

ACC

10000/141/130

INTERIOR COMMISS
PUBLIC BODIES
JAN. - MAR. 1945

10000/141/130

INTERIOR COMMISSIONS IN STATE OFFICES & IN THE
PUBLIC BODIES
JAN. - MAR. 1945

DO NOT SEND TO
To: Econ Section. *Copy*

Minute 10

VP CA Section has seen and concurs in the draft letters at Folio 5 & 6.

7 March 1945

R. R. CRIPPS, Col.
CSO CA Section.

Minute 11

To: Local Government

For information. VP CA Section has seen and concurs in the draft letters at Folio 5 & 6. Econ. Section has been advised.

7 March 1945

R. R. Cripps - col
R. R. CRIPPS, Col.
CSO CA Section.

N.B. Copies of draft letters at Folio 5 & 6 have been sent to Econ. Section, together with original Minutes Nos. 10 to 16.

12.

9 Mar.

Director

(i) I was in some doubt if the views and decision in 8 and 9 had been borne in mind in the drawing of letters 5 and 6.
(ii) Accordingly asked Col. Gribble who states that Miss. 8 and 9 had not been overlooked and that 5 & 6 had been written following developments since 9 and that the documents relating thereto appear on the Econ. Sec. file. *Wm. H. C. Capt.*

RRT. I saw col. Cripps and told him I understood no objection a few days ago. RRT 9 Mar. 45.

139 Mar. *CA*

2826

MINUTE SHEET NO. 3.

DATE	PAGE
7/7/45	orig withdrawn 15/1002, folio 3, copy substituted " addressed to Cal Semmore. " signed by Cal Semmore " then, C.A. Sec.
7.2.45.	Civil Affairs Section. Local Govt Sk - then, C.A. Sec. Under Italian law the present legal position is that State and Local Government employees may set up a Commissione Interna with either the status of a juridical person or of an "associazione non riconosciuta" (Civil Code, Art. 14 et seq.). Such a Commission will, however, be unable to carry out the normal functions of employers' associations since the State and Local Government employees are regulated by law. There can be no collective strikes and strikes would be contrary both to the penal code (Art. 502) and to the particular disciplinary regulations. If it is desired to set up such Commissioni in Italian Government Territory it would presumably involve the preparation of a detailed piece of legislation to cover the whole field of their rights and obligations. Upon the general question of policy raised by Mr. Braine's letter it is not within the provisions of the Legal Sub-Commission to comment. It might perhaps be observed that the attitude of the United States is believed not to favour the constitution of such Internal Commissions at least to the extent advocated by Mr. Braine. I should, however, add that I understand the present policy, particularly for Labour, Local Government and Legal Sub-Commissions to be that in Italian Government Territory no control should be exercised, and furthermore - that the advisory function of these Sub-Commissions should be exercised only at the request of the Italian Government. The line of approach suggested by Mr. Braine does not appear to be consistent with this policy so far as Italian Government Territory is concerned. While A.M.G. obviously has the right to authorize these Commissioni in A.M.G. Territory if it desires to do so - it should be borne in mind that when the territory is handed back to the Italian Government an extremely difficult situation may be created, more particularly if the Italian Government refuses to sanction the continuance of the Commissioni. It would seem doubtful, therefore, from the point of view of broader policy how far the factors mentioned by Mr. Braine should influence the decision even in A.M.G. Territory. I agree that if the Commissioni are sanctioned they should be strictly limited in the directions you suggest.

Status and conditions of contract of

LEGAL S/C.

W. E. BEHRNS, Colonel,
Deputy Chief Legal Advisor.

3823

either the status of a juridical person or of an "associazione non riconosciuta" (Civil Code, Art. 14 et seq.). Such a Commission will, however, be unable to carry out the normal functions of employers' associations since the State and Local Government employees are regulated by law. There can be no collective strikes and strikes would be contrary both to the penal code (Art. 502) and to the particular disciplinary regulations.

If it is desired to set up such Commission in Italian Government Territory it would presumably involve the preparation of a detailed piece of legislation to cover the whole field of their rights and obligations.

Upon the general question of policy raised by Mr. Braine's letter it is not within the ^{provisions} of the Legal Sub-Commission to comment. It might perhaps be observed that the attitude of the United States is believed not to favour the constitution of such Internal Commissions at least to the extent advocated by Mr. Braine. I should, however, add that I understand the present policy, particularly for Labour, Local Government and Legal Sub-Commissions to be that in Italian Government Territory no control should be exercised, and furthermore - that the advisory function of these Sub-Commissions should be exercised only at the request of the Italian Government. The line of approach suggested by Mr. Braine does not appear to be consistent with this policy so far as Italian Government Territory is concerned.

While A.M.G. obviously has the right to authorize these Commissions in A.M.G. Territory if it desires to do so - it should be borne in mind that when the territory is handed back to the Italian Government an extremely difficult situation may be created, more particularly if the Italian Government refuses to sanction the continuance of the Commission. It would seem doubtful, therefore, from the point of view of broader policy how far the factors mentioned by Mr. Braine should influence the decision even in A.M.G. Territory.

I agree that if the Commissions are sanctioned they should be strictly limited in the directions you suggest.

LEGAL S/C.
7 Feb 45.

9

W. E. BEHRENS, Colonel,
Deputy Chief Legal Advisor.

X. G. Eames

In view of the unagreed attitude of the Italian Govt. (photo) & the fact that we reply is called for to that letter, I think we should take no further action. FAN 487 expressly provides that in labour matters we shall only advise the Italian Govt. in between requested to do so & allow the point to be raised in the future. I think we should conform to the practice in Govt. letters.

Status and
conditions
of contract

3825

Minute Sheet 2

(5)

TO: Local Government Sub Commission ^{file} (3)

1. Please comment on the letter addressed to Economic Section by Labour Sub Commission on the subject of "Communist Interni".
2. Then pass to Legal Sub Commission for their opinion and ask them to return the file to C.A. Section.

2 Feb 45

⑥

W G S Dollard, Major

WILLIAM A. S. DOLLARD
Major
C.A. SectionFeb. 2W G S Dollard

USA.

Basing my comments on British practice.
it would be improper for me to resist the views of
the Labour Sub. Commission - since we have
similar strong "Communist Interni" in

NALGO.

Society of Team Clerks.

" of Clerks of Peace of Counties

Police Federation.

Fire Brigades' Union

at other -

Hutkin is Italy not Great Britain.

3822

W G S Dollard, Major

2 Feb 45

WILLIAM A.S. DOLLARD
Major
C.A. SectionFeb. 2Legal

USA.

Basing my comments on British practice, it would be improper for me to resist the views of the Labour Gov. Commission - since we have identical strong "Commission" in

NALGO.

Society of Iron Works.
of Clubs of Peace of Counties

Police Federation.

Fire Brigades' Union

or others -

But this is Italy not Great Britain.
382

(2) The discipline of the Italian Gov. Local Gov. official I can only describe as appalling.

(3) It is essential however that limitations such as the absence of the "right to strike" etc be insisted in the rules governing such organizations

As Murray
Colind.

MINUTE SHEET NO. 1

DATE	PAGE
Jan. 18.	1
<u>C A Section</u> Please see for. 1 & 2, & the recommendation in paras. 7 & 8 of fo. 2. May the file please be referred to Labour SFC for their views. <u>Mr. A. M. M. Col.</u> Director, L C SFC Tel. - 478190.	2
	3
	4

To Labn S.C.

Re file. (2)

May we please have your comments - see under.

CAS.

19 Jan 45
X. 608

R. R. Briggs

3.

Colonel Genomone

Comments and recommendations are

Submitted in memo. opposite. Copies have been supplied to Civil Affairs Section and to Col. Spruce.

Labn S.C. Comm.

W. R. M. M. M.

25/1/45

4.

To V P C A S. C.

To Kaban S.C.

2

See files ②

May 12th plan has your contents - see under

CAS

19 JAN 45

X 606

R. R. H. G. H. G.

3.

Colonel Genmore

Comments and recommendations are

submitted in memo. appropriate. Copies have been

submitted to Civil Affairs Section and to Col. Spies

Return to Comm.

W. H. H. H. H.

25/1/45

4

To V. P. C. A. Section

1. Re LSC/1002 (LSC/108 - Kaban S/C) 382p
25 Jan 45

2. If CA Section agrees with recommendation of Kaban S/C - a draft letter to Kaban govt along the lines suggested will be written by E/S and submitted to CVS for approval.

3. Comment Please

J. H. H. H. H.
O. A. P. A. E/S 31/1/45

3

3

26 GEN 1945

HEADQUARTERS
ALLIED CONTROL COMMISSION

Suspense _____

Date 25 Jan

FROM	TO	FROM	TO
Chief Staff Officer		Patriots Branch	
Secretary General		Security Branch	
Archivist		Establishments Branch	
Admin Section		Director	
Interior		Executive Officer (A)	
Public Safety		Executive Officer (B)	
Public Health		G-1 (A)	
Property Control		G-1 (B)	
Legal		G-4 (A)	
Education		G-4 (B)	
Monuments & Fine Arts		H.Q. Comdt	
Economic Section		Adjutant	
Agriculture		Message Center	
Commerce		Orders & Bulletins	
Finance		2675 Regt	
Food		Political Section	
Industry		Navy	
✓ Labor <i>Mr. Braine</i>		Army	
Mining Division		Air	
Public Works & Utilities		Communications	
Requisition Division		Civil Censorship Group	
Shipping		W. M. D. & P. O. W.	
Transportation		Public Relations Branch	
R.C. & M.G. Section		U.N.R.R.A.	
P.A. to Executive Commissioner			
Civil Affairs Branch <i>Col. Cripps</i>			
Information Division			
Liaison Division			
I. & D.P. S.C.			
Italian Refugees Branch			

FOR

Signature _____
 Remarks/Recommendation _____
 Information ✓ _____
 Approval/Disposal _____
 Appropriate Action _____
 Investigation & Report _____
 Dispatch _____

REMARKS *Col. Cripps: File AC 1/25/45 on "Commissioners
 Internal in Prefecture passed to Colonel
 Renmore with minutes of which copy is attached.*

COLONEL CRIPPS,
CIVIL AFFAIRS SECTION

HEADQUARTERS ALLIED COMMISSION

APC 334

LABOR SUB-COMMISSION

WHD/raw

TEL : Lvt. 334

25 January 1945

REF : LSC/1002 (LSC/108)

SUBJECT: "Commissione Interni" in Prefectures.

TO : Colonel L. S. Denmore
Economic Section

1. The reference of 11 January 1945 from the Italian Ministry of the Interior, over the signature of Prime Minister Ciano, raises a very important question, and I, therefore, give a full statement of the issues involved.

2. The question raised is whether Internal Commissions in State offices, and in offices under the control of the State, should be permitted; with the comment that the Italian Government does not approve the institution of Internal Commissions in non-industrial Government establishments.

3. The explanatory note from Local Government Sub-Commission, dated 13 January, indicates that Internal Commissions represent workers on social welfare and industrial relations questions, and attempt to control the management of establishments; that they have no legal basis and are not a continuation of the Fascist corporative system.

There is a long history behind Internal Commissions, which were in existence in Italy before the advent of Fascism, which were discouraged by Fascism until recent years when the Fascist authorities tried to revive them, but always on a political and party basis, i.e., the so-called representatives of the workers were selected and appointed from above by the Fascists and were merely another instrument of control, both of workers and of managements. After the down-fall of Fascism in July, 1943, one of the first acts of the representatives of workers and industries was to conclude an agreement for the re-establishment of Internal Commissions in industry. The authors of this agreement are no longer with us -- Ricci, the veteran Trade Union leader, was killed by the Germans, and Manzoni, the employers representative, was in the North when the Badoglio Government moved out of Rome and has not been heard of. It must be recognized, however, that Internal Commissions in industry have a de-facto existence and the comment of Local Government Sub-Commission that they have no legal basis is merely another reflection of the position resulting from the absence of labor legislation. In enemy-occupied Northern Italy the neo-Fascist authorities are deliberately developing Internal Commissions

3821

- 2 -

and, owing to the peculiar circumstances in the North, are trying to buy off the workers by giving them a greater share in the management of industrial establishments. This will create a great problem when the North is liberated, and the Allied authorities will have to decide, at a very early date, what their attitude will be towards these "managing" Internal Commissions and the extent to which they will support any policy which the Italian Government may wish to develop in this respect. The managements and directors of establishments which have been cooperating with the enemy will undoubtedly flee or disappear and the position which now obtains in France in the Renault Works, and other industrial establishments, may be repeated. Meantime Internal Commissions are becoming firmly established in liberated Italy in non-Government concerns, and with the help of moderating influences we may be successful in restraining them from undue interference with management.

4. The important issues I have just mentioned cannot properly be developed in this particular reference from the Italian Ministry of the Interior to Local Government Sub-Commission, but I think they should be borne in mind when the immediate issue is being considered.

5. Whilst agreeing with the Italian Government that Internal Commissions on the lines of those for industrial establishments are not appropriate to non-industrial Government establishments, and whilst cordially agreeing that Internal Commissions have, under the present stage of industrial development, no right to interfere with the management of establishments, I do not think that we could support a merely negative attitude such as that indicated in the explanatory minute by Local Government Sub-Commission, which states that Mr. Camera's views are that State servants have their position protected by law and that State officials can't be allowed to form associations to further their interests. After all, these State officials are workers and the Government is their employer. On general principles, workers should be allowed to form associations which can represent them in discussions regarding their wages and conditions of service. The obvious exception to these general principles are members of the Armed Forces of the Nation and, with perhaps a little more latitude, members of the police forces. I, therefore, recommend that the Italian Government should be informed that the Allied Commission agrees with them that Internal Commissions, as such, are not appropriate for non-industrial Government establishments, but that, with the exception of members of the Armed Forces and, for certain questions, members of the police forces, it seems proper to allow freedom of organization of professional, technical, administrative and clerical Government employees for the normal purposes of workers' associations. Because of the particular functions and responsibilities of Government Departments, certain points such as the right to strike and the right

3820

- 3 -

to combine with Trade Unions of non-Government employees and of association with, or sympathetic action in concern with such bodies, might be withheld, but that it would be advisable to establish machinery for negotiation and discussion of salaries, wages and service conditions of Government employees. The details of the organization on a local, provincial and national basis of such negotiation machinery might well be the subject of discussion between the Allied Commission and the Italian Government when the response of the Italian Government to the indications of policy, now suggested, is known. If the Italian Government are immediately favorable, the Allied Commission would be prepared to offer all the guidance and assistance on matters of broad principle and on matters of detail which it is in their power to supply. If, however, the Italian Government sees difficulty in accepting the suggestions offered, the Allied Commission would be grateful to have the opportunity of further discussion before a final decision is taken by the Italian Government.

W. B. Braine

E. B. BRAINE
Director
Labor Sub-Commission

3813

HEADQUARTERS ALLIED COMMISSION

APO 894

LABOR SUB-COMMISSION

WKB/rnw

TEL : Ext. 804

25 January 1945

REF : LSC/1002 (LSC/108)

SUBJECT: "Commissioni Interni" in Prefectures.

TO : Colonel L. D. Denmore
Economic Section

1. The reference of 11 January 1945 from the Italian Ministry of the Interior, over the signature of Prime Minister Bonomi, raises a very important question, and I, therefore, give a full statement of the issues involved.

2. The question raised is whether Internal Commissions in State offices, and in offices under the control of the State, should be permitted; with the comment that the Italian Government does not approve the institution of Internal Commissions in non-industrial Government establishments.

3. The explanatory note from Local Government Sub-Commission, dated 18 January, indicates that Internal Commissions represent workers on social welfare and industrial relations questions, and attempt to control the management of establishments; that they have no legal basis and are not a continuation of the Fascist corporative system.

There is a long history behind Internal Commissions, which were in existence in Italy before the advent of Fascism, which were discouraged by Fascism until recent years when the Fascist authorities tried to revive them, but always on a political and party basis, i.e., the so-called representatives of the workers were selected and appointed from above by the Fascists and were merely another instrument of control, both of workers and of managements. After the down-fall of Fascism in July, 1943, one of the first acts of the representatives of workers and industries was to conclude an agreement for the re-establishment of Internal Commissions in industry. The authors of this agreement are no longer with us -- Buozzi, the veteran Trade Union leader, was killed by the Germans, and Manzoni, the employers representative, was in the North when the Badoglio Government moved out of Rome and has not been heard of. It must be recognized, however, that Internal Commissions in industry have a de-facto existence and the comment of Local Government Sub-Commission that they have no legal basis is merely another reflection of the position resulting from the absence of labor legislation. In enemy-occupied Northern Italy the neo-Fascist authorities are deliberately developing Internal Commissions

3818

and, owing to the peculiar circumstances in the North, are trying to buy off the workers by giving them a greater share in the management of industrial establishments. This will create a great problem when the North is liberated, and the Allied authorities will have to decide, at a very early date, what their attitude will be towards these "managing" Internal Commissions and the extent to which they will support any policy which the Italian Government may wish to develop in this respect. The managements and directors of establishments which have been cooperating with the enemy will undoubtedly flee or disappear, and the position which now obtains in France in the Renault Works, and other industrial establishments, may be repeated. Wartime Internal Commissions are becoming firmly established in liberated Italy in non-Government concerns, and with the help of moderating influences we may be successful in restraining them from undue interference with management.

4. The important issues I have just mentioned cannot properly be developed in this particular reference from the Italian Ministry of the Interior to Local Government Sub-Commission, but I think they should be borne in mind when the immediate issue is being considered.

5. Whilst agreeing with the Italian Government that Internal Commissions on the lines of those for industrial establishments are not appropriate to non-industrial Government establishments, and while certainly agreeing that Internal Commissions have, under the present stage of industrial development, no right to interfere with the management of establishments, I do not think that we could support a merely negative attitude such as that indicated in the explanatory minute by Local Government Sub-Commission, which states that Dr. Cenera's views are that State servants have their position protected by law and that State officials can't be allowed to form associations to further their interests. After all, these State officials are workers and the Government is their employer. On general principles, workers should be allowed to form associations which can represent them in discussions regarding their wages and conditions of service. The obvious exception to these general principles are members of the Armed Forces of the Nation and, with perhaps a little more latitude, members of the police forces. I, therefore, recommend that the Italian Government should be informed that the Allied Commission agrees with them that Internal Commissions, as such, are not appropriate for non-industrial Government establishments, but that, with the exception of members of the Armed Forces and, for certain questions, members of the police forces, it seems proper to allow freedom of organization of professional, technical, administrative and clerical Government employees for the normal purposes of workers' associations. Because of the particular functions and responsibilities of Government Departments, certain points such as the right to strike and the right

- 3 -

to combine with Trade Unions or non-Government employees and of association with, or sympathetic action in concern with such bodies, might be withheld, but that it would be advisable to establish machinery for negotiation and discussion of salaries, wages and service conditions of Government employees. The details of the organization on a local, provincial and national basis of such negotiation machinery might well be the subject of discussion between the Allied Commission and the Italian Government when the response of the Italian Government to the indications of policy, now suggested, is known. If the Italian Government are immediately favorable, the Allied Commission would be prepared to offer all the guidance and assistance on matters of broad principle and on matters of detail which it is in their power to supply. If, however, the Italian Government sees difficulty in accepting the suggestions offered, the Allied Commission would be grateful to have the opportunity of further discussion before a final decision is taken by the Italian Government.

V. E. BRAINE
Director
Labor Sub-Commission

3826

HEADQUARTERS ALLIED COMMISSION

APO 834

LABOR SUBCOMMISSION

WEB/rw*

TEL : Ext. 204

25 January 1945

REF : LSC/1002 (LSC 108)

SUBJECT: "Commissioni Interni" in Prefectures.

TO : Colonel L. D. Bensmore
Economic Section

1. The reference of 11 January 1945 from the Italian Ministry of the Interior, over the signature of Prime Minister Bonomi, raises a very important question, and I, therefore, give a full statement of the issues involved.

2. The question raised is whether Internal Commissions in State offices, and in offices under the control of the State, should be permitted; with the comment that the Italian Government does not approve the institution of Internal Commissions in non-industrial Government establishments.

3. The explanatory note from Local Government Sub-Commission, dated 18 January, indicates that Internal Commissions represent workers on social welfare and industrial relations questions, and attempt to control the management of establishments; that they have no legal basis and are not a continuation of the Fascist corporative system.

There is a long history behind Internal Commissions, which were in existence in Italy before the advent of Fascism, which were discouraged by Fascism until recent years when the Fascist authorities tried to revive them, but always on a political and party basis, i.e., the so-called representatives of the workers were selected and appointed from above by the Fascists and were merely another instrument of control, both of workers and of managements. After the deep-fall of Fascism in July, 1943, one of the first acts of the representatives of workers and industries was to conclude an agreement for the re-establishment of Internal Commissions in industry. The authors of this agreement are no longer with us -- Buozzi, the veteran Trade Union leader, was killed by the Germans, and Manzoni, the employers representative, was in the North when the Badoglio Government moved out of Rome and has not been heard of. It must be recognized, however, that Internal Commissions in industry have a de-facto existence and the comment of Local Government Sub-Commission that they have no legal basis is merely another reflection of the position resulting from the absence of labor legislation. In enemy-occupied Northern Italy the neo-Fascist authorities are deliberately developing Internal Commissions

3813

and, owing to the peculiar circumstances in the North, are trying to buy off the workers by giving them a greater share in the management of industrial establishments. This will create a great problem when the North is liberated, and the Allied authorities will have to decide, at a very early date, what their attitude will be towards these "managing" Internal Commissions and the extent to which they will support any policy which the Italian Government may wish to develop in this respect. The management and directors of establishments which have been cooperating with the enemy will undoubtedly flee or disappear and the position which now obtains in France in the Renault Works, and other industrial establishments, may be repeated. Meantime Internal Commissions are becoming firmly established in liberated Italy in non-Government concern, and with the help of moderating influences we may be successful in restraining them from undue interference with management.

4. The important issues I have just mentioned cannot properly be developed in this particular reference from the Italian Ministry of the Interior to Local Government Sub-Commission, but I think they should be borne in mind when the immediate issue is being considered.

5. Whilst agreeing with the Italian Government that Internal Commissions on the lines of those for industrial establishments are not appropriate to non-industrial Government establishments, and while certainly agreeing that Internal Commissions have, under the present stage of industrial development, no right to interfere with the management of establishments, I do not think that we could support a merely negative attitude such as that indicated in the explanatory minute by Local Government Sub-Commission, which states that Dr. Gomara's views are that State servants have their position protected by law and that State officials can't be allowed to form associations to further their interests. After all, these State officials are workers and the Government is their employer. On general principles, workers should be allowed to form associations which can represent them in discussions regarding their wages and conditions of service. The obvious exception to these general principles are members of the Armed Forces of the Nation and, with perhaps a little more latitude, members of the police forces. I, therefore, recommend that the Italian Government should be informed that the Allied Commission agrees with them that Internal Commissions, as such, are not appropriate for non-industrial Government establishments, but that, with the exception of members of the Armed Forces and, for certain questions, members of the police forces, it seems proper to allow freedom of organization of professional, technical, administrative and clerical Government employees for the normal purposes of workers' associations. Because of the particular functions and responsibilities of Government Departments, certain points such as the right to strike and the right

- 3 -

to combine with Trade Unions of non-Government employees and of association with, or sympathetic action in concern with such bodies, might be withheld, but that it would be advisable to establish machinery for negotiation and discussion of salaries, wages and service conditions of Government employees. The details of the organization on a local, provincial and national basis of such negotiation machinery might well be the subject of discussion between the Allied Commission and the Italian Government when the response of the Italian Government to the indications of policy, now suggested, is known. If the Italian Government are immediately favorable, the Allied Commission would be prepared to offer all the guidance and assistance on matters of broad principle and on matters of detail which it is in their power to supply. If, however, the Italian Government sees difficulty in accepting the suggestions offered, the Allied Commission would be grateful to have the opportunity of further discussion before a final decision is taken by the Italian Government.

W. B. Braine

W. B. BRAINE
Director
Labor Sub-Commission

3813

ES/14.04

16 March, 1945

My dear Mr. Prime Minister:

In your letter 15794/2578 of 11 January, 1945, addressed to Local Government Sub-Commission, you referred to an inquiry from the Prefect of Florence regarding the institution of Internal Commissions in State offices and in establishments under the control of the State, and you indicated that the Italian Government does not approve the institution of such Commissions in non-industrial establishments under Government control.

This Allied Commission agrees with your view that Internal Commissions as operating in industrial establishments are not appropriate to non-industrial Government establishments. I think it opportune to mention, however, that it appears to be proper to allow freedom of organization of professional, technical, administrative and clerical Government employees for the normal purposes of workers' associations. Obviously, for State employees the right to strike should be withheld and additional restrictions should be placed on members of the police and security forces.

Apart from the particular question raised by the Prefect of Florence, Allied Military Government will encounter the question of the association of Government non-industrial employees and Internal Commissions in areas now under Allied Military Government and in the North of Italy when it becomes liberated. It is desirable, therefore, that there should be agreement with the Italian Government on the policy to be observed, and I should be glad to learn the extent to which Your Excellency is in agreement with the general principles mentioned.

/s/ Ellery W. Stone

ELLERY W. STONE
Rear Admiral, USNR
Chief Commissioner

His Excellency Ivanoe Bonomi
The President of the Council of Ministers
Italian Government
Rome

3812

5280

WMB/rmw

1 March 1945

DRAFT OF LETTER TO PRIME MINISTER

Sir:

In your letter of 11 January 1945, you referred to an inquiry from the Prefect of Florence regarding the institution of Internal Commissions in State offices and in establishments under the control of the State, and you indicated that the Italian Government does not approve the institution of such Commissions in non-industrial establishments under Government control.

This Allied Commission agrees with your view that Internal Commissions as operating in industrial establishments are not appropriate to non-industrial Government establishments. I think it opportune to mention, however, that it appears to be proper to allow freedom of organization of professional, technical, administrative and clerical Government employees for the normal purposes of workers associations. Obviously, for State employees the right to strike should be withheld and additional restrictions should be placed on members of the police and security forces.

Apart from the particular question raised by the Prefect of Florence, Allied Military Government will encounter the question of the association of Government non-industrial employees and Internal Commissions in areas now under Allied Military Government and in the North of Italy when it becomes liberated. It is desirable, therefore, that there should be agreement with the Italian Government on the policy to be observed, and I should be glad to learn the extent to which Your Excellency is in agreement with the general principles mentioned in Paragraph 2 of the

Brigadier-General E. B. McKinley
Acting Vice President

Prefect of Florence regarding the institution of Internal Commissions in State offices and in establishments under the control of the State, and you indicated that the Italian Government does not approve the institution of such Commissions in non-industrial establishments under Government control.

This Allied Commission agrees with your view that Internal Commissions as operating in industrial establishments are not appropriate to non-industrial Government establishments. I think it opportune to mention, however, that it appears to be proper to allow freedom of organization of professional, technical, administrative and clerical Government employees for the normal purposes of workers associations. Obviously, for State employees the right to strike should be withheld and additional restrictions should be placed on members of the police and security forces.

Apart from the particular question raised by the Prefect of Florence, Allied Military Government will encounter the question of the association of Government non-industrial employees and Internal Commissions in areas now under Allied Military Government and in the North of Italy when it becomes liberated. It is desirable, therefore, that there should be agreement with the Italian Government on the policy to be observed, and I should be glad to learn the extent to which Your Excellency is in agreement with the general principles mentioned in ~~paragraph 2 of above~~

Brigadier-General E. B. McKinley
Acting Vice President
Economic Section

3811

SHE/rmw

1 March 1945

DRAFT OF LETTERS TO REGIONAL COMMISSIONERS
TOCCATA, LOMBARDIA, PIEMONTE, LIGURIA
AND VENETIA

Subject: Association of State employees
and establishment of Internal
Commissions in non-industrial
Government and public establish-
ments.

1. Correspondence is in progress
with the Italian Government following the
question raised by the Prefect of Florence
regarding the recognition of Internal
Commissions in non-industrial State and
public establishments.

2. The Italian Government have
expressed the opinion that such Commissions
should not be allowed to function and in
informal conversations the view has been
expressed by Italian Government represen-
tatives that State officials should not be
allowed to form associations.

3. Allied Commission has ex-
pressed the opinion that while Internal
Commissions as operating in private indus-
try are not appropriate to State non-
industrial establishments, State employees
should be allowed freedom of organization
for the normal purposes of workers'
associations although the right to strike
should be withheld and additional safe-
guards might be necessary regarding
police and security services.

4. The Italian Government has
been invited to agree on policy which can
be put into operation by Allied Military
Government in territory at present under
AMG and in Northern territory as it
becomes liberated. Regional Commissioners
will wish to know of this interchange and
will be kept informed of developments so
that they may know how to deal with situ-
ations which may arise.

5. The above statements of
principle are without prejudice to the
general question of Internal Commissions
in non-Government industrial est-
ments and to the attitude to be adopted

3870

with the Italian Government following the question raised by the Prefect of Florence regarding the recognition of Internal Commissions in non-industrial State and public establishments.

2. The Italian Government have expressed the opinion that such Commissions should not be allowed to function and in informal conversations the view has been expressed by Italian Government representatives that State officials should not be allowed to form associations.

3. Allied Commission has expressed the opinion that while Internal Commissions as operating in private industry are not appropriate to State non-industrial establishments, State employees should be allowed freedom of organization for the normal purposes of workers' associations although the right to strike should be withheld and additional safeguards might be necessary regarding police and security services.

4. The Italian Government has been invited to agree on policy which can be put into operation by Allied Military Government in territory at present under AMG and in Northern territory as it becomes liberated. Regional Commissioners will wish to know of this interchange and will be kept informed of developments so that they may know how to deal with situations which may arise.

5. The above statements of principle are without prejudice to the general question of Internal Commissions in non-Government industrial establishments and to the attitude to be adopted where workers have been given an active share in management under the neo-Fascist regime in Northern Italy. Instructions on these particular points will be issued separately.

Brigadier-General E. D. McKinley
Acting Vice President
Economic Section

4

HEADQUARTERS ALLIED COMMISSION
APO 394
ECONOMIC SECTION

CWA/ emg

To. Col. Denmore

24 February 1945.

INTERIOR COMMISSIONS IN STATE OFFICES AND IN THE PUBLIC BODIESSummary of Correspondence in CA File AC/1/25/LG

①

1. The Prime Minister raised the point whether Internal Commissions in state offices and in offices under the control of the state, should be permitted, with the comment that the Italian Government does not approve the introduction of Internal Commissions in non-industrial Government establishments.

2. "Internal Commissions" are composed of representatives of workers dealing with social welfare and industrial relations questions and attempt to control the management of the establishments. They have no legal basis. The Italian Government's point of view is that employees in Government departments or provincial administrations are state servants and their positions are protected by law. The private interests of the officials cannot be set up against the interests of the state. They cannot be allowed to form associations for this purpose.

3. Labor Sub-Commission agrees with the Italian Government that Internal Commissions on the lines of those for industrial establishments are not appropriate to non-industrial Government establishments but that, with the exception of members of the Armed Forces and, for certain questions, members of the Police Force, it seems proper to allow freedom of organization of professional, technical, administrative and clerical Government employees for the normal purpose of workers' associations, with the exception of the right to strike. Mr. Braine suggests that we advise the Government accordingly. If, however, the Italian Government does not accept the suggestion offered, AC should discuss with them further before a final decision is taken.

4. Local Government Sub-Commission agree with Labor's views, citing various local Government organizations in England.

5. Legal Sub-Commission. If it is desired to set up a Commissione Interna in Italian Government territory, it would probably involve the preparation of detailed legislation. They suggest that the present policy of our relations with the Government are such that Mr. Braine's

3809

④

- 2 -

suggestion on the line of approach in this matter is inconsistent with this policy, so far as Government territory is concerned. While AMG has the right to authorize these Commissioni in AMG territory, they point out that a difficult situation would be created when the territory is handed back to the Italian Government, if such Commissioni were authorized.

6. C.A. Section suggest that as no reply is called for, we should take no further action. Although the point has arisen in AMG territory, Brigadier Upjohn thinks we should conform there in the practice of Government territory.

7. Mr. Braine on the 14 of February agreed we should not force our views on the Government, but thinks this question will arise in a more or less acute form at some later date. He thinks it is only fair to the Regional Commissioner, Toscana, to inform him of the position and that AC proposes to offer no objection unless and until they are requested, and Regional Commissioners for the Northern Regions should, he suggests, similarly be informed.

C. W. Atkins
C. W. ATKINS
Captain, R.A.

3803

C O P Y

WHB/rmw/tr

C O P Y

3

HEADQUARTERS ALLIED COMMISSION
APO 394
LABOR SUB COMMISSION

Tel. : Ext.204

REF. : LSC/1002 (LSC/108)

25 January 1945

SUBJECT : "Commissari Interni" in Prefectures.

TO : Colonel L. D. Densmore
Economic Section

1 - The reference of 11 January 1945 from the Italian Ministry of the Interior, over the signature of Prime Minister Bonomi, raises a very important question, and I, therefore, give a full statement of the issues involved.

2 - The question raised is whether Internal Commissions in State Offices, and in Offices under the control of the State, should be permitted; with the comment that the Italian Government does not approve the institution of Internal Commissions in non-industrial Government establishments.

3 - The explanatory note from Local Government Sub-Commission, dated 18 January, indicates that Internal Commissions represent workers on social welfare and industrial relations questions, and attempt to control the management of establishments; that they have no legal basis and are not a continuation of the Fascist corporative system.

There is a long history behind Internal Commissions, which were in existence in Italy before the advent of Fascism, which were discouraged by Fascism until recent years when the Fascist authorities tried to revive them, but always on a political and party basis, i.e., the so-

3803

(3)

- 2 -

called representatives of the workers were selected and appointed from above by the Fascists and were merely another instrument of control, both of workers and of managements. After the down-fall of Fascism in July, 1943, one of the first acts of the representatives of workers and industries was to conclude an agreement for the re-establishment of Internal Commissions in industry. The authors of this agreement are no longer with us -- Buozzi, the veteran Trade Union leader, was killed by the Germans, and Manzoni, the employers representative, was in the North when the Badoglio Government moved out of Rome and has not been heard of. It must be recognized, however, that Internal Commissions in industry have a de-facto existence and the comment of Local Government Sub-Commission that they have no legal basis is merely another reflection of the position resulting from the absence of labor legislation. In enemy-occupied Northern Italy the neo-Fascist authorities are deliberately developing Internal Commissions and, owing to the peculiar circumstances in the North, are trying to buy off the workers by giving them a greater share in the management of industrial establishments. This will create a great problem when the North is liberated, and the Allied authorities will have to decide, at a very early date, what their attitude will be towards these "managing" Internal Commissions and the extent to which they will support any policy which the Italian Government may wish to develop in this respect. The managements and directors of establishments which have been cooperating with the enemy will undoubtedly flee or disappear and the position which now obtains in France in the Renault Works, and other industrial establishments, may be repeated. Meantime Internal Commissions are becoming firmly established in liberated Italy in non-Government concerns, and with the help of moderating influences we may be successful in restraining them from undue interference with management.

4 - The important issues I have just mentioned cannot properly be developed in this particular reference from the Italian Ministry of the Interior to Local Government Sub-Commission, but I think they should be borne in mind when the immediate issue is being considered.

5 - Whilst agreeing with the Italian Government that Internal Commissions on the lines of those for industrial estab-

3803

- 3 -

lishments are not appropriate to non-industrial Government establishments, and while certainly agreeing that Internal Commissions have, under the present stage of industrial development, no right to interfere with the management of establishments, I do not think that we would support a merely negative attitude such as that indicated in the explanatory minute by Local Government Sub-Commission, which states that Dr. Camera's views are that State servants have their position protected by law and that State officials can't be allowed to form associations to further their interests. After all, these State officials are workers and the Government is their employer. On general principles, workers should be allowed to form associations which can represent them in discussions regarding their wages and conditions of service. The obvious exception to these general principles are members of the Armed Forces of the Nation and, with perhaps a little more latitude, members of the police forces. I, therefore, recommend that the Italian Government should be informed that the Allied Commission agrees with them that Internal Commissions, as such, are not appropriate for non-industrial Government establishments, but that, with the exception of members of the Armed Forces and, for certain questions, members of the police forces, it seems proper to allow freedom of organization of professional, technical, administrative and clerical Government employees for the normal purposes of workers' associations. Because of the particular functions and responsibilities of Government Departments, certain points such as the right to strike and the right to combine with Trade Unions of non-Government employees and of association with, or sympathetic action in concern with such bodies, might be withheld, but that it would be advisable to establish machinery for negotiation and discussion of salaries, wages and service conditions of Government employees. The details of the organization on a local, provincial and national basis of such negotiation machinery might well be the subject of discussion between the Allied Commission and the Italian Government when the response of the Italian Government to the indications of policy, now suggested, is known. If the Italian Government are immediately favorable, the Allied Commission would be prepared to offer all the guidance and assistance on matters of broad principle and on matters of

3805

- 4 -

detail which it is in their power to supply. If, however, the Italian Government sees difficulty in accepting the suggestions offered, the Allied Commission would be grateful to have the opportunity of further discussion before a final decision is taken by the Italian Government.

W. H. BRAINE
Director
Labor Sub-Commission

3804

HEADQUARTERS ALLIED COMMISSION

AFO 394

LOCAL GOVERNMENT SUB COMMISSION

SUBJECT : - "Commissari Interni" in Prefectures 18 Jan. 1945

TO : - COL. R. G. B. SPICER

FROM : - Major C.G.R. Williams.

1. Reference No. 1 on the file, I have inquired of Dr. Camera as to what exactly are these "commissari interne".
2. He explains that since the fall of Fascism, there has been a practice of appointing committees representative of the workmen of employees in industrial and commercial establishments. These committees represent the interests of the employees in matters of social welfare and in their relations with the management. But they frequently go further than this and attempt actually to control the running of the establishment.
3. They have no legal basis and are not in any sense a continuation of the Fascist corporative system.
4. When the Ministry of the Interior moved to Rome, they found an attempt to set up a similar "internal commission" among the staff of the Ministry, a certain Vice-Secretary taking the lead in it. They have managed to reduce the commission to purely welfare functions (e.g. messing) and to exclude it from anything to do with service conditions.
5. CAMERA emphasized that such "internal commissions" in a Government Department or provincial administration would be quite contrary to Italian principles. The employees are State servants and as such they have their position protected by law. But beyond that, the interests of the State must prevail; and the private interests of the official cannot be set up against the interests of the State: and they cannot be allowed to form associations for this purposes.
6. Referring back to the Ministry's letter, a preliminary point arises. This is yet another case of a Prefect in Military Government Territory communicating direct with the Ministry on a point of principle and receiving an answer. Paterno ought to have addressed his query to the FC, who would refer it with his views through SCAO to this HQ; he should know that quite well. In the result we do not have the views of either FC or SCAO on the question: we do not even know if they are aware of it.
7. On the main question, a broad question of principle is raised as to the right of association. Before it is considered further the views of the Labour S/C. should be obtained.
8. I recommend the file be referred to CA Section for this to be

PRO : - Major C.G.R. Williams.

1. Reference No. 1 on the file, I have inquired of Dr. Camera as to what exactly are these "comissioni interne".
2. He explains that since the fall of Fascism, there has been a practice of appointing committees representatives of the workmen of employees in industrial and commercial establishments. These committees represent the interests of the employees in matters of social welfare and in their relations with the management. But they frequently go further than this and attempt actually to control the running of the establishment.
3. They have no legal basis and are not in any sense a continuation of the Fascist corporative system.
4. When the Ministry of the Interior moved to Rome, they found an attempt to set up a similar "internal commission" among the staff of the Ministry, a certain Vice-Secretary taking the lead in it. They have managed to reduce the commission to purely welfare functions (e.g. messing) and to exclude it from anything to do with service conditions.
5. CAMERA emphasized that such "internal commissions" in a Government Department or provincial administration would be quite contrary to Italian principles. The employees are State servants and as such they have their position protected by law. But beyond that, the interests of the State must prevail; and the private interests of the official cannot be set up against the interests of the State : and they cannot be allowed to form associations for this purposes.
6. Referring back to the Ministry's letter, a preliminary point arises. This is yet another case of a Prefect in Military Government Territory communicating direct with the Ministry on a point of principle and receiving an answer. Paterno ought to have addressed his query to the PC, who would refer it with his views through SCAO to this HQ; he should know that quite well. In the result we do not have the views of either PC or SCAO on the question : we do not even know if they are aware of it.
7. On the main question, a broad question of principle is raised as to the right of association. Before it is considered further the views of the Labour S/C. should be obtained.
8. I recommend the file be referred to CA Section for this to be dealt,

C.G.R.
C.G. R. Williams
Major
Local Government S/C.

3803

(2)

MINISTRY OF THE INTERIOR
Cabinet

File No. 15794/ 2878

15 JAN 1945

Rome, 11 Jan. 1945

TO : The Allied Commission

Local Government Sub Commission

ROME

*nuova Pratica
PC/1/25/46*

SUBJECT : Interior Commissions in State Offices and in the Public Bodies.

The Prefect of Florence with a Note No. 4427 of 22 Nov. 1944 requests if the institution and functioning of Internal Commissions in the State Offices and in the Offices of the Bodies which are under the control and survey of the State could be permitted.

For the decisions that you will deem necessary, we inform you that the Italian Government does not approve the institution of such Commissions in Public Offices and in the Bodies under the survey and the control of the State which do not have industrial characteristics.

THE MINISTER

I. Bonomi

3303

cm.

4684



Ministero dell'Interno
Gabinetto

C Roma 10 gennaio 1945

13 JAN 1945

Al Commissione Alleata
Sottocommissione Governo
Locale R O M A

Divisione Is
Prot. N. 15794/2878 Allegato

Rispostavul' del
Dir. Is N.°

Oggetto: Commissioni interne uffici statali ed
enti pubblici.

Il prefetto di Firenze, con nota
n° 4427 del 22 novembre u.s. ha chiesto
se possono essere consentiti l'istituzio-
ne e il funzionamento di Commissioni in-
terne negli uffici pubblici statali e ne-
gli enti sottoposti a vigilanza e al con-
trollo dello Stato.

Per le determinazioni di competenza
si comunica che il Governo Italiano non ap-
prova l'istituzione di tali Commissioni
presso gli uffici pubblici e gli enti sot-
toposti a vigilanza e al controllo dello
Stato e non aventi caratteristiche indu-
striali.

IL MINISTRO

[Signature]

3801

Cam/Co

4684

