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Declassified E.O. 12356 Section 3.3/NND No.

785016

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ECONOM
TRADE
APR. 19

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Declassified E.O. 12356 Section 3.3/NND No. 785016

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ECONOMICS, LABOR S/C, FORMATION OF
TRADE UNION
APR. 1944 - JAN. 1945

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Declassified E.O. 12356 Section 3.3/NND No. 785016

All Admin Sub Comms.

1.

Please see 1A.

Admin Sec.
19 Apr 44.

S.H. WHITE, Major
for CSO.

Security Information. Addl. April 20.

This draft is out of date as many revisions have been made thereto
SP2/BJP/TH
27.

Approved
Wain
Ad. Sec.
27/4/44

4812

0392

Declassified E.O. 12356 Section 3.3/NND No. 785016

To VP for info

5/21/CA

14.04/ES

HEADQUARTERS ALLIED COMMISSION
APO 394
ECONOMIC SECTION

1 FEB 1945

LDD/es

31 January 1945

SUBJECT: First National Congress of General
Confederation of Italian Labour (CGIL)
Naples 28 - 31 January 1945
Inaugural Session.

TO : Chief Commissioner (Thru C.O.S.)
Vice President, Civil Affairs Section ✓
Vice President, Establishment Section
Joint Vice Presidents, Political Section

1. Attached for your information is copy of
Ref LSC/901 HQ AC, Labor S/C to Economic Section,
dated 29 Jan 45, subject as above.

2. A letter of appreciation has been dis-
patched to Mr. Braine and one to Brigadier Dunlop.

3. Full report of the proceedings will be
made available for your information.

4. An extra copy of the report of the in-
augural session is attached to copy for Chief Com-
missioner in the event it is desired to transmit
same to G-5, A.F.H.Q.

L. D. D.

L. D. DENSMORE
Colonel, F A
Acting Deputy Chief of Staff
Economic Section

cc: Mr. Braine

Incl - m/a

Circulate to Subcom 4661 for

info & return

done -

revel 12/2/45

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14.04/18

REF : LSC/901

29 January 1945

SUBJECT: First National Congress of General Confederation
of Italian Labour (CGIL)
Naples 28 - 31 January 1945
Inaugural Session.

TO : Col. Denamore

1. I attended the inaugural session of the First National Congress of the CGIL at Naples on 28 January 1945, and a brief report for your information is below.

2. At this session there was an audience of about 700, composed of 400 delegates from Italian Trade Unions, the balance being persons present by invitation. Delegates from Abruzzi were unable to reach Naples in time owing to bad weather conditions, but there was a good attendance from other parts of Italy. Sicily sent a contingent; Sardinia sent delegates who arrived by air; the Province of Florence sent 48 delegates; and 3 anonymous delegates had crossed the lines from enemy-occupied Italy. These latter intended to return and desire particularly that their anonymity should be preserved. The delegates from the North contained a strong Christian Democrat contingent who, it is understood, emphasized at an early stage the desire that Trade Union unity should be maintained, particularly by abstention from reference to political issues.

3. On the platform Brigadier Bullock, Regional Commissioner for Southern Region, and myself, were given a prominent place and the notables included R. P. Parosce, Undersecretary for Labour; the newly appointed sindaco for Naples; Sig. Lombardi President of the Naples C.E.M. (Comitato di Liberazione Nazionale) and others. There were also present officers of the Labour Sub-Commission, who will remain to act as observers throughout the Congress.

4. The 3 Joint Secretaries of CGIL, Grandi, Lizzadri, and Di Vittorio gave addresses; Sig. Parosce read a message from Prime Minister Bonomi; Sig. Lombardi gave an address and I uttered a few words.

The speeches of Grandi and Di Vittorio were well chosen and inspiring to the Congress. Very generous tribute was paid to the U.S. and Great Britain for their assistance in freeing Italy of the invader; emphasis was laid upon the fact that workers of Italy had never desired this war; the intention to support the Allied nations to the end and the desire that Italy might be allowed to enter the combat as an ally rather than as a mere co-belligerent was voiced; and the workers were exhorted to preserve working-class unanimity in order to rebuild a new Italy from its present devastated state.

The audience was orderly and restrained throughout these addresses, a solitary cry of "viva la Repubblica" was heard at the references to the Allied Lord whose mothers and rela-

1. I attended the inaugural session of the First National Congress of the CGIL at Naples on 26 January 1948, and a brief report for your information is below.

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3. On the platform Brigadier Punip, Regional Commissioner for Southern Region, and myself, were given a prominent place and the notables included H. I. Peresce, Undersecretary for Labour; the newly appointed candidate for Naples; Sig. Lombardi, President of the Naples C.L.N. (Comitato di Liberazione Nazionale) and others. There were also present officers of the Labour Sub-Commission, who will remain to act as observers throughout the Congress.

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The audience was orderly and restrained throughout these addresses, a solitary cry of "Viva la Repubblica" was heard; at the references to the Allied Dead whose mothers and relations might be told, Sig. Grandi said, that the Italians would never forget their sacrifice, the audience rose. It was fully expected that Di Vittorio the Communist would give prominence to Russian activities, but it must be admitted that he was equally generous in his references, as were others, to the U.S. and Great Britain; and while the audience rose with exclamations to the references to the Russian Armies (giving a reception

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which was no warmer than would be given at this time at any gathering in the U.S. or Great Britain), the audience applauded very warmly all references to the Allied Armies and the Allied authorities.

5. Sig. Lombardi, who was President of the Naples C.I.N. during and after the German occupation of Naples, made a speech which promised well at the outset but, either carried away by his own eloquence, or still bitter from his failure to obtain the post of Sindaco of Naples, he developed his speech into an exhortation to America and Great Britain to be true to the promises held out to the Italians at the time when Radio London was listened to in secrecy with great expectations, and to bring to Italy the peace and the prosperity which he (Lombardi) had expected from them. His discourse was over-long and it exasperated the audience who told him that it was a Trade Union meeting and not a political gathering, and tried to shout him down with cries of "via, via." Di Vittorio and Grandi apologized to me for his references to the United Nations (Brigadier Dunlop had left the meeting at this stage) and they had arranged that the Press references to Lombardi's speech would be of the briefest.

I was asked to speak immediately following Lombardi. I felt my words should be few in view of his lengthy discourse and that I should avoid any appearance of attempting to answer him. I accordingly said that I was touched at their generous response to the reference to our dead and that Allied Commission recognized their difficulties in trying to rebuild a democratic Trade Union movement and offered full collaboration.

6. In short, except for the unfortunate performance of Lombardi, the inaugural session went off well and was orderly, and its relative disorder at the political utterances of Lombardi was a sign of its seriousness in relation to the business of the Congress.

7. A word must be said about the arrangements for the Congress. It is perhaps typically Italian that while the speeches and the conception were excellent, the executive performance was poor, this particularly as regards accommodation of the delegates. The Congress was postponed from mid-December to 28 January because of the difficulty of arranging accommodation in Naples, and the Naples Camera del Lavoro and Trade Unionists undertook to find billets in the town for the delegates in time for the January Congress. Three representatives were sent from Rome to Naples some days before the inaugural meeting, but the last moment it was discovered that lodgings still had to be found for 300 delegates. The Regional Labour Officer realized the seriousness of the position - this Congress is of National and International importance - and he brought the position to the notice of the Regional Commissioner. I cannot speak too highly of the interest displayed by Orig. Dunlop to meet this crisis. At the same time I think that perhaps there was a tendency on our part to leave the Italians too much to themselves to run the Congress. Although we should not interfere unduly, I think we should exercise a benovolent interest in the progress of the arrangements which they are trying to make and should

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8. Brig. Dunlop was also good enough to invite H. E. Peresee, the Secretariat of the CGIL and the Labour sub-Commission Officers to his apartment in the evening of the inaugural session. A warm tribute was paid by the Italians to him and to the Allied

authorities for their assistance in arrangements for the Congress and in the very cordial atmosphere that developed, the cause of the Italo-Allyed unity was greatly assisted.

3. This Memorandum is for information only to give some indication of the atmosphere at this first session. A full report on the proceedings will be rendered when the observers return, but it can be firmly said that little effort has been spared by the Allied authorities to make the Congress a success - and that this first free gathering of Trade Unionists promises to be a landmark in the development of democracy in Italy.

/s/ W. H. Braine
W. H. BRAINE
Director,
Labour Sub-Commission

Declassified E.O. 12356 Section 3.3/NND No.

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DRAFT ROYAL DECREE ABOLISHING THE FASCIST SYNDICAL CORPORATIVE SYSTEM, AUTHORIZING THE ESTABLISHMENT OF TRADE UNIONS AND OF LABOR OFFICES, AND GOVERNING LABOR RELATIONS.

Whereas Article 15 of the Law of 19th January, 1939, No. 129; and

Whereas the Royal Decree of 30th October, 1943, No. 2/5; and

Whereas the Law of 3rd April, 1926, No. 563, and regulations issued pursuant thereto; and

Whereas the Royal Decree of 1st July, 1926, No. 1130, and regulations issued pursuant thereto; and

Whereas it is considered necessary owing to the existing state of war;

Having heard the Council of Ministers on the proposal of the "Head of the Government, Prime Minister Secretary of State" and of the Minister for Industry, Commerce and Labor;

We hereby decree as follows:-

ARTICLE I

The Law of 3rd April, 1926, No. 563, and the Royal Decree of 1st July, 1926, No. 1130, dealing with the juridical code governing collective labor relations and all regulations subsequently issued for the execution and enforcement of the aforementioned laws are hereby repealed.

All Syndical Associations of Employers, Workmen, Professional Men and Artists, Syndical Cooperative Societies, as well as the Confederations and Federations resulting from the amalgamation of several Syndical Associations juridically recognized in conformity with the two aforementioned laws are therefore repealed: The special Labor Magistracy is also abolished.

ARTICLE II

Employees, employers and persons who engage in independent trades or professions shall have the right to organize, hold meetings, to select representatives of their choosing for any or all of the purposes set out below, and, in the interest of members or of a whole industry or craft

a) To engage in collective bargaining with respect to all matters pertaining to or connected with employment, including such matters as concern hours, wages, working conditions, grievances;

b) To further mutual social and economic assistance.

The registration and juridical recognition of the Trade Unions and their representative bodies shall be regulated by separate legislation.

ARTICLE III

Pending publication of special regulations governing the re-institution of the "Ordini e Collegi di liberi professionisti", recognition is hereby given to those organizations that have been established by such ordinances.

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b) To further mutual social and economic assistance.

The registration and juridical recognition of the Trade Unions and their representative bodies shall be regulated by separate legislation.

ARTICLE III

Ending publication of special regulations governing the re-institution of the "Ordini e Collegi di liberi professionisti", recognition is hereby given to those organizations that have been established by a.d.g. ordinances. Wherever these have not been instituted, Commissioners shall take over the respective archives of the dissolved Fascist Syndicates of professional men and artists.

ARTICLE IV

Membership in any of the above Associations and the right of exercising a vote shall not be denied to any person because of race, religion, nationality or political affiliation.

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ARTICLE V

The obligation to pay syndical contributions (in conformity with article 5 of the Law of 3rd April, 1926, No. 563, and regulations issued pursuant thereto) is hereby rescinded as from the publication of this Decree, or in territories turned over by the A.M.G. as from the date on which the Allied Military Government abolished Syndical Contributions or Fascist Syndical Organization.

ARTICLE VI

In Collective and Individual Labor Relations, the conditions, regulations, wage scales contained in collective contracts, in economic agreements, in sentences delivered by the Special Labor Magistracy, and in corporative ordinances, in conformity with Article 10 and Article 13 of the Law of 5th February, 1934, No. 163, and of Article 4 and Article 5 of the Royal Decree of 9th August, 1943, No. 721, shall continue to be binding until revised further by Decree, arbitration awards, or newly executed collective agreements and contracts.

ARTICLE VII

The Ministry of Finance shall be responsible, in every Province and through the "Intendenza di Finanza", to provide for the administration and preservation of the estates belonging to the Associations, Federations and Confederations as provided by Article I above, pending further decisions respecting their final allocation. Through a Royal Decree, on the proposal of the Minister for Industry, Commerce and Labor in concert with the Minister of Finance, regulations shall be issued for the definite disposal of the aforementioned estates, provision being made in the case of estates belonging to workers' organizations for their disposal to the advantage of the working classes.

Regarding the payment of "Discharge Indemnity" (Indennita' di licenziamento) due to personnel employed by the Syndical Associations, Federations and Confederations mentioned above, this shall be defrayed in conformity with existing regulations for the personnel of each organization, except for such liquidations as are due by other institutions as a result of special insurance contracts.

ARTICLE VIII

The Ministry for Industry, Commerce and Labor, through an appropriate National Office, shall exercise the following functions:

- a) Control and coordination of the services of the registration and placement of Labor, of the immigration, migration and emigration of Labor;
- b) Mediation, conciliation, and reference to arbitration of labor disputes;
- c) Promotion, development, coordination and control of the services concerned with Social Insurance, Old age pensions, unemployment and health insurance and related labor services as well as supervise Trade instruction and training of work people;
- d) Compilation and publication of reports and statistics on employment, unemployment, labor disputes, wages and salaries, hours of work, conditions of employment and related matters;
- e) Provision for the registration, maintenance and publication of

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- d) Compilation and publication of reports and statistics on employment, unemployment, labor disputes, wages and salaries, hours of work, conditions of employment and related matters;
- e) Provision for the registration, maintenance and publication of lists of Trade Unions;
- f) Registration and publication of collective contracts;
- g) Discharge of such other functions as may be entrusted to it by decrees and legislation.

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ARTICLE IX

In every Region there shall be instituted at the dependence of the Ministry of Industry, Commerce and Labor, a Regional Labor Office which shall exercise, within the limits of the Region, the following functions:

- a) Supervision of the Provincial Labor Offices, with a view to coordinating their activities;
- b) Coordination of placement of labor and provision for the migration of labor from one Province to another;
- c) Publication of Collective Contracts which are only of interest to the Region as required by the Minister of Industry, Commerce and Labor;
- d) Mediation, conciliation and reference to arbitration of labor disputes of special importance or as would affect more than one Province;
- e) Protection and development of Social Insurance, Old Age pensions, unemployment and health insurance and related labor services as well as supervise Trade Instructions and training of work people;
- f) Compilation of information and statistics on labor;
- g) Study and investigation (of labor matters) and discharge of any other labor duties as may be devolved upon it.

ARTICLE X

In every Province there shall be instituted at the dependence of the Ministry of Industry, Commerce and Labor, a Provincial Labor Office which shall exercise, within the limits of the Province, the following functions:

- a) Provision of registration and placement of labor;
- b) Mediation, Conciliation, and reference to arbitration of labor disputes;
- c) Promotion and development of Social Insurance, and related labor services as well as supervise Trade Instruction and training of work people;
- d) Study and investigation (of labor matters) and discharge of any other labor duties as may be devolved upon it.

ARTICLE XI

Labor Disputes shall be referred to the competent Labor Offices, whose responsibility it shall be to attempt conciliation.

In addition to such other circumstances in which they are prohibited, strikers and lock-outs shall be prohibited in the event of failure to report the labor dispute or when resorted to before twenty-one days from the notification of the dispute.

c) Supervision of the Provincial Labor Offices, with a view to coordinating their activities;

d) Coordination of placement of labor and provision for the migration of labor from one Province to another;

e) Publication of Collective Contracts which are only of interest to the Region as required by the Minister of Industry, Commerce and Labor;

f) Mediation, conciliation and reference to arbitration of Labor Disputes of special importance or as would affect more than one Province;

g) Protection and development of social insurance, old age pensions, unemployment and health insurance and related labor services as well as supervise Trade Instructions and training of work people;

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ARTICLE XI

Labor Disputes shall be referred to the competent Labor Offices, whose responsibility it shall be to attempt conciliation.

In addition to such other circumstances in which they are prohibited, strikes and lock-outs shall be prohibited in the event of failure to report the labor dispute or when resorted to before twenty-one days from the notification of the dispute.

For Individual Labor Disputes the appropriate provisions of Article 431 et sequentia of the Code of Civil Procedure remain in force.

Such cases as are not settled by conciliation on the joint request of the interested parties shall be referred by the Labor Office to an Arbitration Board, which shall be set up for the occasion by the Labor Office, the individual members being selected from the appropriate panels of arbitrators.

The Minister of Industry, Commerce and Labor and the Director of any Regional Labor Office concerned shall be empowered, on the request of one of the interested parties or on his own initiative, to transfer for consideration of his office any case of conciliation or of reference to arbitration in any labor dispute of an office at a lower level.

ARTICLE XII

Whenever an individual labor dispute has not been submitted for arbitration, interested parties shall be free to refer their controversy to the competent Magistracy, in accordance with existing legislation on the matter.

In collective labor disputes, arbitration through the Labor Offices shall be compulsory in such cases as only involve the interpretation of a collective contract and in such cases and at such times as strike and lock-out are prohibited by law.

ARTICLE XIII

Arbitration awards in labor matters shall be made in equity, and shall be final.

These awards shall have the binding force of a judicial sentence, and may be issued in executive form, subject to previous registration with the judicial authorities in accordance with existing regulations contained in "Code of Civil Procedure".

Arbitration awards in respect of disputes dealt with by Provincial Labor Offices shall be filed in the High Court of the Provincial Capital, those dealt with by the Regional Office in the Court of Appeal of the area in which the seat of the Office is located, those in respect of National disputes in the Court of Appeal of the National Capital.

Arbitration awards shall not be subject to the provisions contained in Article 825 of the Code of Civil Procedure.

The Labor Offices shall forward to the Minister of Industry, Commerce and Labor a copy of the arbitration awards in respect of labor disputes, except for such types of individual labor disputes as the Minister for Industry, Commerce and Labor may direct.

All acts and documents pursuant to arbitration awards in respect of labor questions shall be exempt from Stamp Tax and Registration Tax, except those awards that are liable to a fixed registration fee.

ARTICLE XIV

On the formal request of a Labor Office to attempt conciliation in a labor dispute, whoever refuses or fails to present himself, without showing just cause, shall be liable to fine of not more than Five 10,000.

ARTICLE XV

The regulations governing the suspension and reopening of judicial cases as prescribed by Article 299 and Article 301 of the Code of Civil Procedure shall be applied to such controversies as are still pending before the Courts.

ARTICLE XVI

The Corporative Inspectorate shall be known as the "Inspectorate of Labor" and shall be under the jurisdiction of the Minister of Industry, Commerce and Labor. The Inspectorate shall locally exercise its functions under the direction of the Regional Labor Offices, of which it shall be the specific organization for the supervision and enforcement of regulations governing labor, social services and the application of Collective Contracts. The Inspectorate shall continue to enjoy the powers conferred upon it by the Royal Decree of

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Arbitration awards shall not be subject to the provisions contained in Article 823 of the Code of Civil Procedure.

The Labor Offices shall forward to the Minister of Industry, Commerce and Labor a copy of the arbitration awards in respect of labor disputes, except for such types of individual labor disputes as the Minister for Industry, Commerce and Labor may direct.

All costs and documents pursuant to arbitration awards in respect of labor questions shall be exempt from Stamp Tax and Registration Tax, except those awards that are liable to a fixed registration fee.

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The Corporative Inspectorate shall be known as the "Inspectorate of Labor" and shall be under the jurisdiction of the Minister of Industry, Commerce and Labor. The Inspectorate shall loosely exercise its functions under the direction of the Regional Labor Offices, of which it shall be the specific organization for the supervision and enforcement of regulations governing labor, social services and the application of Collective Contracts. The Inspectorate shall continue to enjoy the powers conferred upon it by the Royal Decree of 30 December, 1923, No. 3245, of 28th December, 1931, No. 1684, of 4th October, 1935, No. 1827, and by Royal Decree of 17th August, 1935, No. 1765.

ARTICLE XVII

All appointments to posts in the aforementioned labor agencies shall be made in accordance with civil service procedure.

ARTICLE XVIII

The expenditure involved in the running of the National, Regional and Provincial Labor Offices and in defraying the salaries of personnel attached thereto, shall be the responsibility of the State.

The Ministry of Finance is authorized, therefore, to meet this expenditure.

ARTICLE XIX

All legislation contrary to the present law is hereby rescinded. The King's Government shall have the authority to enact, by Royal Decree, the complementary and integrating provisions and regulations for the execution of the present decree, for its coordination to the Civil and Penal Codes, to the Code of Civil Procedure and any other legislation of the State.

ARTICLE XX

The present decree shall enter into force on the date of publication in the Official State Gazette -- Special Series. This decree shall be presented to the Legislative Assembly for conversion into law.

The Head of the Government, Prime Minister Secretary of State, and the Minister for Industry, Commerce and Labor, joint sponsors, are authorized to submit the relevant Draft Law.

We order, all concerned, to obey the present decree and to enforce the same as State Legislation.

Given in Salerno

April, 1944

Declassified E.O. 12356 Section 3.3/NND No. 785016ARTICLE XLX

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April, 1944

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Declassified E.O. 12356 Section 3.3/NND No. 785016

ALLIED MILITARY GOVERNMENT

INTER OFFICE MEMO

From: Economic Section

GMS/sem

SUBJECT: Proposed Labor Decree

FILE No. ES/7

TO: Vice President, Administrative Section

18 April 1944

1. Herewith one copy of the proposed Decree for the establishment of Trade Unions and Labor Offices which I am sure will be of interest to you.

2. The Labor Sub-commission is furnishing your Legal Sub-commission with additional copies as finally mimeographed.

D. S. Adams
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19 APR 1944

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