward the Union in the interim period?

a. Will you accept our present Regulations until your next regular general meeting?

b. Will you recognize us as a semi-registered but fully qualified union?

c. Will you oppress us as a outsider thru strict enforcement of your restrictions?

"2. Do you intend to demand revision of union regulations every time you enact rulings or effect changes thereto?"

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

CIVIL SERVICE DIVISION
Government Section

21 September 1949

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

SUBJECT : Voting Requirements for Government Unions

In considering the establishment of rules by the NPA to cover voting requirements for government unions, the practical aspects of the situation must be considered. In a democracy the right to vote or not to vote is with the voter. The technique of voting is not the stimulus to casting a vote but rather the method of handling an issue, intent or purpose which calls for a vote.

It is the intention of the NPSL to provide, in addition to techniques for personnel administration, a sound and liberal labor management policy. This contemplates the use of voting and other techniques and the development of an attitude of understanding of a sound and liberal labor management policy as a normal part of the processes of day-to-day administration.

In a simple organization consisting of a few employees, management in determining its policies and practices can readily make an evaluation of employee opinion. However, in a complex and widely distributed organization such as the national government, this is not possible. Management can, and has in the past in Japan, veered so far away from the contact with employees that decisions affecting employees have in the minds of the employees been arbitrary, capricious, and even inhuman. In order to cope with this situation enlightened management has to develop a system whereby they may have a ready access to employee's opinion for use in the making of their decisions. To accomplish this employees are given the right to join or to refrain from joining employee organizations. Management sees in the employee organization a readily accessible method of seeking employee opinion.

The NPSL establishes the principle of all government employees regardless of whether they are classed as management personnel or employee workers as being servants of the people. As employees of the government and public servants their actions must of necessity be restricted with respect to the conduct of their work and with respect to the maintenance of neutrality in their business activities. Employee organizations consisting of members of the government service are therefore subject to certain controls established by the Diet and implemented through the NPSL. Whether these employee organizations conduct their affairs through one technique of voting or another is not particularly significant. It is significant, however, that whatever

technique is adopted will encourage the intelligent development of a free labor movement in government. It is felt that the requirement of a majority vote of the whole membership is over-restrictive and will contribute to the unworkability of the democratic voting processes in government unions. In essence it may contribute to the defeat of government organizations so essential to day-to-day administration. It would seem better, following the experiences found in the Western Democracy, to recognize plurality voting.

MacDONALD SALTER
Chief, Classification
& Compensation Branch

MS:jd

CIVIL SERVICE DIVISION
Government Section

21 September 1949

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

SUBJECT : Union Voting

The accompanying memorandum by Mr. Salter was read by Messrs. Steward and Peterson and met with their general approval. The statement is vague as to conclusions but no specific recommendation was agreed upon prior to departure of Messrs. Salter and Steward.

Earlier, our stongest, wholehearted and collective recommendation was as follows: In the first vote of union members an officer could be elected by concurrence of at least 35 percent of all members; if no one received such an endorsement the members would choose between the two highest candidates, by a run-off election in which a plurality of those voting would be sufficient to elect an officer.

My impression is that Mr. Steward would like to drop the whole matter, leaving it as NPA now interprets it, thereby avoiding disruption of the organizations and permitting all persons concerned to devote attention to bigger, more fundamental questions. I believe Mr. Salter stongly seconds such opinion.

Attention should be called to the fact that "majority vote" is required by Article 5 of the Trade Union Law for revision of a union's constitution. Mr. Okabe reports that this means more than half of those who vote. However, on a yes or no matter, a plurality is always a majority and vice-versa. No requirement as to the number or proportion of votes to elect officers is included in the Trade Union Law.

Whatever method is selected, and organized minority can win an election. The problem is preventing domination by too small a minority. As a mechanical device I still like the plan mentioned in paragraph 2. Mr. Steward seems to regard any mechanical device in this situation as undesirable and possibly containing the seeds of destruction of the employee organizations.

GORDON W. PETERSON
Chief, Organization Branch

O.K. Have discussed with Steward and concur that we have bigger and more important fish to fry.
WRM
9/30/49

CIVIL SERVICE DIVISION
Government Section

21 September 1949

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

SUBJECT : Voting Requirements for Government Unions

In considering the establishment of rules by the NPA to cover voting requirements for government unions, the practical aspects of the situation must be considered. In a democracy the right to vote or not to vote is with the voter. The technique of voting is not the stimulus to casting a vote but rather the method of handling an issue, intent or purpose which calls for a vote.

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In a simple organization consisting of a few employees, management in determining its policies and practices can readily make an evaluation of employee opinion. However, in a complex and widely distributed organization such as the national government, this is not possible. Management can, and has in the past in Japan, veered so far away from the contact with employees that decisions affecting employees have in the minds of the employees been arbitrary, capricious, and even inhuman. In order to cope with this situation enlightened management has to develop a system whereby they may have a ready access to employee's opinion for use in the making of their decisions. To accomplish this employees are given the right to join or to refrain from joining employee organizations. Management sees in the employee organization a readily accessible method of seeking employee opinion.

The NPSL establishes the principle of all government employees regardless of whether they are classed as management personnel or employee workers as being servants of the people. As employees of the government and public servants their actions must of necessity be restricted with respect to the conduct of their work and with respect to the maintenance of neutrality in their business activities. Employee organizations consisting of members of the government service are therefore subject to certain controls established by the Diet and implemented through the NPSL. Whether these employee organizations conduct their affairs through one technique of voting or another is not particularly significant. It is significant, however, that whatever

technique is adopted will encourage the intelligent development of a free labor movement in government. It is felt that the requirement of a majority vote of the whole membership is over-restrictive and will contribute to the unworkability of the democratic voting processes in government unions. In essence it may contribute to the defeat of government organizations so essential to day-to-day administration. It would seem better, following the experiences found in the Western Democracy, to recognize plurality voting.

MacDONALD SALTER
Chief, Classification
& Compensation Branch

MS:jd

Sulton

~~Peterson~~

Any further developments in this case?

No.

Not to my knowledge

Thos.

Mr Salter

National Personnel Authority

September 16, 1949 WPM 9/19/49

Interpretation of "Majority Vote of All Members"

1. As the interpretation of "majority vote of all members", the National Personnel Authority decided, some time ago, that it includes also the case of plurality, and notified all the ministries accordingly, by a circular notice of the Director-General dated July 20, 1949.

2. The reasons why the National Personnel Authority does not interpret that the "majority vote of all members" necessitates the votes of a majority of all members, but that plurality thereof suffices are as follows:

(a) If a majority vote of all members is required at an election of officers, it is extremely difficult to obtain elected persons by one election, except when there exists in an organization a group which commands a majority of all members. In this case, while it is necessary to conduct a second election, it will be impossible to get elected persons at the second voting so long as the electors do not voluntarily change their attitude; and, even though the elections are repeated several times, the results will be the same so long as "political" negotiations among various factions are not crowned with success. Even if a run-off election is to be conducted for the two candidates who have obtained the highest votes when a majority vote has not been obtained at the first election, it is difficult to obtain a majority vote of all members unless various factions come to a compromise. Even if a majority vote has been obtained by a compromise having been reached among various factions, it is only a superifical majority in which some electors will be caused to vote, against their will, for the candidate not of their own choosing. Accordingly, even in case a person is elected in this way with a majority vote, it is nothing but the majority votes has been

made up by manipulation, and the fact still remains that the wishes of many votes have been ignored. Moreover, to repeat ~~of~~ elections several times will result in giving a heavy burden on employee organizations in money and material.

(b) If a majority vote of all members is a prerequisite in an election of officers, the following problem and the like would have to be faced in the case where several officers are to be elected, such as members of the Central Executive Committee. That is, in case there exists, in an organization, a group which commands a majority of the constituent members, this group can acquire all of the officers, but if an organization has no such group and is split into several minority groups, the result will be that any of those groups cannot acquire any officer unless they come to a compromise. This means that the minority groups always have no chance of acquiring even one officer, and even in case they command 49% of the votes, their will can always be ignored, and further that, if the organization is divided into minority groups, a unified organization cannot be formed unless they conduct "political" negotiations among themselves. Consequently, the minority groups which are always ignored thus cannot but secede from the organization at some time or other, and it may be said that such a state of affairs will forcibly lead to s split of the organization.

(c) In the light of the points explained above, the National Personnel Authority has concluded that the "majority vote of all members" is to include the case of plurality insofar as the election of officers is concerned, and it does not wish to revise this conclusion unless it causes very serious obstacles.

Press Release 415c

General Headquarters
Supreme Commander for the Allied Powers
Civil Service Division
Government Section

20 September 1949

MEMORANDUM FOR : Mr. R. T. Amis, Chief
Labor Division, ESS

SUBJECT : Mr. Hepler's Statement to Zentei Central Committee, 12 September 1949.

It has been called to my attention that the Tokyo Nichi Nichi (evening paper published by the Mainichi) of 12 September 1949 reported a speech made by Mr. Hepler, former Chief of the Labor Division, ESS, to Zentei Central Committee in a meeting held 12 September. In this speech Mr. Hepler is officially quoted as saying, "In presenting my farewell message to the entire membership of Zentei Union I trust and do not doubt that the entire membership of Zentei will choose a democratic way and furthermore each and every member will firmly grasp the various rights of union members as clearly shown in Article 5 of the revised Labor Union Law."

In view of the fact that the members of Zentei union are government employees and therefore are under the National Public Service Law rather than the revised Labor Union Law, and further in view of the comments which Mr. Hepler made in my office during conference between our two Divisions to the effect that the Labor Division ESS would always direct government unions' attention to the fact that they were under the National Public Service Law, I assume that the remarks credited to Mr. Hepler are in error. I felt that you would want this called to your attention so that you could issue a corrected statement altering the impression left by the article in Tokyo Nichi Nichi and informing the members of Zentei that the National Public Service Law is the guide to the various government unions of their rights as government employees and members of government employee unions.

NPM:mw

N. PIERCE MacCOY
Acting Chief

CIVIL SERVICE DIVISION
Government Section

14 June 1949

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

SUBJECT : Monopoly Public Corporation Activity

As a part of Eliot's watchtower activities he turned up the information that the headquarters of the All Japan Monopoly Bureau Workers Union instructed their Gumma-ken chapter to adhere to a 44 hour work week.

Since these employees are no longer subject to the NPSL, no official action can be taken by NPA. If this instruction is being implemented, some SCAP section should take action to insist on a 48 hour work week now applicable to government and industry.

MacDONALD SALTER
Chief, Classification
& Compensation Branch

MS:jd

Files
Gen'l Affairs
NPA
2-27-50

NATIONAL PERSONNEL AUTHORITY

September 14, 1949

To:

Mr. MacDonald Salter,

Civil Service Division,

Government Section, GHQ. SCAP

Enclosed herewith please find a report on the Third Regular Conference with NPA Employees Association held on September 10, 1949 at the Director-General's Office.

T. Sato

Sato Tomoo
Director-General
National Personnel Authority

National Personnel Authority

September 14, 1949

The Director-General's Office

Third Regular Conference with NPA Employees Association

Time: September 10, 1949 (Saturday), from 9 a.m. to 10 a.m.

Place: The Director-General's Office

Persons present: The Director-General

The Chief of Internal Administration Bureau

The Chief of Internal Personnel Bureau

Five members of the NPA Employees Association including the chairman

Business:

1. Re: registration of the association:

Association: The registration of the NPA Employees Association has been approved. We intend to take necessary procedures to receive treatment as a juridical person.

2. Re: payment of retirement allowances due to ~~the employees~~ who retired from the NPA in June:

Association: As the retirement allowance due to the employees who retired from the NPA in June have not yet been paid, we would like to ask that the matter be attended to at once.

Chief of Int. Pers. Bureau: The Ministry of Finance was late in issuing detailed regulations, and consequently, we were delayed in taking procedures.

Chief of Int. Adm. Bureau: There are also cases where the payment has been delayed because the addresses of some employees are not known.

Association: We ask you to kindly do your best in speeding up the payment.

3. Re: dismissals of employees in the conditional period of employment:

Association: Some people are puzzled over the sudden dismissals of the employees in the conditional period of employment, and we would like to ask that necessary steps be taken to make the employees fully understand the real significance of the conditional period of employment.

Chief of Int. Pers. Bureau: We thought we had fully explained it at the outset to the employees who are currently in the conditional period of employment. We will exert ourselves to make it perfectly clear in the future.

Association: According to paragraph 4 of the NPA Rule 8-9, an employee may be dismissed against his will at any time if his service[s] are found to be unsatisfactory, but we request that the reasons for dismissal be clearly given as far as possible, and that, before an employee is dismissed, his weaknesses be pointed out to him so that he may improve himself. If an employee is dismissed, it is difficult for him to get a new job, and we request that "dismissal" be changed into the form of "dismissal at own request". Also, we suggest that the date of dismissal be changed from August 29 to September 1, so that the employees affected can receive pay for the month of September.

Director-General and Chief of Int. Pers. Bureau: It is impossible to change the written notifications of dismissal since they were already issued.

4. Re: the office of the Association:

Association: We would like to ask your approval for continued leasing of part of the NPA building as our office.

The Director-General and Chief of Int. Pers. Bureau: In principle, this is impossible, but we ask you to fully investigate the circumstances concerning this problem and submit relevant materials by next Monday.

9 September 1949

MEMORANDUM FOR : Mr. Salter

SUBJECT : The Articles of Association of the Employees' Union of the National Personnel Authority.

Following conferences were held in connection with the above subject with Mr. KUWAHARA, the Chairman, Executive Committee, NPA Employees' Association, and Mr. KANAMORI, a member, Executive Committee, NPA Employees' Association during the period of 31 August 1949 to 6 September 1949.

I - 31 August 1949 - 9:00 hours
NPA - Messrs. KUWAHARA and KANAMORI
CSD - Mr. Steward and Hayashi

a. Minor corrections were suggested by Messrs KUWAHARA and KANAMORI in the draft of the Articles of Association of the Employees' Union of the National Personal Authority. Mr. KUWAHARA stated that corrections became necessary as a result of the meeting of the Board of Representative s held on 30 August 1949. Corrections were all concurred by Mr. Steward.

b. Mr. KUWAHARA stated that direct secret voting by the entire membership will be held at 12:00 hours 31 August 1949 on proposed draft of the Articles of Association of the Employees' Union of the National Personnel Authority. Mr. KUWAHARA further stated that the vote of confidence will also be held for the members of Executive Committee and the Auditors at the same time. Mr. KUWAHARA stated that ballot boxes will be opened at 5:00 hours 31 August 1949. He agreed to provide this office with the result of voting by 12:00 hours 1 September 1949.

II. - 1 September 1949 - 10:00 hours

a. (Telephone conversation with Mr. KUWAHARA) - Mr. KUWAHARA reported that due to administrative leave granted to entire employees of the NPA for the entire afternoon of 31 August in anticipation of typhoon "KITTY" ballot boxes could not be opened. Mr. KUWAHARA stated that ballot boxes will be opened at 12:00 hours 1 September 1949, and he promised to furnish necessary information to this office re the result of voting as soon as the tabulation is completed.

b. Mr. KUWAHARA's report over the telephone was immediately conveyed verbally to Mr. Steward.

3. - 1 September 1949 - 15:00 hours

a. Mr. KUWAHARA provided this office with two typwritten copies showing the result of voting held on 31 August 1949. Since an arrangement could not be made for further discussion re the voting and other matters, Mr. KUWAHARA agreed to return to this office at 10:30 hours 2 September 1949.

b. A copy of typewritten result of voting was immediately submitted to Mr. Steward. At the same time Mr. Steward and Mr. Eliot were informed as to the gist of Mr. KUWAHARA's brief report. (The remaining copy is attached to this memorandum).

4. - 2 September 1949 - 10:30 hours.

NPA - MR. KUWAHARA
CSD - HAYASHI

a. Mr. KUWAHARA stated that ballot boxes were opened at 12:30 hours under the supervision of Mr. YASUDA, the Chairman of the Election Management Committee. He stated that by majority vote the Articles of Association was approved and further more, members of the Executive Committee and the Auditors won the vote of confidence.

b. Mr. KUWAHARA stated that if a team consisting of one representative each from the General Appeals Section, SECTION, INV. BUREAU Bureau of Equity and the Employment Investigation could make a tour to visit Regional offices of the NPA and the areas where regional offices of the ministries and agencies are located in large numbers, and extend assistance in drafting constitutions of government workers unions in those areas, it might be worthwhile. He further stated that if such a tour can be approved, the "touring team" will take along Articles of Association of the Employees' Union of the NPA and refer to it as a "model". Mr. KUWAHARA stated that a formal request will be submitted to Mr. Roser of this office by 9 September 1949. Mr. KUWAHARA requested that this matter be reported to Mr. Steward and Mr. Salter.

c. Mr. KUWAHARA was advised to provide this office with two copies of the Article of Association of the Employees' Union of the NPA in Japanese at his earliest convenience.

d. A verbal report of the Conference was made to Mr. Steward.

5. - 6 September 1949 - 10:30 hours

NPA * Mr. KUWAHARA and Mr. KANAMORI
CSD - HAYASHI

a. Two copies of the Articles of Association of the Employees' Union of the National Personnel Authority in Japanese were submitted to this office by Mr. KUWAHARA

and Mr. KANAMORI. Mr. KUWAHARA stated that since our last meeting, three minor changes ~~were made~~ affecting in Articles 7, 27 and 28. were made.

b. Mr. KUWAHARA stated that the draft of the Articles of Association has been tentatively approved by the Bureau of Law of the NPA, and further stated that said draft is at present in Dr. ASAI's office for his review.

c. Mr. KUWAHARA stated that 300 copies of the Articles of Association of the Employees' Union of the NPA in Japanese have been mimeographed. He stated that this will enable distribution of 1 copy for 2 members. He further stated that 300 more copies will be mimeographed within the next two weeks.

H. Hayashi

Submitted by NPA Employer Ass'n.

Dept 1 3.00 PM

	Total Number of Votes.	Pro.	Con.	Blank
Article of the Association.	421	352	43	26

	Total Number of Votes.	Confidence.	Non-Confidence.	Blank.
Member of Executive Committee:				
KUWABARA.	451	371	42	38
HARA.	"	359	50	42
FUJII.	"	354	41	56
KANAMORI.	"	353	51	47
HASHIMOTO.	"	322	56	73
HAZAMA.	"	312	55	84
NISHIMURA.	"	329	47	75
SASSA.	"	356	36	59
MAEDA.	"	370	30	51
KANAI.	"	344	42	65
UNNO.	"	335	50	66
ITO.	"	343	28	80
~~Member of AUDI~~				
Auditor:				
KAWAMATA.	"	329	41	81
HASHIGUCHI.	"	320	39	92
SHIMAZAKI.	"	319	41	91

CONFIDENTIAL

CIVIL SERVICE DIVISION
Government Section

8 September 1949

MEMORANDUM FOR: Mr. Luther Steward LS
Mr. MacDonald Salter MS

SUBJECT : Labor Division, ESS, vs. Civil Service Division, GS, Supervision of Government Unions

Pursuant to our discussion with Messrs. Hepler and Amis, Labor Division, ESS, on 8 September on the above subject, it is requested that you review and study the attached copy of the proposed memorandum of 12 August, prepared by Mr. Hepler. Prepare yourselves to discuss the matter with whomever Mr. Amis designates as his representative of Labor Division, ESS.

I should, of course, like to discuss the matter with both of you before the conference is held with the representative of the Labor Division.

W. Pierce MacCoy

W. PIERCE MacCOY
Acting Chief
Civil Service Division

WPM:jb
Enclosure

CONFIDENTIAL

ECONOMIC AND SCIENTIFIC SECTION
Labor Division

CWH/af
12 August 1949

MEMO FOR RECORD:

SUBJECT: Jurisdiction Over the Organization, Structure, Educational Activities and Political Action of the National Communications Workers Union (Zentei), National Teachers Union (Nikkyoso) and the Government Workers Union (Zenkan).

1. The Communications Workers Union, the Teachers Union and the Government Workers Union are integral parts of the Japanese labor movement and insofar as their organization, structure, educational activities and political action are concerned, cannot be separated from it. The program of organizational reform and general educational activities now being executed by the Japanese Labor Ministry under the surveillance of ESS/LAB cannot be accomplished without including these three unions, nor can such matters be carried out for these three unions without involving the labor movement as a whole and the entire program of the Labor Ministry and the Labor Division.

2. The following indicates, in part, the integration of these three unions with the labor movement as a whole:

a. The Communications Workers Union is affiliated directly with the National Congress of Industrial Unions (Sanbetsu), and indirectly with the National Liaison Council of All Labor Unions (Zenroren).

b. Both the Communications Workers and the Government Workers Union are affiliated with the National Liaison Council of Government and Public Workers Unions (Zenkanko Cho) which in turn is affiliated with Zenroren.

c. The Teachers Union is affiliated directly with Zenroren.

3. The reorganization and reform of Zenroren and Sanbetsu are of major concern to the Labor Ministry and the Labor Division and cannot be accomplished without including in its scope all components of these two organizations which form a large part of the Japanese labor movement. Inasmuch as supervision over these matters in general is exercised by the Labor Ministry, it is not considered desirable that surveillance over the Labor Ministry should be divided in GHQ, SCAP, between ESS/LAB with relation to the bulk of the trade union movement, and the Civil Service Division with relation to these three unions.

4. ESS Administrative Memo #34, dated 16 April 1948, assigns to the Labor Division the responsibility of assisting ESS "in formulating and implementing policies, programs and procedures with respect to Japanese labor" and "encouraging and safeguarding democratic labor organizations, democratic relationships between employers and employees, and stable labor relations." This memo also states that it is the function of Labor Division "to exercise surveillance over the Japanese Labor Ministry and other appropriate agencies of the Japanese Government charged with the execution of such labor policies and programs as are approved by Chief, ESS, and to advise the Japanese Government on necessary matters concerning the coordination, scope, timing and objectives of such programs; and to review, evaluate and prepare recommendations on proposed legislation, ordinance, operating procedures and programs."

5. ESS/LAB has afforded guidance, advice and surveillance to the Japanese Labor Ministry with regard to the three unions concerned and in the process has established direct communication with officers and committees of those three unions. The liaison established between the Labor Ministry and Labor Division on the one hand, and the three unions on the other, has required a long period of time and close association possible only after mutually trustful cooperation. This is particularly valuable during the present time of widening cleavage between the pro-communists and the anti-communists in each of the three unions. GHQ, SCAP, labor objectives would be weakened by any transfer of these associations from the Labor Ministry-Labor Division to the National Personnel Authority-Civil Service Division.

6. The functions of union education, structure and political action are separate and distinct from the functions of job classification, wages and other personnel matters in the field of public service. Each function requires specialists trained and experienced in the separate fields. The specialists on union education, structure and political action are members of the staff of the Labor Ministry and the Labor Division. No other agencies in the Japanese Government or GHQ, SCAP, are properly equipped or trained to handle problems of this nature. The work in the education and structural aspects of the three unions concerned would of course assume coordination with the National Personnel Authority and the Civil Service Division.

7. The National Personnel Authority stands virtually as the employer in relation to the members of the three unions. It is considered contrary to accepted practice for the employer, in this instance the National Personnel Authority, to direct the educational activities or the organizational structure of the unions with which it deals as an employer.

8. It is considered unwise to divide within GHQ, SCAP, the responsibility for surveillance of the union movement. Such a division would furthermore complicate the presentation of balanced coordinated reports on labor developments and particularly of the critical activities now developing between the anti-communists and pro-communists.

9. Aside from the jurisdiction question already presented, CIAE Section is advising teachers unions on structural and educational matters relating to that union.

10. It is recommended that the responsibility for the direction of educational activities and organizational structure of the Communications Workers Union, Teachers Union and Government Workers Union be retained in the Japanese Labor Ministry under the guidance and surveillance of ESS/LAB.

C.W.H.

NATIONAL PERSONNEL AUTHORITY

Files
Gen't Union
NPA
2-27-50

September 7, 1949

To:

Mr. Blaine Hoover,

Chief of Civil Service Division,

Government Section, GHQ. SCAP

Approval for Registration of Employees' Union of
the National Personnel Authority

We have received from the Employees' Union of the National Personnel Authority an application for its registration and the articles of association which are annexed hereto. I shall be glad if you will be good enough to let me know if we may approve the registration of the same as an employee organization.

President
of
National Personnel Authority

Files
Gen't Labor Rel
2-27-80

CIVIL SERVICE DIVISION
Government Section

25 August 1949

MEMORANDUM FOR: The Record

SUBJECT : Conference with NRS re Labor Management

1. Conference was held this afternoon in the offices of NRS between Mr. Steward, Mr. Salter and Colonel Barnette (Policy and Plans), Mr. Williamson (Agriculture), Mr. Harrington (Fisheries) and Mr. Cumings (Forestry) to discuss the development of labor-management policy in their respective Japanese agencies.

2. It is evident from the conference that these gentlemen were not particularly aware of the usefulness of the National Public Service Law in the normal administrative operations of the Japanese Government. They were urged to draw this law to the attention of Japanese administrators in their respective fields and to encourage the concept that this was a document and working tool which would assist them in their normal day to day administrative operations. It was further suggested that if these Japanese administrators did not understand or appreciate the National Public Service Law and desired advice that they should seek this from the National Personnel Authority.

3. In discussing the retrenchment program which is now under way, the success with which the Ministry of Telecommunications and Postal Services had handled this was brought out as an example of a proper and well-planned use of the National Public Service Law in existing in effectuating such a program. The example set by Minister Ozawa could well be emulated by other ministries in the Japanese Government.

4. The members from NRS expressed a distinct interest in encouraging, by the training of employees, a better understanding of the National Public Service Law. They further felt that an extensive information program to acquaint people with the Law and its intent should be developed as soon as possible.

MS

MACDONALD SALTER,
Chief, Classification-Compensation Branch.

MS:mvb

DRAFT

8/24/49

BASIC PRINCIPLES UNDERLYING A LABOR-MANAGEMENT POLICY
FOR JAPANESE GOVERNMENT PERSONNEL

I. Fundamental concepts.

a - Duty of government to carry out the will of the people.

b - Complete understanding by government employees that they are servants of the people.

c - Complete understanding by management and by government employees that labor-management policy is an essential part of the normal process of day to day administration.

2. Rights and Respensibilities of Management.

a - Sole responsibility for making decisions in accomplishing functions authorized by law.

b - Responsibility for seeking employee opinion before making decisions affecting health, welfare, transportation, housing and other conditions affecting employees.

c - Responsibility for establishing channels whereby employees may have ready access to management when they desire to initiate ideas, express opinions or appeal actions or seek interpretations or clarification of Laws, rules or regulations affecting Government employees.

d - Responsibility for seeing to it that organized employees and their activities shall not interfere with the proper conduct of the affairs of the agency.

3. Rights and Responsibilities of Employee Associations.

a - Absolute right to organize and to elect officers of an association without interference from management.

b - Right to be heard by management on matters affecting the interests of employees.

c - Right to organize and to encourage welfare activities among employees provided they do not interfere with the operations of the agency.

d - Responsibility of members of any Government employee association for lawful and proper conduct of their officers and representatives.

8/2ee/+9

D R A F T 8/20

BASIC PRINCIPLES UNDERLYING A LABOR-MANAGEMENT POLICY FOR JAPANESE GOVERNMENT PERSONNEL

I. Fundamental concepts.

a - Duty of government to carry out the will of the people.

b - Complete understanding by government employees that they are servants of the people.

c - Complete understanding by management and by government employees that labor-management policy is an essential part of the normal process of day to day administration.

2. Rights and Responsibilities of Management

a - Sole responsibility for making decisions in accomplishing functions authorized by law.

b - Responsibility for seeking employee opinion before making decisions affecting health, welfare, transportation, housing and other conditions affecting employees.

c - Responsibility for establishing channels whereby employees or representatives of organized employees may have ready access to management when they desire to initiate ideas, express opinions or appeal actions or seek interpretations of clarification of Laws, rules or regulations affecting Government employees.

d - Responsibility for seeing to it that organized employees and their activities shall not interfere with the proper conduct of the affairs of the agency.

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d - Responsibility of members of any Government employee association for lawful and proper conduct of their officers and representatives.

CONTACTS CONCERNING VARICUS PHASES
OF PERSONNEL MANAGEMENT AND ADMINISTRATION

Organization of Japanese Government	Phase	Name of Contact	Identity	Location Room	Location Building	Telephone No.
Ministry of Agriculture and Forestry	Agriculture 8/25	Mr.M.B.Williamson (Southern)	Deputy Chief of the Agriculture Division, NRS	312	Mitsubishi Shoji	26-6217
Ministry of Agriculture and Forestry	Banking Policy+Plans 8/25	Lt-Col Barnett (Chief) Mr.J.C.Smith	Chief of Money and Banking Branch, Finance Division, ESS	203	Pacific	57 8810
Ministry of Agriculture and Forestry	Fisheries 8/25	Mr W.C.Harrington Mr.W.C.Neville	Chief, Fisheries Division, NRS Deputy Chief, Fisheries Div. NRS	502 502	Mitsubishi Shoji "	26-6218 26-6491
Ministry of Agriculture and Forestry	Forestry 8/25	~~Lt. Col. H. B. Donaldson~~ Cummings	Chief, Forestry Division, NRS	501	Mitsubishi Shoji	26-6689
Attorney-General's Office	Legal	Mr.A.J.McCormick	Legislation & Justice Div., LS	753	Meiji	2635-420
Attorney-General's Office	Prisons	Lt. Col. R.T.Battey (To Mr. A.L.Dowd)	Assistant Executive of Public Safety, G-2.	402	NYK	26-5916
Attorney-General's Office	Procurators	Mr. M. Matsukata	Public Administration Div., GS	615	DaiIti	26-8964
Board of Audit	General	Mr. E. M. Reed	Chief of Public Finance Branch Finance Division, ESS	206	Pacific	57 8806
Ministry of Commerce and Industry	Board of Patents & Standards	Lt.Col.H.C.Allan	Chief of Engineering and Technical Branch, Scientific & Technical Division, ESS	407	Pacific	57-8983
Ministry of Commerce and Industry	Board of Science & Technology	Lt. Col. L.H.Cross	Chief of Field and Reports Branch, Scientific and Technical Division, ESS	403	Pacific	57-8486

...zation of Japanese Government	Phase	Name of Contact	Identity	Location Room	Location Building	Telephone No.
Ministry of Commerce and Industry	Board of Small Interprises	Mr. M. M. Class	Deputy Chief of Industry Division, ESS.	402	Forestry	26-6659
Ministry of Commerce and Industry	Board of Trade	Mr. E. M. Reed (Personnel Management)	Chief, Public Finance Branch, Finance Div., ESS	206	Pacific	57-8806
		Mr. F.E. Pickelle (Policy & Organization)	Chief, Foreign Trade and Commerce Division, ESS	209	Forestry	26-6527
		Mr. R.W. Hale	Deputy Chief, Foreign Trade & Commerce Divsion, ESS	208	Forestry	26-6416
Ministry of Commerce and Industry	Chemical Industry	Mr. M. M. Class	Deputy Chief of Industry Division, ESS	402	Forestry	26-6659
Ministry of Commerce and Industry	Manufacturing	Mr. M. M. Class	Deputy Chief of Industry Division, ESS	402	Forestry	26-6659
Ministry of Commerce and Industry	Mining and Geology	Mr. R. Y. Grant	Chief, Mining and Geology Division, NRS	308	Mitsubishi Shoji	26-6291
		Mr. J. S. Dodge	Deputy Chief of Mining and Geology Div., NRS	308	Mitsubishi Shoji	26-6291
Ministry of Commerce and Industry	Mining and Metallurgy	Mr. M. M. Class	Deputy Chief of Industry Division, ESS	402	Forestry	26-6659
Ministry of Commerce and Industry	Public Utilities	Mr. M. M. Class (to Mr. G.E.Meyer)	Deputy Chief of Industry Division, ESS	402	Forestry	26-6659
Ministry of Communications	Postal 7/24	~~Mr. T.S. McIntire~~	Postal Service Survey Unit Domestic Postal Div., CCS	316	Dai Iti	26-5884
		Mr. R. B. Robinson	Personnel and Training Unit Domestic Postal Div., CCS	316	Dai Iti	26-6427
	7/24	Favorer	Analysis Div			26-6424
Ministry of Communications	Radio (Intertainment)	~~Mr. A. R. Crews~~	Chief of Radio Branch of Information Div., CI&ES	412	Radio Tokyo	26-5684

Organization of Japanese Government	Phase	Name of Contact	Identity	Location Room	Building	Telephone No.
Ministry of Communications	Telecommunications	7/25 ✓ W.L. Wandell Col. Jay D.B.Lattin	Asst Chief of Civil Communications Section	310	Dai Iti	26-6147 ~~26-8758~~
Ministry of Construction	General	Mr. M.M. Class	Deputy Chief, Industry Div. ESS	402	Forestry	26-6659
Court System	General	Mr. A.J.McCormick Mr. H. Meyers	Legislation & Justice Div. LS Legislation & Justice Div. LS	753 753	Meiji Meiji	2635-420 2635-420
Diet	General	Mr. J. Williams	Chief of Parliamentary and Political Division, GS	615	Dai Iti	26-6069
Ministry of Education	General	Mr. J.C.Trainor	Deputy Chief of Education Division, CI&ES	603	Radio Tokyo	26-5679
Ministry of Finance	Banking	Mr. J.C.Smith	Chief of Money and Banking Branch, Finance Div., ESS	203	Pacific	57-8810
Ministry of Finance	Securities and Exchange Commission	Mr. T.R.M. Adams	Liquidation Branch, Finance Division, ESS	206A	Pacific	26-6474
Ministry of Finance	Taxation	Mr. L. H. Moss (First Contact Requested)	Chief, Internal Revenue Division, ESS	313	Hypothec Bank Annex	57-8812
		Mr. J. E. Monroe	Internal Revenue Div., ESS	313	Hypothec Bank Annex	57-8610
Ministry of Finance	All Other	Mr. E. M. Reed	Chief of Public Finance Branch, Finance Div., ESS	206	Pacific	57-8806
Ministry for Foreign Affairs	General	Major J.P.Napier	Executive Officer and Chief Public Administration Div.	GS 615	Dai Iti	26-6962
Ministry of Labor	Employment Service & Security	Mr. E. C. McVoy	Acting Chief of Manpower Branch, Labor Division, ESS	102	Hypothec Bank	57-8885 57-8884

Organization of Japanese Government	Phase	Name of Contact	Identity	Location Room	Location Building	Telephone No.
Ministry of Labor	Labor Qualifications & Standards	Mr. J.J.Saks	Chief of Research, Coordination Analysis Branch Labor Division, ESS	106	Pacific	57-8889
Ministry of Labor	Labor Standards & Wages and Workmens' Compensation	Miss G.G.Stander	Chief of Wages & Working Conditions Branch, LaborDiv. ESS	100	Pacific	57-8894
Ministry of Labor	National Labor Relations Board	Mr. R. T. Amis	Chief of Labor Relations & Education Branch, LaborDiv. ESS	100	Pacific	57-8894
Ministry of Transportation	Maritime Safety	Lt.Col. R.T.Zattey	Assistant Executive of Public Safety, G-2	402	NIK	26-5916
Ministry of Transportation	Ship Building Construction	Mr. M. M. Class (To Mr.Q.E.Meyer)	Deputy Chief of Industry Division, ESS	402	Forestry	26-6659
Ministry of Transportation	Water Transportation	Mr. P.E.Richers	Deputy Chief of Water Transportation Division, GTS	306	Bank of Chosen	26-6242
Ministry of Welfare	General	Col. C.S.Mollohan	Deputy Chief of Public Health and Welfare Section	101	Mitsubishi Shoji	26-6993
CABINET						
Administrative Management Agency	General	Major J.P.Napier	Executive Officer and Chief of Public Administration Div., GS	615	Dai Iti	26-6962
Cabinet Offices	General	Major J.P.Napier	Executive Officer and Chief of Public Administration Div., GS	615	Dai Iti	26-6962
Central Liaison and Coordinated Office	General	Major J.P.Napier	Executive Officer & Chief of Public Administration Div., GS	615	Dai Iti	26-6962
Economic Investigation Board	General	Mr. R. Goodman	Chief of Enforcement Branch Price & Distribution Div. ESS	305	Pacific	57-8392

Organization of Japanese Government	Phase	Name of Contact	Identity	Location Room	Location Building	Telephone No.
Economic Stabilization Board	General	Lt.Col. C.L.Waldron	Executive Officer, Price and Distribution Div., ESS	304	Pacific	57-8365
Fair Trade Commission	General	Mr. L. N. Salwin	Chief, Trade Laws Branch, Anti-Trust & Cartels Div., ESS	706	Hattori	56-8078
Holding Company Liquidation Committee	General	Mr. R.N.Gillies	Assistant Chief of Anti-Trust and Cartels Division, ESS	702A	Hattori	26-6561 56-[illegible]3
Imperial Household Agency	General	Major J.P.Napier	Executive Officer & Chief of Public Administration Div., GS	615	Dai Iti	26-6962
Local Finance Commission	General	Mr. E.M.Reed	Chf.Public Fin.Brch., Fin.Div ESS	206	Pacific	57-8806
National Disaster Relief Planning Board	General	Col. C.S. Mollohan	Deputy Chief of Public Health and Welfare Section	101	Mitsubishi Shoji	26-6993
National Election Management Commission	General	Dr. J.Williams	Chief of Parliamentary and Political Division, GS	615	Dai Iti	26-6069
		Mr. O. Hauge	Chief of Public Affairs Division, GS	615	Dai Iti	26-6457
		Captain Diamantes	Public Administration Division, GS	615	Dai Iti	26-7258
National Public Safety Com.	Fire	Lt.Col. R.T.Battey (to Mr. Angell)	Assistant Executive of Public Safety, G-2	402	NYK	26-5916
	Police	Lt.Col. R.T.Battey (To Mr. H.J.Eaton)	Assistant Executive of Public Safety, G-2	402	NYK	26-5916
New Pay Administration Office	General	Mr. E. M. Reed	Chief of Public Finance Branch, Finance Div., ESS	206	Pacific	57-8806

Organization of Japanese Government	Phase	Name of Contact	Identity	Location Room	Location Building	Telephone No.
Paper Allocation Agency	General	Mr. O. Hauge	Chief of Public Affairs Division, G.S.	615	Dai Iti	26-60
		Mr. D. Brown	Chief of Information Division, CI&E	403	Radio Tokyo	26-56
Price Board	General	Lt.Col. C.L.Waldron	Executive Officer of Price and Distribution Div., ESS	304	Pacific	57-8385
Prime Minister's Office	Statistics Bureau	Mr. M. Levine	Chief of Price & Distribution Branch, Research and Programs Division, ESS	113	Econ.Research	26-7420
Prime Minister's Office	Other Bureaus & Committees	Major J.P.Napier	Executive Officer & Chief of Public Administration Div. GS	615	Dai Iti	26-6962
Prisoner of War Information Board: General, Adjutant General's Office or Japanese Central Liaison & Coordination Office						
Repatriations Board	General	Lt.Col. K.D.Macomber	Secretary Gen.Staff for SCAP	600I	Dai Iti	26-6249
Special Procurement Board	General	Mr. A.P. Gerardi (Now on leave)	Chief, Special Procurement Board Div., Procurement Sec.	203	Mitsubishi Naka	26-5556
		Mr. S.H.Gleason (To go on leave)	Chief of Plans & Policy Unit Special Procurement Board Division, Procurement Sec.	202	Mitsubishi Naka	26-5524

CIVIL SERVICE DIVISION
Government Section

16 August 1949

MEMORANDUM FOR THE RECORD:

SUBJECT : Deadline for Union Registration

I have advised Dr. Asai that we would consider any recommendations he had to make on Wednesday next, 17 August '49.

B.H.
M.W.

BH:mw

BLAINE HOOVER
Chief
Civil Service Division

CIVIL SERVICE DIVISION
Government Section

12 August 1949

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

SUBJECT : Deadline for Union Registration

Rule 14-2 issued June 3, 1949, effective the same date, states in part in paragraph 7, " * * * but if they are not registered by the Authority by September 1, 1949, they shall thereafter be regarded as having lost their status as juridical persons."

On Friday, 12 August, Miss Machin in discussing several other matters with Mr. Okuma of the Bureau of Investigation, Mr. Tsurumi of the Bureau of Law, and Mr. Mizuno, Chief, General Appeals Section, Bureau of Equity, discovered that the NPA apparently does not intend to pay any attention to the deadline date of September 1. Mr. Mizuno pointed out that in their estimation, the unions have not had sufficient time to call meetings and conduct the necessary business required by Rule 14-2 and submit the necessary forms, properly certified, to NPA by the date indicated; therefore, they have been requested by the unions to extend this date.

Mr. Mizuno was inquiring as to whether CSD would approve NPA's action to extend the date. Miss Machin advised him that she knew nothing about this matter but assumed that extension was not contemplated. Since her discussion with the Japanese, I have advised her that this office will not concur in any extension of this date and that NPA will be instructed not to grant any such extension.

Mr. Mizuno also indicated that if unions had not registered by the indicated deadline, the Bureau of Equity intended to permit them to represent individuals in appeal cases anyway, on the basis that the unions have not had sufficient time to complete their registration. Miss Machin inquired as to whether they had secured approval from Dr. Asai and CSD for such contemplated action, and Mr. Mizuno replied that Dr. Asai had approved but that he didn't think any request had been submitted to CSD for a ruling or instructions on this matter.

As far as I can ascertain, this particular point has never been discussed with anyone in CSD. This is merely for your information, and such action as you may deem necessary. I am leaving instructions with both Mr. Narumi and Mr. Roser: (1) Mr. Narumi is to call Mr. Sato this afternoon

and advise him that they are not to agree to any extension of this date. (2) Mr. Roser is to follow up on the matter and check with Mr. Sato and Mr. Mizuno to see that no such extension of the date is either discussed with the unions or approved by NPA.

W. Pierce MacCoy jb.

W. PIERCE MacCOY
Deputy Chief
Civil Service Division

WPM:jb
cc. Mr. Steward
Mr. Salter
Mr. Peterson
Mr. Eliot

NPA - Unions

CIVIL SERVICE DIVISION
Government Section

12 August 1949

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

SUBJECT : Deadline for Union Registration

Rule 14-2 issued June 3, 1949, effective the same date, states in part in paragraph 7, " * * * but if they are not registered by the Authority by September 1, 1949, they shall thereafter be regarded as having lost their status as juridical persons."

On Friday, 12 August, Miss Machin in discussing several other matters with Mr. Okuma of the Bureau of Investigation, Mr. Tsurumi of the Bureau of Law, and Mr. Mizuno, Chief, General Appeals Section, Bureau of Equity, discovered that the NPA apparently does not intend to pay any attention to the deadline date of September 1. Mr. Mizuno pointed out that in their estimation, the unions have not had sufficient time to call meetings and conduct the necessary business required by Rule 14-2 and submit the necessary forms, properly certified, to NPA by the date indicated; therefore, they have been requested by the unions to extend this date.

Mr. Mizuno was inquiring as to whether CSD would approve NPA's action to extend the date. Miss Machin advised him that she knew nothing about this matter but assumed that extension was not contemplated. Since her discussion with the Japanese, I have advised her that this office will not concur in any extension of this date and that NPA will be instructed not to grant any such extension.

Mr. Mizuno also indicated that if unions had not registered by the indicated deadline, the Bureau of Equity intended to permit them to represent individuals in appeal cases anyway, on the basis that the unions have not had sufficient time to complete their registration. Miss Machin inquired as to whether they had secured approval from Dr. Asai and CSD for such contemplated action, and Mr. Mizuno replied that Dr. Asai had approved but that he didn't think any request had been submitted to CSD for a ruling or instructions on this matter.

As far as I can ascertain, this particular point has never been discussed with anyone in CSD. This is merely for your information, and such action as you may deem necessary. I am leaving instructions with both Mr. Narumi and Mr. Reser: (1) Mr. Narumi is to call Mr. Sato this afternoon

and advise him that they are not to agree to any extension of this date. (2) Mr. Roser is to follow up on the matter and check with Mr. Sato and Mr. Mizuno to see that no such extension of the date is either discussed with the unions or approved by NPA.

W. PIERCE MacCOY
Deputy Chief
Civil Service Division

WPM:jb
cc. Mr. Steward
Mr. Salter
Mr. Peterson
Mr. Eliot

CONFIDENTIAL

CIVIL SERVICE DIVISION
Government Section

10 August 1949

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

SUBJECT : Question concerning Membership Officers and Negotiating Representatives of Government Employees Unions

At 1400 on Wednesday, 10 August, I met with Messrs. Yamashita, Sato, and Okabe of the NPA to discuss the above question. Messrs. Yamashita and Sato had discussed the matter with Dr. Asai, who is ill and confined to his home, and therefore they were transmitting Dr. Asai's legal and administrative thinking as well as their own. The matter was thoroughly discussed from all angles without stating any position or thinking by Civil Service Division, and the following is the summation of the thinking of the Japanese:

1. It is legally impossible to issue an amendment to Rule 14-2 which would require that membership in a government employee union be restricted to bona fide National Government employees in good standing. This opinion is based on Article 4 of the Second Supplementary Provisions to NPSL, which states in part, "Any association or labor union actually existing on the date of application of provisions of Article 16 of the Supplementary Provisions of the NPSL and <u>having as its main constituents personnel of the service</u> may continue its existence * * *". (Underlining indicates pertinent point influencing legal opinion.) It is the legal opinion of Dr. Asai and Messrs. Sato and Okabe that this wording would preclude the possibility of legally permitting them to issue a Rule restricting the membership one hundred per cent to National Government employees.

2. Prime Minister Yoshida has raised the point in a memorandum to Dr. Asai of 9 August 1949 that individuals who are selected to represent government employees in negotiations with the NPA under authority of Article 98 of the NPSL should likewise be restricted solely to government employees. Historically, this was also the opinion of the majority of the members of the House of Representatives Personnel Committee and of Mr. Sato, Chief Secretary of the Cabinet, at that time, and Mr. Sato, Legislative Assistant to the Attorney General, when the amendments to the NPSL were being considered in the latter part of 1948. There is no question that it is legally impossible for the NPA to make this alteration by Rule at this time in the face of the very clear statement in Article 98 that the selection of the representative for negotiation must be left entirely to the free choice of the appellant or groups of appellants. The Prime Minister is now suggesting that both the NPA and the present government give further consideration to this point looking towards the presentation of an amendment

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to the NPSL to be submitted to the next session of the Diet, placing the suggested restriction on the selection of a representative to conform to the restrictions already in the Public Corporation Law.

3. It is the legal opinion of Messrs. Sato and Okabe that it would be legally permissible for the NPA to issue an amendment to Rule 14-2, which would restrict the selection and election of officers to a government employee union to bona fide government employees in good standing, in view of the fact that the NPSL is not specific in its direction on this point. It is, however, the administrative opinion of Messrs. Yamashita, Sato, and Okabe that it would be inadvisable to issue such an amendment to the Rule in view of the fact that Article 4 of the Second Supplementary Provisions to the NPSL states in part as follows: " * * * All such associations shall provide democratic processes for the election of officers * * * *". They feel that since the membership cannot be legally restricted under the Law to government employees only, that to restrict the selection and election of officers to a segment of the membership would not be following the "democratic processes for the election of officers", which the associations are adjured and directed to do by the Law. Mr. Yamashita also voiced the additional opinion that the placing of such restriction on the selection and election of officers of government employee unions at this particular time would place the NPA in the position of being charged with entering the political arena by supporting the Democratic Liberal Party whose members have already voiced their opinion upon this matter and, therefore, caused it to become a political plank in their platform as contra to the Social Democratic Party, and other political spokesmen of other parties who have previously expressed themselves as being in disagreement on the placing of such restrictions.

No opinion was expressed by the writer on any of the points which were raised by the members of NPA, nor were any suggestions given in an attempt to direct their thinking. Attached is a copy of a letter under the date of August 9, 1949, from Prime Minister Yoshida to Dr. Asai, and a letter from Dr. Asai to you referring to a conversation on the same subject matter with Attorney General Ueda, for your information and suggestions. I requested Mr. Yamashita to suggest to Dr. Asai that he prepare a rough draft reply to the Prime Minister and submit it to this office for study, and suggested that no reply should be sent to the Prime Minister until you have had an opportunity to study both the Prime Minister's letter to Dr. Asai, and the Doctor's suggested reply. A rough draft of Dr. Asai's reply is supposed to be in my hands by 0900, 11 August 1949.

W. PIERCE MacCOY
Deputy Chief
Civil Service Division

WPM:jb
Attachments (2)

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CIVIL SERVICE DIVISION
Government Section

10 August 1949

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

SUBJECT : Rule on Government Union Membership and Government Union Officers

I note by Mr. Salter's Weekly Progress Report for the week ending 5 August 1949 that this same question was raised in his discussion with Dr. Asai concerning the four questions which Zentei had propounded to the NPA. The following is quoted directly from Mr. Salter's weekly report: "It is Dr. Asai's belief that Zentei is actually interested in receiving a clear-cut statement that they are under the NPSL. Dr. Asai's reason for this belief is based on the fact that Zentei is indicating a desire to conform to the NPSL, particularly since there is no restriction in the Law as to who may be a member of a government union. This means that non-governmental personnel cannot only belong to the union, but could also hold office in the union."

I discussed the matter with Mr. Salter and find that the above opinion was stated by Dr. Asai voluntarily to Messrs. Steward and Salter, but that neither member of CSD made any comment or any further attempt to draw Dr. Asai out in his reasoning. Following our discussion on this matter on Tuesday, 9 August, I requested Dr. Asai to come to the office to discuss the matter with me from the Japanese legal viewpoint. I ascertained that Dr. Asai had been ill and at home for several days; therefore, Mr. Yamashita came over to my office immediately instead of Dr. Asai.

I asked Mr. Yamashita what he thought would be the reaction of NPA from a legal standpoint relative to the issuance of an amendment to Rule 14-2 which would, in effect, state that membership in a government union would be limited to bona fide government employees in good standing and further that all officers of government unions likewise must be bona fide National Government employees in good standing. I pointed out that while Article 98 of the NPSL stated that employees could belong to any union, the Law itself was silent relative to the composition of the membership of government employee unions and officers in such government employee unions.

Mr. Yamashita stated that Dr. Asai had been ill for several days, but he thought he would be in the office on the morning of Wednesday, 10 August. Mr. Sato was in Nikko with the Personnel Director of the Bureau of Audit, but would return to the office on the morning of Wednesday, 10 August. Therefore, if Dr. Asai was not able to come to the office, he and Mr. Sato

CONFIDENTIAL

would call on Dr. Asai at his home and discuss the matter with him. At the conclusion of this discussion, he would call at this office with Mr. Sato and give me NPA's considered legal opinion on the proposed amendment to the Rule.

I inquired as to how the question arose originally since he had told me on Monday, 8 August, that he had received an inquiry relative to the restrictions of government union members under Article 98. He stated that Mr. Kori, Deputy to Mr. Masuda, had raised the question with him and indicated that the Cabinet, including the Prime Minister, was desirous of recommending an amendment to the NPSL along the lines which the Japanese Government through the Personnel Committee of the House of Representatives had originally insisted upon. This was that government employees could belong only to government employee unions and that the membership of such government employee unions would be restricted entirely to employees of the National Government during active periods of service.

Mr. Yamashita wanted to know whether I felt that SCAP would approve such a proposed amendment to the NPSL, and I advised him that I had no way of knowing what action SCAP might take upon such a proposed amendment, nor how such a suggestion would be viewed, but that it would be up to the Diet or the government to make such a suggestion if they so desired in formal style to ascertain the reaction of SCAP.

Later in the day I received a telephone call from Major Napier in which he stated that he had discussed the matter with General Whitney, but had not recalled to the General's mind the circumstances surrounding the original wording of Article 98 which you had reviewed for him in your earlier discussion. He stated that the General had requested him to advise you to instruct the Japanese to issue the necessary amendment to the Rule, or a new Rule, which would limit the membership in the government unions to bona fide National Government employees in good standing, and likewise to place the same restrictions on the officers of such government unions. He stated that if there was any doubt as to the legality of such an amendment in the face of the present wording of the NPSL, the Diet would soon be in session and, therefore, the Rule would hold long enough for the Diet to enact an amendment to the NPSL which would place this same restriction in the Law. He indicated that the Diet would be instructed to propose such an amendment and stated something to the effect that this action must be considered an "Occupation policy". I advised him that I would relay the information to you immediately.

W. Pierce MacCoy

W. PIERCE MacCOY
Deputy Chief
Civil Service Division

WPM:jb

NPA. Unions

File GP 9/11/49

CIVIL SERVICE DIVISION
Government Section

4 August 1949

MEMORANDUM FOR : Mr. Foster Roser
Examination Specialist

SUBJECT : Employee Union Registration Records.

Confirming our discussion of 4 August 1949 regarding the physical location of employee union registration records within NPA, the registrations are to be kept in the central files in the Office Services Section of the Bureau of Internal Administration. The routing of the registrations can be made by this unit to the Bureau of Law or the Bureau of Equity as required.

WPM:mw

W. Pierce MacCoy
Deputy Chief
Civil Service Division

Roser

Re: Employee Union Registration

Refer on "round robin" to Law and Investigation

Central Files
Off. Services Sec.
Bu. of Int. Adm.

CIVIL SERVICE DIVISION
Government Section

18 July 1949

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

SUBJECT : Employee Union Registration

Mr. Roser advised me this morning that NPA has raised the question as to where the records and files shall be maintained in NPA on the registration of unions. Hingeing to this question would be the attendant clerical work surrounding the maintenance of such records, answering of inquiries both from within NPA and from external organizations, ordering of investigations in questionable cases, and follow-up on results of questionable cases and/or termination dates of registration.

NPA originally suggested placing this registration unit in the Bureau of Equity. Mr. Roser now tells me that they have changed this to a recommendation that it be placed in the Bureau of Investigation. Since there will be legal questions involved, we might also consider placing it in the Counselling Section of the Bureau of Law. Mr. Roser is recommending that it be placed as an operating unit in the Director General's Office. Personally, I am against building up an operating staff in the Director General's Office. I feel that his office should be kept clear of all operational functions and that whenever an operation is involved it should be placed in the hands of one of the specialized bureaus whose chiefs are the Director General's staff.

Mr. Roser and I need your consideration and advice on this point since it must be settled immediately to permit the unions to register and maintain proper record of such a registry in view of the fact that Rule 14-2 and 14-3 were issued and effective under the date of 3 June 1949. Attendant to this problem also is the question of who should make the investigations when questionable cases arise relative to the registration of a union. Such investigations would be necessary to assure the NPA that it could properly register the union in view of the stipulations in the two Rules noted above.

I have ruled, subject to alteration by you, that such investigations should be conducted by the Violations Investigation Section of the Bureau of Investigation. Mr. Roser objects to this rather correctly on the basis that neither the title of the section nor the description of the responsibilities of the section indicate that this subject matter would fall under the responsibilities of this section. It probably is a little unfortunate that we have utilized such a restrictive title; however, recognizing your desire to avoid changing any of the titles in the charts at this late date, I instructed Mr. Roser to add an extra phrase to the

Approved

description of the duties and responsibilities of the section to include general investigations which might not specifically be based upon a violation but rather on the type of investigation which we normally make to assure or satisfy compliance. He will so alter the published description of the responsibilities of the section. This will not involve changing the title of the section.

W. PIERCE MacCOY
Deputy Chief
Civil Service Division

WPM:jb

Files
Just theirs

CIVIL SERVICE DIVISION
Government Section

4 August 1949

MEMORANDUM FOR THE RECORD

SUBJECT: Zentei Petition to NPA Re Relationship NPSL to Labor Laws

Early in July the Ministry of Labor planned an educational conference in conjunction with ESS Labor, to which were invited representatives of the principal industrial and commercial unions in the Tokyo area, with specific reference to the participation of Zentei. This matter came to the attention of CSD and queries were put before ESS Labor as to why Zentei should participate since there was a danger that confusion might occur or embarrassing situations develop in view of the fact that Zentei was under NPSL while the industrial and commercial unions were under labor laws. On the 30th of July the Ministry of Labor was advised that Zentei should not participate in this training meeting to be held August 1. The Ministry of Labor advised Zentei that GHQ had so advised them.

On August 1 Zentei presented the attached petition to Dr. Asai, President of the NPA, raising four points of inquiry.

Dr. Asai met with Zentei in the afternoon of August 1 and replied to the four questions, pointing out that as far as he knew there was perfect consistency within GHQ on the understanding of the relationships and operations of these various laws; that he was responsible for the administration of the NPSL and that the law provided that Zentei was subject to such a law; and that the action of the Labor Ministry in inviting Zentei was, of course, a matter which should be taken up with the Labor Ministry and not NPA.

Attached to the petition presented by Zentei was Issuance No. 284, July 11, 1949 by the Labor Ministry setting forth the purpose and subject matter and coverage for the meeting of August 1. This was distributed to all the unions concerned and attached to an invitation dated 23 July 1949. (copy attached)

MacDONALD SALTER
Chief, Classification
& Compensation Branch

MS:jd
Att.

1 August 1949

FROM: YAMAGUCHI, Kanji, Chairman, ZENTEI

TO : ASAI, Kyoshi, President, NPA

In re Notification from Labor Affairs Bureau, Labor Ministry

1. Said notification would seem to imply that the Labor Union Law, The Labor Relations Adjustment Law and the Labor Standards Law apply to ZENTEI. Is that the case?

2. In undertaking this matter, did the Labor Ministry seek the approval of the NPA? (In particular, why was ZENTEI called to the meeting?)

3. It is understood that related quarters issued directions to the Labor Ministry. ZENTEI wishes to receive definite instructions from those related quarters as to future application of the NPSL and Labor Relations regulations to ZENTEI.

4. Did mutual understanding exist between the ESS LaborSection and CSD, Govt. Sec. with respect to this matter?

11 July 1949

(Labor Ministry No. 284
Chief, Labor Adminis. Bureau,
Labor Ministry)

Cooperation and Advice with regard to Labor Union Organization and Operation, and the Unions Concerned.

1. Encouragement and protection of democratic rights and participation in union activities on the part of individual union members in unit unions.

2. Observance of the Labor Union Law, the Labor Relations Adjustment Law and Public Enterprise Labor Relations Law.

3. Financial order and efficient management in all union movements from unit unions to national unions.

4. Elimination of useless organs existing between unit unions and national unions (TN Councils, etc.)

5. Encouragement of democratic leadership in unit unions and national unions.

6. Separate establishment of negotiation committees, complaint disposition committees and production committees and sufficient education in the functions of such committees.

The general program roughly outlined above and more fully explained below, shall apply to all labor unions but, in the interests of efficiency, efforts shall for the present be concentrated upon labor unions in major industries:

1. Coal mining
2. Ports and harbors
3. Electrical industries
4. Electrical manufacturing industries
5. Metals industries
6. Chemical industries
7. Fiber industries
8. Newspaper, printing, broadcasting fields
9. Motion picture and stage
10. Construction
11. National railways
12. ZENTEI shall be especially included in addition to the above and applicable matters enforced in accordance with this plan.

(Detailed explanation mentioned above falls under the following headings)

a. Rights of general union members
b. Simplification of organization and operation
c. Location of responsibility

d. Distribution of union dues
e. Use of union funds
f. Women's departments
g. Youth departments
h. Distinction of union committee functions
i. Political activities
j. Selection of union officials

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CIVIL SERVICE DIVISION
Government Section

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28 July 1949

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

SUBJECT : Activities of Postal Workers Union

WPMcC 7/29

Following your memorandum of 26 July, information was sought concerning this incident through Mr. Williams of Civil Communications Section. It appeared from the article that management had definitely fallen down on the job and in view of our discussion with Lisman of the preceding week, we are anxious to find out more through this source concerning this incident.

MACDONALD SALTER,
Chief, Classification-Compensation Branch.

MS:mvb

Mr Luther Steward's statement to press reporters.
July 27, 1949.

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Gift Labor Rel

This is my second visit to Japan during the last year. The purpose of my visit has been to observe and advise relative to employee relations in the Japanese Civil Service.

My approach has been that of an employee of government. I have been associated with government service for more than fifty years. During the last thirty-one years I have served as President of the largest union of public employees in the United States.

My reaction on studying the Japanese situation is one of shocked surprise at the irresponsible conduct of many of the unions of public employees in Japan. The employees, possibly due to their political immaturity and lack of experience, started off badly--groping for leadership in a new venture. In many cases they fell easy prey to designing individuals whose objective is to destroy democracy and by inciting disorder and fomenting confusion to acquire dictatorial powers. Conspicuous amongst their misdeeds were:

1. An effort to trespass upon the functions of management in the conduct of government business;

2. Failure to respect and conserve public property and money;

3. The use of "struggle tactics" including sabotage;

4. Failure to respect the sovereignty of the people and to assist in building an efficient public service.

This condition of affairs does not fit into our concept of the proper activity of employee unions in government. Under a democratic form of government public employees are servants of the whole people and their entire allegiance is owing to the whole people. In the enactment of the revised Public Service Law there is set out, for the benefit of the whole people of Japan, an instrument which clearly sets forth the basic distinctions between

* Luther Steward, Pres. Nat. Fed of Fed Employees

public and private employment. It fully provides safeguards for every employee against arbitrary, unfair or capricious actions by administrators. The pay increase act of December 1948 gears the compensation of government employees to the economy of Japan. Legislation provides the means for continuous study and necessary action to maintain the proper relationship between the compensation of public and private employees.

Upon returning to Japan I have been disappointed but not discouraged to find that some government employees have been altogether too slow to realize the many opportunities afforded them under the National Public Service Law; to discuss and formulate plans and present to administrators, through their chosen organization leadership, and to the extent provided by that law many matters of vital importance to employees to improve their economic condition while at the same time furthering efficient government. It seems to me, on the one hand, that administrators have been somewhat laggard in assuming responsibilities of management in that clearly defined area which is left to management while, at the same time, they have, in many cases, failed to recognize management's responsibility for improving the working conditions of employees or to give prompt consideration and action to proposals submitted by employees in furtherance of perfectly legitimate organization activities. Due to the increased application of the National Public Service Law and other legislation, as well as improvement at many points in the attitude of the civil servants, the situation is improving.

It seems to me that the task lying immediately ahead which should engage the unremitting attention of every official and employee of the Japanese Government is that of developing team work; of clearly recognizing that in a career system where entrance is based upon demonstrated qualification and con-

tinued service and advancement upon a demonstration by employees of a capacity for a more responsible position, the answer will be found for many present problems and misunderstandings. It cannot be overemphasized that in a true career system there is no such thing as a class conflict and any who endeavor to inject such a false issue are either clearly misinformed or are serving some ulterior and destructive purpose.

file Union Activities - Govt Emp.

CIVIL SERVICE DIVISION
Government Section

26 July 1949

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

SUBJECT : Activities of Postal Workers Union

In Press Translations of 26 July I note an article from Akahata of 22 July which is headlined, "Postal Workers Negotiate with Directors". The article states that members of the Sendai Postoffice Chapter of the All-Japan Communications Workers Union started collective negotiations at 1400 hours on 19 July with chiefs of four sections, i.e. General Affairs, Welfare, Savings, and Insurance.

One of the matters discussed was the reduction-in-force program. In some manner not explained by the article, news of the discussion of the RIF program reached the union members who were at work upon which they promptly abandoned their jobs. The business of the office came to a standstill and, according to the article, at 0100 hours the section chiefs finally promised to negotiate with the postoffice directors and the union.

The article goes on to state that an open rally was held at 0900 hours on 20 July and that the rally reached the following decisions:
(1) Postoffices will be maintained without a single dismissal of personnel.
(2) In the future all business will be conducted only after deliberation by all the workers.

It appears to me that this would call for an investigation by the Procurator's Office in view of the National Public Service Law with immediate and prompt action to be taken against the officials who capitulated from the pressure in the negotiation, as well as to any instigators of the difficulty which the postoffice has encountered if they can be uncovered and ascertained.

W. Pierce MacCoy

W. PIERCE MacCOY
Deputy Chief
Civil Service Division

WPM:jb
cc. Mr. Eliot
Mr. Steward

CIVIL SERVICE DIVISION
Government Section

26 July 1949

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

SUBJECT : Union Action on Dismissal Notices

I notice from the Press Translations of 26 July that it is reported in Akahata of 21 July that the Foodstuff Control Bureau chapter of the union intends to take two actions if dismissal notices are issued on any of its members:

"1. If the anouncement of dismissals is anticipated, workers will go on a sit-down strike to get dismissal notices returned on the spot.
2. If otherwise, workers will refuse to accept dismissal notices. If dismissal notices are sent for delivery through the executive department of the sub-chapter, they will be returned in a bundle."

I have requested Mr. Eliot to ascertain immediately whether the Foodstuff Control Bureau is a part of the Foodstuff Distribution Kodan or whether it is a separate organization. I am suspicious that it is a part of the Kodan, and if this is true this is the first notice we have had of the action of the union members which was forecast by Mr. Kajiwara, President of the Foodstuff Distribution Kodan.

W. PIERCE MacCOY
Deputy Chief
Civil Service Division

WPM:jb
cc. Mr. Steward

Union Activities - Gov. Empl.

CIVIL SERVICE DIVISION
Government Section

26 July 1949

MEMORANDUM FOR: Mr. Thomas Eliot, Personnel Specialist

SUBJECT : Foodstuff Control Bureau

I note from Press Translations of 26 July a translation from Akahata of 21 July which states that the Foodstuff Control Bureau chapter of the union is making plans to go on a sit-down strike if members of its union receive dismissal notices. Kindly ascertain for me and advise whether the Foodstuff Control Bureau is a part of the Foodstuff Distribution Kodan or whether it is a separate office entirely.

Also I note reference to the forwarding of dismissal notices "through the executive department of the sub-chapter" and the threat that if dismissal notices are received in this manner, they would be returned "in a bundle". Have NPA investigators ascertain whether it has been a practice of the Agriculture and Forestry Ministry to send its official notifications to the employees through the headquarters of the union. It also might be wise to widen the scope of this inquiry and ascertain whether any other ministries might also be following this practice.

W. PIERCE MacCOY
Deputy Chief
Civil Service Division

WPM:jb

CIVIL SERVICE DIVISION
Government Section

22 July 1949

MEMORANDUM FOR THE RECORD

SUBJECT: Regular Interview with Mr. KAWASAKI

1. Mr. Eliot and I received from Mr. Kawasaki this day, analysis of a previously received chart showing the labor union set-up and various personal relations involved.

2. Three requests were made before receiving Mr. Kawasaki's oral report:

a. A report of the proceedings of the New NCIU meeting at Osaka.

b. A report on the New ZENTEI, which claims 30,000 members, covering its headquarters, the areas of its strength, its officers, its policies and actions to date, etc. It is already known that the New ZENTEI closely parallels the New NCIU and that it is built around DENSAN and ZENNITTSU.

c. A report on the activities and the degree of such activities subsequent to the issuance of ZENTEI's Struggle Directive No. 2 (of 2 July) in re control over bourgeois newspapers and the police. On this point Mr. Kawasaki informed us that ZENTEI has

(1) withheld all labor news from the bourgeois newspapers

(2) started a propaganda offensive through the All-Masses Newspaper Alliance against the bourgeois newspapers, chiefly taking the line that the latter are printing nothing but lies about the national railway problems, President Shimoyama's death, etc.

d. With regard to paragraph c above, it is believed that ZENTEI is very eager to go farther in its tactics and will be particularly so when the administrative reform hits its ranks (probably next week). With minor exceptions, however, ZENTEI has not resorted to mail interceptions and other illegalities, since the government is showing a firm attitude and the Attorney General's Office is closely watching for infractions such as the struggle directive suggests.

1) ~~Mr. Isaacson~~ See below

2) File Govt-Labor-Union

3. The contents of an agitation handbill distributed by MYORYU, issued by the dischargee's committee* and presumably printed with union facilities, has definitely established the fact that the discharged malcontents now comprise a Party fraction aimed at NPA and working independently of the employee's associations. The fraction is showing a vigor not possessed by the employee's association, the latter once again showing signs of internal friction, and is concentrating its activities upon the young and lower-paid members of the X-3 and X-4 groups. The X-3 and X-4 groups constitute a responsive target because their probationary periods are terminating soon and because they are still in a "let-down" phase after their training at Nikko where they are apparently well primed to the extent that they suffer a disillusioning after actually beginning work at NPA. The fraction still desires the cooperation of the employee's association but, making little headway in that direction, is working among dischargees and potential dischargees.

4. The matter of spotting and getting rid of radical elements during the training phase at Nikko was discussed, Mr. Kawasaki agreeing with the idea and promising to confer with Director-General Sato on possible steps.

5. Mr. Kawasaki announced a series of training lectures on investigation methods to be held from 8 August to 18 August.

* Dischargee's Council Information and Propaganda Section

JOHN J. SATO
Examination Specialist

JJS:jd

Note: "X-3" and "X-4" refer to the classes at Nikko - i.e the third and fourth classes. WRM

Eliot
For Zentei file.
Hgs

WT-IV

CIVIL SERVICE DIVISION
Government Section

July 22, 1949

MEMORANDUM FOR: The Record

SUBJECT : Ministry of Postal Services -- Employee relations

1. A conference was held this morning among Mr. Steward, Mr. Salter and Mr. Lisman of Civil Communications Section, GHQ, to briefly review the employee relations problem in the Ministry of Postal Services.

2. Mr. Lisman was informed that an article translated from Akahata indicated that Zentei organization of the Tokyo Central Post Office was carrying on "collective negotiation" since 9 July 1949 with the Postmaster. Among the demands that were being made was, (1) increase of personnel instead of retrenchment; (2) abandoning of the new work system inaugurated by management; (3) disbursement of "lantern festival allowances"; and (4) prevention of the ruin and early rehabilitation of independent postal service structure. This article, while released through a prejudiced source, nevertheless, indicated conditions similar to which were found by Mr. Salter in his visit to the post office several weeks before. At that time, the postmaster had been complaining about his inability to cope with labor pressure groups who visited his office unannounced and sometimes accompanied by outsiders to make persistent demands and who were apparently never satisfied by any action that he took. It was stated that the former postmaster, as a result of these tactics by the union, became ill and had to be releaved of his responsibilities and replaced by the present postmaster.

3. It was pointed out to Mr. Lisman that the National Public Service Law provided, among other things, for the insistance that employees shall carry out their official duties and obey the orders of their superiors. Any employee found delinquent in this respect, could be dismissed under Article 82 by the management of the Postal Services. It was desired that this information be properly passed down through the management of the Ministry in order to support management in its stand in handling these disturbing situations. Furthermore, there is no more "negotiating" as is understood under the Private Industrial Labor Relations Programs. Management is responsible for carrying out its function and its decisions are thereby final and not to be the subject of any negotiations by union groups. Furthermore, should groups of employees continue to approach the postmaster, he should not recognize any one certain person of the group as a union member and certainly not give any indication that the group is to be considered as a union representation. If they fail to abide by his request that they leave his premises, he has a perfect right to call in the police and ask them to dispurse the mob who are interfering with the carrying out of his official duties.

4. Emphases was placed on the difference between the government employee and private industrial employee. In view of this, the National Public Service Law provides certain protections to the government employees and guarantees to them certain rights. It was urged that substantial study by the management of the Postal Services Ministry be given to the National Public Service Law. By this Law, much of the personnel management of the Ministry can be guided and controlled, but decisions with respect to personnel management must be made by management. NPA is not going to make any such decisions for management.

MACDONALD SALTER
Chief, Classification and Compensation Section

MS:vr
Att:

no need thing until union registered.

1) Opposition to the new work system presumed a preliminary step to personnel slash

2) Exec Com of local has been negotiating since 9 July Rule 14 ←
with Shiraishi.

demanding: 1) increase in personnel
2) abandoning new work system
3) canteen festival allowance
4) rehabilitation of an indep postal service structure (?)
5) commutation tickets

mutual resp. resp. of mgmt resp.

1. Since NPSL - no more contract or thought thereof 98.2
2. Unions are not to interfere with mgmt decision
- obey supervisors under penalty of dismissal (copy to NPA) §1 art 98+82.
3. No more mass overwhelming of Post Master proposed rule
- treat as a mob & clear office

Postal Admin Adv. Council?

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Postal Admin Adv. Council?

Mr Horner. BH

ITEM 5 CENTRAL P.O. WORKERS OPPOSE NEW WORK SYSTEM

I visited this place + found pretty bad employee relations. Here is good example of current union activities.

(Full Translation)

AKAHATA, 15 Jul -- The Tokyo Central Post Office Chapter of the All-Japan Communications Workers Union has launced an all-out struggle against preparations by the authorities of a new work system, on the ground that it is a preliminary step towards personnel slash. The executive department of the chapter has been carrying on collective negotiations since 9 July with Chief SHIRAISHI Minosuke of the Tokyo Central Post-Office and Chief SUGIURA Hideo of the business section of the Marunouchi Telegrame Office. Workers are demanding (1) increase in personnel instead of retrenchment, (2) abandoning of the new work system, (3) disbursement of Lantern Festival allowances equivalent to one month's pay and (4) prevention of business ruin and early rehabilitation of an independent postal service structure.

Benz Dobashi's old place of work it may well be a focal point. I'd like to go into this much further.

MS.
7/20

At workshop meeting of the Special Receipt and Delivery Section held every night from the 11th to 13th of this month, and participated in by all union members except one belonging to the second union, an agreement was reached to oppose the new work system, personnel slash, abolition of commuters tickets; and to demand disbursement of transportation expenses in full, and overhauling of the current communications budget. Some proposed adherence to the current work system, and launching of a regulations-observance struggle; but a decision was finally reached that the workshop committee will adopt this tactic in line with the Central Post Office reconstruction program.

Desiman

1) No more "contract"
2) no more participation in mgmt by unions - no negotiations
3) Mgmt is to insist on their admin decisions or decisions (with copy to NPA)
4) too more mass overwhelming of Post master

*Press Translations & Summaries -- Japan
Chapter V - SOCIAL

C O P Y

Postal admin. Council?

Jap Gov- Union Act - Gov. Emp

CIVIL SERVICE DIVISION
Government Section

20 July 1949

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

SUBJECT : Informal Discussion Concerning Proposal to Abolish Ministry of Communications Employees Union

A telephone call was received this morning from Mr. Wardell stating that as a result of his further discussion on this matter and statement by Yoshida this past week-end, he had decided not to send through the proposed memorandum as a check sheet and to await further developments as had been suggested to him by this office.

At the same time Mr. Wardell expressed great concern over the fact that many of the facilities of the Ministry of Telecommunications had, according to his own observance and to reports from his field staff, many posters of a political nature detrimental to the interests of the government posted on their walls. He was informed that the Cabinet had issued an order, that the Vice-Ministers in their usual conference had agreed to enforce such a Cabinet Order, which stated that administrative personnel should remove from government facilities any posters, notices, etc. which could be construed as being detrimental to the interests of the government or of a political nature. It was up to Mr. Wardell to see that the administrative officials in the Ministry of Telecommunications properly enforce this order.

Mr. Wardell was somewhat surprised that the authority was there to take such action and suggested that perhaps he would have Gen. Back call in the Minister and discuss the situation with him.

MacDonald Salter

MacDONALD SALTER
Chief, Classification
& Compensation Branch

MS:jd

CIVIL SERVICE DIVISION
Government Section

Roser

18 July 1949

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

SUBJECT : Investigation of Problems Raised by Union Leaders and NPA Management

In reply to your memorandum of 13 July relative to various questions brought up in the conference between union leaders and NPA management, I submit the following information:

The establishment of a restaurant in the basement of the NPA Building was turned down by Mr. Hoover. The primary objection was that odors from the kitchen, which was to be located immediately below the president's office, would be undesirable. The second objection was that the cost of ¥344,000 was inappropriate because of the fact that we had no such funds in our budget. I have suggested to Messrs. Ono and Kanatsugu that another location in the basement be considered and that a very modest sum be spent for improving the proposed restaurant premises.

I knew that but I thought the room was to be cleaned up & used for employee recreation. They need a meeting room of this kind.

The question as to the union bulletin board was, as you noted in your memorandum, approved some time ago. The union has requested a bulletin board to be located at the south entrance of the building for their sole purpose and, more important, are asking that no control as to material to be placed on this board be exercised by NPA. The thinking at the present time on the part of NPA management is that this request will be refused.

New location maybe OK. The material should be controlled so that it will be conform to C.O. on this matter. No material detrimental to the Govt interests or political should be posted.

I have discussed the matter of a dispensary from time to time and the present hold up is due to the fact that in the New Pay Law it is impossible for us to hire a doctor. If we do hire a doctor he must be paid from fees collected from the mutual aid associations. Apparently if the 1200 employees of NPA, together with their families, were to utilize our dispensary it would be financially sound. However, in the good old Japanese custom, NPA is making a study of this problem.

↑ Hubba! Hubba!

Foster B Roser

FOSTER ROSER
Examination Specialist

FR:jd

NPA - Org & Functions

CIVIL SERVICE DIVISION
Government Section

18 July 1949

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

SUBJECT : Employee Union Registration

Mr. Roser advised me this morning that NPA has raised the question as to where the records and files shall be maintained in NPA on the registration of unions. Hingeing to this question would be the attendant clerical work surrounding the maintenance of such records, answering of inquiries both from within NPA and from external organizations, ordering of investigations in questionable cases, and follow-up on results of questionable cases and/or termination dates of registration.

NPA originally suggested placing this registration unit in the Bureau of Equity. Mr. Roser now tells me that they have changed this to a recommendation that it be placed in the Bureau of Investigation. Since there will be legal questions involved, we might also consider placing it in the Counselling Section of the Bureau of Law. Mr. Roser is recommending that it be placed as an operating unit in the Director General's Office. Personally, I am against building up an operating staff in the Director General's Office. I feel that his office should be kept clear of all operational functions and that whenever an operation is involved it should be placed in the hands of one of the specialized bureaus whose chiefs are the Director General's staff.

Mr. Roser and I need your consideration and advice on this point since it must be settled immediately to permit the unions to register and maintain proper record of such a registry in view of the fact that Rule 14-2 and 14-3 were issued and effective under the date of 3 June 1949. Attendant to this problem also is the question of who should make the investigations when questionable cases arise relative to the registration of a union. Such investigations would be necessary to assure the NPA that it could properly register the union in view of the stipulations in the two Rules noted above.

I have ruled subject to alteration by you that such investigations should be conducted by the Violations Investigation Section of the Bureau of Investigation. Mr. Roser objects to this rather correctly on the basis that neither the title of the section nor the description of the responsibilities of the section indicate that this subject matter would fall under the responsibilities of this section. It probably is a little unfortunate that we have utilized such a restrictive title; however, recognizing your desire to avoid changing any of the titles in the charts at this late date, I instructed Mr. Roser to add an extra phrase to the

description of the duties and responsibilities of the section to include general investigations which might not specifically be based upon a violation but rather on the type of investigation which we normally make to assure or satisfy compliance. He will so alter the published description of the responsibilities of the section. This will not involve changing the title of the section.

W. PIERCE MacCOY
Deputy Chief
Civil Service Division

WPM:jb