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LABOR SUB-COMMISSION
MAR. 1944 - JUN. 1945

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HI QUARTERS ALLIED COMMISSI(
APO 394
LEGAL SUB-COMMISSION

AC/4014/7/L.

WEB/lc.
24 June 1945.

SUBJECT : Cooperative Syndical System-Northern Italy.
Payment of Dues.

TO : Labor Sub-Commission.

Reference your LSC/806 of 21 June 1945, my opinion is that the Order of General Hume is sufficient of itself to suspend payment of contributions to the Syndicates. No further Order is necessary.

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

56

21A

HEADQUARTERS ALLIED COMMISSION
APO 394
LABOR SUB-COMMISSION

RS/rmw

21 June 1945

TEL : Ext. 416

REF : LSC/806

SUBJECT: Cooperative Syndical System-Northern Italy.
Payment of Dues.

TO : Legal Sub-Commission

1. The cooperative syndical system was suppressed by the General Order entitled "Labor Relations" published under the signature of Brig. General Erskine Hume, SCAO, 5th Army.

2. In the Piemonte Region instructions suspending the payment of contributions have been issued by the Regional Commissioner.

3. We should be glad if you would say whether you consider it necessary for a specific instruction to be prepared advising all Regional Commissioners to take similar action.

DAVID C. SACHS
Deputy Director
Labor Sub-Commission

G.O. 28

HEADQUARTERS ALLIED COMMISSION
CLO
DCLO
Chief Counsel
CLO
Legal Section
CLERKS
22 JUN 1945

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FOR INFORMATION.

20A

HEADQUARTERS ALLIED COMMISSION
APO 394
LABOR SUB-COMMISSION

WHB/rmw/pm

Ref. : LSC/411 11 June 1945

SUBJECT : Italian State Railways - Bonus Payment.

TO : Regional Commissioners LEGAL SUB-COMMISSION.
All Labour Officers.

1. It is understood that the Director General of the Italian State Railways, General Di Raimondo, issued from Rome on 28 May, an instruction to make an advance emergency payment of 2,000 lire to all Italian State Railway employees in the North of Italy except those suspended for epuration; those sent forward from the South and already receiving the pay authorized in the South; and those officials who formed part of the Direction General of Verona and offices created by that Direction (i.e., the Fascist-Republican Direction).

2. This bonus of 2,000 lire, payable in the month of May, is a lump sum payment and is not a regular monthly bonus, but is without prejudice to any later agreements that may be made to improve the wages of State employees in the North.

54

W. H. BRAINE
Director
Labor Sub-Commission

LEGAL SUB-COMMISION
CLO
DCLO
Chief Counsel
CJO
Italian Section
CLERKS
14 JUN 1945

(4014/7) file

(19A)

ALLIED ALLIED COMMISSION
APO 394
LABOR SUB-COMMISSION

WHB/mw

8 June 1945

TEL : Ext. 204

REF : LSC/415

SUBJECT: Northern Italy - Surplus Workers.
Payment of Wages and/or insurance.

TO : See Distribution List

1. A press announcement on the basis of Paragraphs 2 and 3 below is being arranged through A.C. Headquarters.

2. Allied Military Government has consulted the Italian Government with regard to the regulation of employment of labor in Northern Italy in industrial establishments where there is at the moment a surplus of workers. The Italian Government is of the opinion, which Allied Military Government supports, that it is desirable to avoid large scale dismissals of labor for which at the moment there is not full employment; and that until further notification it is necessary to advise employers in North Italy to refrain from large scale and unregulated discharges. Ordinance No. 3 of the CLNAI, which refers to this issue, is accordingly to be regarded as continuing in force until a later Decree on the subject is issued.

3. It is the desire of the Italian Government, in conjunction with Allied Military Government, to arrange for surplus manpower to be transferred from industrial establishments to other employment in agriculture, public works, etc., and action to this end will be commenced as soon as possible with the collaboration of all interested parties. In the meantime the Italian Government is willing to finance, up to July 31, the Cassa Integrazione Salari to enable it to continue functioning in North Italy so as to assist employers in making payments to surplus workers in accordance with arrangements which have been made or which may be made in the near future.

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4. It will be seen that unregulated discharges of workers are discouraged: and that the Italian Government is prepared to subsidize Cassa Integrazione to enable employers to retain surplus labor. The date, 31 July, is shown as the period up to which the Italian Government will grant subsidies. Consideration will be given at a later date to the extension of subsidies, if necessary.

5. In the meantime, all possible steps will be taken to reduce surplus staffs, especially those who are engaged and retained for political reasons rather than for productive purposes. The employers' association and the Camera del Lavoro of Milan have already come to an agreement providing for the formation of a "waiting list" or "messa in aspettiva" of workers selected in agreement with the Internal Commission who would be relieved from the obligation to attend at their normal place of work, and whose pay would be reduced to 10 lire per day, plus family allowances, plus 16 lire per day unemployment pay for adult male workers and correspondingly lower benefits for other

Payment of wages and/or [illegible]

TO : See Distribution List

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workers. This is cited as an example of arrangements which might be extended to other areas.

Arrangements will be developed for the transfer of worker to agriculture, reconstruction and other activities.

6. When arrangements for the regulation of the discharge of workers and the payment of unemployment benefits are complete, further instructions will be issued and a Decree prepared to take the place of OLN.I Ordinance No. 3. In the meantime the policy to be followed is to discourage large scale discharges of surplus workers.

W. H. BRAINE
Director
Labor Sub-Commission

DISTRIBUTION LIST:

Col. R. G. Kirkwood - Toscana Reg. R.C.
Col. A. C. Bowman - Emilia Reg. R.C.
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Maj. R. Small - Toscana Reg. Labor Officer
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Maj. R. M. Albright - Emilia Reg. Labor Officer
Capt. M. Schnee - Emilia Reg. Labor Officer
Maj. E. J. Scicluna - Piemonte Reg. Labor Officer
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Maj. T. Fisher - Lombardia Reg. Labor Officer
Capt. M. Adams - Lombardia Reg. Labor Officer
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S.C.A.C. 15th Army Group
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Economic Section
Finance Sub-Commission
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Transportation Sub-Commission
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Executive Commissioner
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LEGAL SUB-COMMISIO
CLO
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CJO
Italian Section
CL RKS

large scale discharges of surplus workers.

W. H. Braine
W. H. BRAINE
Director
Labor Sub-Commission

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Col. R. G. Kirkwood - Toscana Reg. R.C.
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Capt. A. L. Dorf - Toscana Reg. Labor Officer
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Economic Section
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G-5 A.F.H.Q.

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LEG... SUB-COMMISIO
CLO
DCLO
Chief Counsel
CJO
Italian Section
CL RKS
8 JUN 1945

HEADQUARTERS
ALLIED MILITARY GOVERNMENT
LOMBARDIA REGION
APO 394
Legal Division

REF.: LEG/5034 7 June 1945

SUBJECT : Premium of Liberation.

TO : Legal Sub-Commission

1. A copy of the agreement entered into by the Chamber of Labour and Union of Industrialists of the Province of Milan is enclosed.

2. Another copy has been forwarded to the Director Labour Sub-Commission.

3. It appears that this agreement was signed by the parties concerned after 2 May 1945.

For the Regional Commissioner

H.M. DICKIE
W/Cdr. R.A.F.
Regional Legal Officer

vb.

COPY

(188)

Tra l'UNIONE INDUSTRIALE DELLA PROVINCIA DI MILANO e LA CAMERA DEL LAVORO DI MILANO

si conviene quanto segue :

Le Aziende industriali corrisponderanno ai dipendenti un "premio di liberazione" nella seguente misura :

Uomini e donne di età superiore ai 18 anni, che fruiscono di assegni famigliari	L. 5000
Uomini e donne di età superiore ai 18 che non fruiscono di assegni famigliari	L. 3500
Uomini e donne di età compresa fra i 16 e 18 anni compiuti	L. 2000
Uomini e donne fino ai 16 anni compiuti	L. 1500

Il premio sarà corrisposto a tutti i dipendenti, operai ed impiegati, salvo le esclusioni che saranno indicate dal Comitato di Agitazione, d'accordo col C.L.N. aziendale. Non sono compresi coloro che hanno prestato servizio nell'esercito repubblicano fascista e nelle brigate nere e coloro che sono rimasti assenti senza giustificato motivo.

Tenute presenti le difficoltà cotingenti, relative alle disponibilità di valute, le aziende, qualora non vi avessero già provveduto, corrisponderanno immediatamente ai lavoratori in acconto sull'importo del premio, salvo a corrispondere il saldo comunque non oltre il 31/5/45.
Le aziende che avessero versato un acconto anche ai lavoratori non aventi diritto al "premio di liberazione" continueranno a considerare tale versamento a titolo di acconto sulle competenze maturate e maturande, e le relative trattenute verranno effettuate sulla base degli accordi che verranno presi fra l'Unione degli Industriali e la Camera del Lavoro.

Tra l' UNIONE DEGLI INDUSTRIALI DELLA PROVINCIA DI MILANO E LA CAMERA DEL LAVORO DI MILANO si conviene quanto segue :

Le aziende industriali sono invitate a corrispondere a tutti i dipendenti che siano stati presenti in stabilimento nei giorni 26, 27, 28, 30 aprile, e 1° maggio 1945, nonchè agli assenti giustificati dai Comitati Sindacali, i quali sentiranno al riguardo il parere del C.L.N. un'indennità di presenza insurrezionale" nella misura di L.120 giornaliere.

Le esclusioni saranno determinate dal Comitato di Agitazione in accordo col C.L.N. aziendale. Tale indennità si intende in sostituzione della normale retribuzione. Essa non spetterà quindi a tutti i dipendenti assenti per motivi tali che avrebbero loro impedito, in circostanze normali di dare la loro regolare prestazione di lavoro.

C1014/7

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HEADQUARTERS ALLIED COMMISSION
APO 394
LABOR SUB-COMMISSION

WHB/rmw

11 May 1945

LABOR AND EMPLOYMENT IN NORTH ITALY

1. The following memorandum is based upon impressions gathered during a rapid tour of North Italy with a mission from Economic Section of Headquarters, A.C., Italy, which left Rome on 6 May and returned on 19 May, 1945. During this period visits were paid to Bologna, Padova, Venice, Milan, Turin and Genoa.

2. The main impressions are:

(i) The unexpectedly favorable state of industrial establishments, plant, power, trains, etc.

(ii) The optimism on the part of the Italians.

(iii) The hard facts that owing to the prospects of supply of coal there will inevitably be mass unemployment.

(iv) The necessity of providing alternative work schemes.

(v) The necessity equally of providing state relief in cash and in kind, including feeding in popular kitchens, on a scale superior to the present system.

(vi) The different character and temper of the Italians of the North from those of the South; and the general recognition on the part of Allied Officers in the North that detailed administration and control as in the South is not necessary and would be resented.

(vii) The fact that however efficient the Italian machinery of administration, there must be formulation of policy and direction from above to guide the machinery; and that the Committee of National Liberation is not in itself able to provide this, although it has assumed a position of authority which rivals or even challenges AMG control.

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(viii) The necessity of arranging for the Italian Government to administer relief schemes, public assistance, feeding, etc., through the efficient machinery to which Allied officers pay tribute - instead of trying to build up from scratch an Allied administered system. This is without prejudice to any views expressed elsewhere as to the advisability of Allied control, in general or in detail, of Italian industry.

5. The most important step is perhaps to dispel the false optimism which pervades Italian circles. Having seen one miracle, viz., the preservation of their plant, power and equipment from the deliberate destruction which ruined the center and south, they expect another, viz., the supply of coal and raw material on a scale which will enable them to resume full production.

Italian industry required 1,000,000 tons of coal per month to keep its industries going. It cannot look to Germany, France nor Austria for supplies - its own output in Sardinia is not sufficient for the needs of the center and south - and it can expect to get coal only from South Africa and America, I understand.

On 16th May I was given to understand that in June and July an average of 26,000 tons per month would be imported and in August 89,000 tons for Italian industry. (Other amounts would be imported for military purposes and for railways in addition). Today, 30th May, I learn that perhaps 200,000 tons may be imported in the earlier months (per month), rising to 700,000 tons per month by the end of the year. Whichever estimate is true, it is obvious that Italian industry will operate at less than one-third of its capacity and that from four to six million workers will be unemployed.

6. During the pre-liberation period, Italian industry kept on its books as much labor as possible to save men from being deported to Germany. They paid 75 p.c. of normal wages to those for whom no work could be found. Thus at the moment of liberation it was said that in Milan there was no unemployment. Under Fascist law, and under an ordinance of the C.L.N.A.I. it was forbidden to dismiss any workers without permission. The requirements are of doubtful application now, and I happened to attend a meeting of employers at Turin where the need for factory discipline, power to dismiss or substitute efficient for inefficient workers, etc., was expressed.

Now there is the dangerous situation that there are workers returning from the mountains where they had taken refuge to avoid deportation to Germany, and those returning from Germany and Austria, etc., who receive only 16 or 20 lire per day by way of public assistance, as compared with those who happen to be on the payroll or

industrial establishments and who receive 75 p[illegible] of their normal wage. Already in Genoa and La Spezia there are thousands without sufficient means for maintenance.

Large scale work schemes must be prepared and put into effect as soon as possible. The most obvious possibilities are the repair of bridges and roads, railroads, houses and factories, and the diversion of surplus labor from the cities to agriculture. Cement, bricks and steel are required for repair and reconstruction work, and the allocation of coal and material should be made with these necessities in mind. Similarly transport of all descriptions should be allocated for these purposes.

While the Allied Authorities can give advice and guidance on the preparation and operation of such work schemes, and can influence the allocation of transport, coal and material, it is considered that the Italian Government should be responsible for the execution of the program.

5. Similarly, in the allocation of coal, material and transport that may be supplied by the Allies, one of the factors to be borne in mind is the amount of employment that can be provided in particular districts. It may be advisable to allocate coal to an establishment where the degree of efficiency may not be as high as in others, for the purpose of affording employment in an area where there is little opportunity. Allocation solely on an efficiency basis may concentrate production in certain areas at the expense of others.

6. There is already in operation in North Italy an efficient system of public restaurants where standard meals are served at fixed prices varying from 20 to 25 lire per meal. These should be encouraged and extended, and the supply of foodstuffs guaranteed, in order to meet the demand that is already growing. Here again the Italian administration can operate without the Allied authorities taking over detailed administration. A system of meal tickets for those without resources will probably be necessary in the immediate future.

7. With the abolition of Fascist labor regulation on liberation, it is necessary to make special legal provision to meet the situation which has been found on entry to the North as regards the retention on the pay roll of workers for whom there is not sufficient employment. The Committee of National Liberation made an ordinance forbidding the dismissal of surplus staff without the permission of the factory CLN Committee. Apart from the doubtful force of such an ordinance now, there are no sanctions to support it. Arrangements should be made for the regulated release of surplus staff, and for the maximum amount of agreement between employers and workers in the selection of workers to be dismissed.

8. Wage scales are fixed by Fascist government orders but are now open to joint negotiation between industry and the workers, subject to ratification by AMG. Wages scales were considerably lower than those obtaining in Central and South Italy, even after allowing for the various bonuses and piecework rates by which workers in certain industries obtained more than the minimum rates. For example, in Turin piece workers who would normally earn a bonus on production but who combined with the employers to produce as little as possible for the Germans, were paid a "cottimo" or bonus amounting to 41 p.c. of the basic wage (i.e., omitting indemnities and bonuses). Time workers were given an increase amounting to 60 p.c. of that bonus.

Prices are gradually rising - and one factor in increasing them is the influx of repatriated workers and ex-prisoners, and of refugees, who arrive in the large towns and cities with no possessions other than the clothes they wear. They seem to have funds to make extensive purchases. Consequently there is already a move for the upward revision of wages.

9. On matters of labor regulation, wages, etc., the Joint Advisory Committees intended to advise the Allied Regional Commissioners, should be of service to advise the Italian administration. The Government, industry and workers had agreed to the establishment of such Committees, comprising representatives of the three interests, and they should be got into operation at the earliest date. At the same time, it is extremely doubtful whether the machinery of AMG could cope with the detailed administration of private industry and other establishments in this respect, and the Italian machinery should continue with guidance and advice from AMG rather than minute control.

10. A public pronouncement should immediately be made regarding

(a) the appointment of Works Management Councils (consiglio di Gestione Azendiale);

(b) the payment of Liberation Bonus to workers, varying from 5,000 lire for adult heads of families to 1,500 lire for others;

(c) the appointment of Commissioners and Vice-Commissioners in replacement of compromised or missing managements.

The first depends upon a so-called Decree of the Committee of National Liberation for Upper Italy, dated 17th April 1945, which abolished the Fascist "socialization" decree but applied, to establishments with capital of one million lire and above which had been liable to socialization, provisions for managements councils containing 50 p.c. representation of workers.

The second [illegible] rests upon an alleged agree[illegible]t between representatives of industry and of workers in the CGIL, and required payment of the bonus to industrial workers to be completed by 31st May. It was later extended to employees in commerce, to be paid by 31st August. Any number from four to six million workers would be affected and as the average payment would be in the neighborhood of 2,500 lire per worker, the inflationary effect and other results would be serious if the payments were made.

The third started as the nomination by local CLNs of interim managers to keep businesses going when the managers disappeared, but has been interpreted as the right to substitute nominees at the instigation of such Committees. The demand is made that a worker should be appointed if capable; otherwise, that a worker should be appointed Vice-Commissioner.

11. In fact, the three questions were not heard of in Bologna, Venezia, Padova, and were not much in evidence in Genoa. They are being developed most in the Milan area and also in Turin. Threats of personal violence are being made in Milan area to enforce payment of the bonus, but even so it has not been generally paid. In the Turin area some employers made the theatrical gesture of offering the keys of their establishments to the workers when they were asked for the bonus, which they said would mean the closing of their businesses.

I gathered the impression in Milan, Turin and Genoa that the workers' representatives in the various Camere del Lavoro were themselves fearful of the consequences of pursuing these issues, with the exception of the Communist secretary of the Camera at Milan. His other two colleagues (Socialist and Christian-Democrat) told me that they did not support him, but were keeping quiet to avoid an open break which would disrupt the workers' movement.

12. Publicity has been given to these questions and if high policy decides that counter-action should be taken, equal publicity should be given. On the first two issues it is recommended that a decision should be taken to suspend action until the Italian Government has fully considered all the implications. On the third issue it is recommended that commissioners or receivers should be appointed by AMG or the Italian Government, in substitution where advisable, of those appointed by CLNs, and that orders should be issued that there should be no arbitrary replacement of existing managements.

13. During the conduct of military operations and the progress of the Allied Armies up through southern and central Italy, the Allies gave a considerable amount of employment to Italian civilians. There is an entirely different position in the North. In Genoa, for example, only 2,765 civilians are directly employed. Ex-enemy personnel are also available for work in the Army areas.

14. This raises another issue. In the South and in Central Italy, the end of military operations involves the closure or reduction of military establishments with dismissal of civilians. Early consideration should be given to the regulation of such dismissals and to as much advance notice as possible.

15. Communications in the North are difficult. It is recommended that the military despatch service should be made available for the collection of up-to-date information on the labor and employment position and that Allied representatives in the various Provinces should ascertain and report:

(a) actual unemployment; i.e., returning refugees, etc., and local residents without work;

(b) potential unemployment; i.e., workers on the payroll who are not in productive employment but who are being paid 75 p.c. of wages;

(c) relief schemes in operation or proposed;

(d) feeding position in popular restaurants, etc.

16. In each center visited, contact was made with the local Camera del Lavoro (except Venice where it has not been set up), and the Joint Secretaries in each instance undertook to cooperate to the utmost with the Allied authorities and with industry. Local industrial representatives were also seen and gave similar assurances. The introductions from the General Confederation of Italian Labor, and the earlier contacts made in Rome proved exceedingly useful. Representatives of banks, and of local Italian administration, including some Prefects, were also met.

Special facilities should be afforded for the representatives of the C.G.I.L. (labor), and of the employers national Federation, to visit the North. It is also recommended that the "official" labor paper IL LAVORO should be allowed to circulate in the North and should be given special facilities. It should thus replace the former clandestine sheets and would give an open and official air to Italian labor policy.

17. <u>To summarize:-</u>

(a) Relief work schemes must be prepared for execution through the Italian Government machinery;

(b) Employment possibilities should be considered in the allocation of coal, material and transport;

(c) Public restaurants should be maintained and extended, under Italian administration;

(d) Special labor legislation should provide for regulation of wages, employment and dismissals, with

agreement between employers and workers, (e.g., Regional Italian Joint Advisory Councils);

(e) Action regarding appointment of Commissioners by CLN or workers, appointment of Works Management Councils, and payment of a Liberation bonus, should be suspended and a public announcement made jointly by AMG, Italian Government and CLN;

(f) The program for the gradual reduction of Allied civilian establishments should be prepared;

(g) Up-to-date information regarding labor and unemployment situations should be collected through military services;

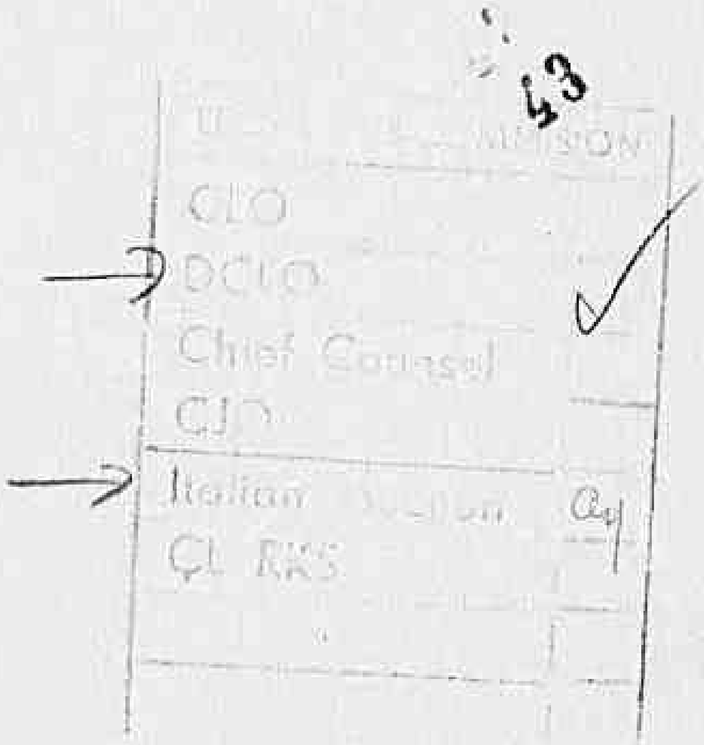
(h) Special facilities should be given to C.G.I.L. representatives, employers' federation representatives, and trade union representatives to visit the North to organize industrial negotiating machinery. Facilities should also be given to the official labor paper IL LAVORO to circulate in the North.

W. H. Brown

W. H. BROWN
Director
Labor Sub-Commission

Distribution:

Mr. A. G. Antolini, E/S
Brig. D. L. Anderson, E/S
Brig. E. B. McKinley, E/S
Legal Sub-Commission
Finance Sub-Commission
Mr. Nosworthy, British Embassy
Mr. John Adams, American Embassy
Col. Greene, American Embassy
Mr. Wyndham, President's Office
Mr. Henry Tasca, American Embassy



(68)

ALLIED SUB COMMISSION

COPY.

ALLIED COMMISSION

Tel: 202

WHB/gb

Ref: LSC/1001.

Subject: Wages in Italian Industry.

To: Economic Section.

1. The following points emerged from a discussion with Minister Cronchi on 16th March, 1945.

2. The policy of the Italian Government, reported as a result of discussions with representatives of Italian Industry and the Italian Workers (C.G.I.L.) now provides for discussion on wage scales to take place as regards individual industries. The intention is to substitute a clearly defined basic wage scale in place of the present piecework structure of a wage scale dating back to the collective agreements of 1926, to which numerous bonuses were added. After definition of the basic wage scale it is proposed to add a variable bonus, adjusted in accordance with the cost of living. It is not proposed to give legal effect to these new wage agreements but to rely upon the voluntary acceptance of the new wage rates by all concerned. If non-compliance were prevalent other steps might have to be considered and in this connection the activities of the Italian Labour Inspectorate would be of importance.

3. This policy represents an important departure from the policy of holding wage levels and of allowing variations only as a result of acceptance of proposals by the Italian Government and enforcement by legal decree. In Italian administered territory there is accordingly no immediate limit ceiling for wages and the only limit to wage increases is set by the good sense of the negotiating parties and the influence exercised by the Government, should appeal be made to it in the course of negotiation.

4. In view of this new policy there appears to be little purpose in submitting new wage agreements made in Italian Government territory to Allied Commission for approval, unless those wage agreements are of national application or are of application at any particular point inside A.M.G. territory.

5. The position inside A.M.G. territory remains, however, as before, viz., with variations in wage agreements, proposed after negotiation between interested parties, that must be approved by A.M.G. Such proposals are registered by the Labour Offices (Italian State Offices) and would be submitted to A.M.G. for approval by the Labour Officers. The question naturally arises whether Regional Commissioners in A.M.G. or Labour Sub-Commission at A.C. Headquarters would be able to refer to any yardstick measure to assist in decisions

Subject: Wages in Italian Industry.

To: Economic Section.

1. The following points emerged from a discussion with Minister Cronchi on 14th March, 1945.

2. The policy of the Italian Government, adopted as a result of discussions with representatives of Italian industry and the Italian workers (C.G.I.L.) now provides for discussion on wage scales to take place as regards individual industries. The intention is to substitute a clearly defined basic wage scale in place of the present patchwork structure of a wage scale dating back to the collective agreements of 1926, to which numerous bonuses were added. After definition of the basic wage scale it is proposed to add a variable bonus, adjusted in accordance with the cost of living. It is not proposed to give legal effect to these new wage agreements but to rely upon the voluntary acceptance of the new wage rates by all concerned. If non-compliance were prevalent other steps might have to be considered and in this connection the activities of the Italian Labour Inspectorate would be of importance.

3. This policy represents an important departure from the policy of holding wage levels and of allowing deviations only as a result of acceptance of proposals by the Italian Government and embodiment in a legal decree. In Italian administered territory there is accordingly no theoretical ceiling for wages and the only limit to wage increases is that set by the good sense of the negotiating parties and the influence exercised by the Government, should appeal be made to it in the course of negotiations.

4. In view of this new policy there appears to be little purpose in submitting new wage agreements made in Italian Government territory to Allied Commission for approval, unless those wage agreements are of national application or are of application at any particular point inside A.M.G. territory.

5. The position inside A.M.G. territory remains, however, as before, viz., with variations in wage agreements, proposed after negotiation between interested parties, that must be approved by A.M.G. Such proposals are registered by the Labour Offices (Italian State Offices) and would be submitted to A.M.G. for approval by the Labour Officers. The question naturally arises whether Regional Commissioners in A.M.G. or Labour Sub-Commission at A.C. Headquarters would be able to refer to any yardstick or measure to assist in deciding whether the proposed increases should be granted. The Armed Forces wage scale would in itself be a guide only as to prevalent conditions in liberated Italy

/ as

as a whole and could be held as a rigid ceiling to be applied to new proposals, since the Armed Forces wage scale in its turn is expected to keep in step with developments in the wage structure in private industry. The proposal which has voluntarily been adopted by agreement with the Italian Government for the attachment of employers' and workers' representatives, together with representatives of the Italian Government, while serving in an advisory or consultative capacity on wages or industrial issues, will provide an Advisory Committee to which questions of doubt could be referred. This proposal should be developed in conjunction with Finance Sub-Commission and Industry Sub-Commission.

6. It is relevant to report that the Italian Ministry of Industry, Commerce and Labour have recently completed its proposals for the operation of Ufficio del Lavoro which will be communicated after agreement with the workers' representatives. (C.C.I.L.) These proposals are understood to include the establishment of a standing Advisory Council, comprised of representatives of Industry and Labour which besides advising on the operation of the Uficio del Lavoro would be available for discussion on general questions of wage policy.

W.H. Braine

W.H. Braine

Director,
Labour Sub-Commission

Copies to: Finance Sub-Commission
Industry Sub-Commission.

-41

advisory committee to which questions of doubt could be referred. This proposal should be developed in conjunction with Finance Sub-Commission and Industry Sub-Commission.

6. It is relevant to report that the Italian Ministry of Industry, Commerce and Labour have recently completed its proposals for the operation of Ufficio del Lavoro which will be communicated after agreement with the workers' representatives. (C.C.I.L.) These proposals are understood to include the establishment of a Planning Advisory Council, comprised of representatives of Industry and Labour which besides advising on the operation of the Ufficio del Lavoro would be available for discussion on general questions of wage policy.

W.H. Braine

W.H. BRAINE

Director,
Labour Sub-Commission

Copies to: Finance Sub-Commission

Industry Sub-Commission.

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HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/LAW/7'1. GGH/pa.
30 Jan 45.

SUBJECT : AMG Order 62 of 22 Dec 45 - National Sickness Assistance.

TO : Labour Sub-Commission.

1. This Sub-Commission has no knowledge of the facts set out in your letter LSC/306 of 29 Jan 45. It is pointed out however that under the terms of restoration "all proclamations and orders promulgated by the General Military Governor or his representatives shall cease to be effective in Italian territory upon the cessation of Allied Military administration in such territories" (Art.1 of RDL 31 of 11 Feb 44 refers).

Accordingly Order 62 of AMG ceased automatically to have any effect after the date of restoration of Sicily to the Italian administration.

2. Furthermore it would be legally impossible for the Allied authorities to abrogate an order in territories where its jurisdiction has ceased to exist.

3. There remains the question of the appointment of Dr. Corrado MORCHELLA, which cannot be revoked by the Italian authorities without the consent of AC.

4. If the facts set out in H.E.GROMMI's letter are correct, then this Sub-Commission is of opinion that Allied authorities have already approved the removal of Dr. MORCHELLA when the AC agreed that the powers of Commissioner MOLFETTONI should be extended to Sicily. If however H.E.GROMMI feels that AC should formally confirm this agreement, it will be up to your Sub-Commission to do so.

5. There is no action that this Sub-Commission can take in the matter.

-50

C. C. LANNAFORD,
Lt. Colonel,
Officer i/c Italian Branch,
for Chief Legal Advisor.

040147

HEADQUARTERS ALLIED COMMISSION
APO 394
LABOR SUB-COMMISSION

WES/fg

Tel. 478828

REF : LSC/306

29 January 1945

SUBJECT: Revocation of AMG Order of 22 December, 1943, Regarding National Sickness Assistance Institute in Sicily.

TO : Legal Sub-Commission

1. Attached is translation of self-explanatory letter from the Ministry of Industry, Commerce and Labor.

2. If it is within your knowledge that AMG order No. 62 has in fact been inoperative since early 1944, and if in fact this position has existed with the knowledge and approval of the Sicily Regional Commissioner, you will no doubt agree to revoke AMG order No. 62 so requested by the Italian Authority.

The Labor Sub-Commission recommends this course.

3. Please inform me of your action in due course.

W. H. Braine

W. H. BRAINE
Director,
Labor Sub-Commission

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LEGAL SUB-COMMISSION
CLO
DCLO
Chief Counsel
CJO
Italian Section
CLERKS

30 JAN 1945

/tr

TRANSLATION - W.E.S.

MINISTRY OF INDUSTRY, COMMERCE AND LABOR
THE MINISTRY - ROME

SUBJECT : Extension to Sicily of the competent activity of National Institute for Sickness Assistance to Workers.

As is known, by decree (Official Order No. 62) of 22 December, 1943, Lt. Col. Charles Poletti, Regional Civil Affairs Officer, Sicily Region AMG, approved the constitution of the "Istituto di Assistenza contro le Malattie dei Lavoratori" (Institute for Assistance against Sickness of Workers), appointing Dr. Carmelo Moschella as Extraordinary Commissioner with main office in Palermo.

The institution of a regional organ of the above-mentioned institute was aimed - as is stated in the preamble of the decree referred to - at facilitating the transfer of administration to a body of national character as soon as possible.

In fact, with the ministerial decree of 7 December, 1943, published in the Official Gazzette, Special Series No. 5/13 of 13 December, 1943, on the proposal of the Minister of Industry, Commerce and Labor, the Italian Government appointed Dr. Livio Molfettani as Extraordinary Commissioner for the temporary administration of the National Institute for Sickness Assistance to Workers in all the provinces of liberated Italy, thereby including, also, those of Sicily.

To remove any doubt regarding the extension of the powers of Commissioner Molfettani, a direct and full agreement took place between the aforesaid Extraordinary Commissioner Molfettani and the Allied Control Commission's Sicilian representative, Col. Hancock, under which the

function of Commissioner of the Institute for Sicily was considered terminated and the incumbent returned to the post of Regional Inspector for that region.

As a result of the above, the activity of the Central Office of the Institute has already been extended fully to the Sicilian provinces.

However, it is requested that (the Allied Commission) kindly confirm the full existance and legal extension to Sicily of the sphere of competent activity of the National Institute for Sickness Assistance to Workers by means of an explicit revocation of what was disposed earlier by "Official Order No. 62" of AMG.

THE MINISTER
s. GRONCHI

Mod. IV-6.

401417 140

ISTITUTO POLIGRAFICO DELLO STATO

OFFICINA ALLESTIMENTO (G. C.)

Cartella di lavoro N. UFFICIO FANCETTARIO

li 2 Dec. 19 44

Consegnato a Alla COMMISSIONE ALLEATA

quanto appresso: Sottocommissione Legale

N. 16 pacchi contenenti la spedizione della Gazzetta Ufficiale n. 98 diretta alle Provincie: PERUGIA-TERNI-ASCOLI P.-MACERATA-ANCONA-PESARO-GROSSETO-SIENA-AREZZO-LIVORNO-PISA-FIRENZE-LUCCA-PISTOIA-APUANIA-NAPOLI.

36

Abbiamo ricevuto quanto sopra.

Firma del ricevente

File on 4014/7 ← 2d

(13A)

HEADQUARTERS ALLIED COMMISSION
APO 394
LABOR SUB-COMMISSION

MMA/rmw

Action on 4074/11

TEL : 478394 22 November 1944

REF : 001.4212

SUBJECT: Rules and Regulations Pursuant to General Order 88.

TO : Legal Sub-Commission

1. All of the changes suggested by the Legal Sub-Commission for the November 14th draft of Rules and Regulations, have been accepted by the Labor Sub-Commission.

2. With reference to Article IV-Arbitration of the Rules and Regulations, the attached draft is submitted for approval.

3. With reference to the revision of the Italian Wage Increase Decree for Private Workers for issuance as a regional order, it is proposed that Articles 1 through 9 be left unchanged; that Articles 11 and 12 be omitted, and that Article 10 be revised in accordance with the attached draft.

JUNIUS H. SMITH
Colonel, GMC
Acting Director
Labor Sub-Commission

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Original copy 4074/11

(138)

ARTICLE IV - ARBITRATION

Collective labor disputes which fail of settlement through mediation or conciliation shall be finally adjudicated by arbitration boards appointed by the Director of the Labor Office having jurisdiction thereof. Each board shall consist of tripartite representation, with an equal number of representatives for the employers, employees and the public. The members of said boards shall be drawn from a panel established by the Regional Commissioner.

Before a case is referred to arbitration by a Provincial Labor Director, it shall be notified to the Regional Director who will determine whether the arbitration shall be under the jurisdiction of the Provincial or the Regional Labor Office.

Such arbitration shall be compulsory and the awards of such boards shall be final and binding upon the parties thereto, when filed with and approved by the Regional Commissioner.

2. THE CASE OF LABOR DISPUTES

OR claims between individual employees and employers, the parties may voluntarily agree to submit to arbitration through the Provincial Labor Offices; or they may resort to courts of law, according to the code of civil procedure.

In the arbitration of both individual and collective disputes, arbitration boards will not be bound by any special procedural forms or limitations, and all awards shall be made in equity.

13B

ARTICLE X

Individual and collective controversies which arise in the application of this ~~Decree~~ ORDER, with exception of those involving matters dealt with in Article II, whenever they have not been settled by agreement between the parties, will be referred to the Regional or Provincial Labor Offices for arbitration according to the provisions of General Order No. 14, and the Rules and Regulations issued pursuant thereto.

ARTICLE VII - TAX EXEMPTIONS FOR LABOR PROCEEDINGS

All the acts relating to the arbitration procedure are exempt from stamp and registration taxes.

All other tax exemptions and other privileges granted under existing law in favor of labor proceedings shall attach and apply to any and all acts and documents relative or incident to conciliation, mediation and arbitration of labor disputes.

file.

13A

HEADQUARTERS ALLIED COMMISSION
AMG 394
LEGAL SUB-Commission

ES/pm.
3 Nov 44.

AG/014/7/3.

SUBJECT : Allowances for increased cost of living.

TO : Labour Sub-Commission.

1. Reference is made to the letter 85/ms of the Cable and Wireless Ltd of 21 October 1944 referred by you to this Sub-Commission.

2. The law granting the "cost of living allowances" to private employees has not yet been published nor has it been received by the Office of the Official Gazette as yet.

3. On the basis of an advance reprint of the law in the daily press the following answers are given to the questions raised in the above letter :

Question 1 : the amount differs in various classes of employees and must be computed for each individual worker.. You might wish to forward a copy of the decree when available to the Cable and Wireless Ltd in order to enable them to compute the amounts. Increases in salaries granted subsequent to 15 July will be considered in the computation.

Question 2 : the answer is yes

Question 3 : the answer is yes

Question 4 : the answer is yes.

G. G. HAMPAMORD,
Lt. Colonel,
Officer i/c Italian Branch,
for Chief Legal Advisor.

I Chairman agrees with this.
3 Nov.
M.

COPY

13B

CABLE & WIRELESS LIMITED

In reply refer to
No. 83/HS

ROME, Branch,
21 October 1944.

To The Director;
Labour Sub-Commission, Allied Control Commission,

Dear Sir,

I understand that a law has been promulgated by the Italian Government, granting a "Cost of Living" allowance to Italian employees as from the 16th August 1944.

I shall be obliged if you will be good enough to inform me

1. The amount of such allowance.
2. If payable to all classes of labour.
3. Whether applicable to Italian employees of Cable and Wireless.
4. If retrospective from 16th August 1944.

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Yours faithfully,

C. MIAO

Manager, Rome.

Lab. 4351

File Legal Sub-Commission

401411

FOUR POWERS
ALLIED CONTROL COMMISSION
LABOR SUB-COMMISSION
APO 794

JSS/ac

16A

11 October 1944

SUBJECT: Approval of Temporary Law on Chambers of Commerce

TO : Ministry of Industry, Commerce and Labor

1. Following conference on 10 October with S. N. Sansonetti acting on behalf of the Minister of Industry, Commerce and Labor and in view of the Ministry's letter of 10 October (Ref. No. 01970), the Labor Sub-Commission withdraws the objections made in letter of 7 October (Ref. LAH. No. 4351) to the publication of temporary Decree Law suppressing the Consigli dell'Economia and reestablishing in their places Chambers of Commerce, only on the definite understanding and agreement that a ministerial circular containing the agreed upon text for the circular which is herewith attached, will be forwarded currently with the Decree Law to all Prefects and other interested parties.

2. The Labor Sub-Commission considers the proposed Decree to be defective and misleading, and has withdrawn its objections only because of the urgency stated by S. N. Sansonetti and because of the temporary nature of the Decree Law. Withdrawal of objections is further predicated on the definite understanding that a new Decree Law will be promulgated at once by the Ministry to supersede the present proposed Decree Law, and such new Decree will clearly define the scope of responsibilities of Chambers of Commerce, entirely divesting them of any of the responsibilities which come within the scope of the Regional and Provincial Labor Offices. Specifically, the following powers and functions which were formerly entrusted by law to the Consiglio dell'Economia shall not be put in the hands of the new Chambers of Commerce but be preserved for the jurisdiction of the Regional and Provincial Labor Offices.

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These powers and functions are as follows:

a. Coordination of social insurance agencies within the Province.

b. Coordination of the activity of the syndical associations.

c. Control of the placement offices.

d. Assistance in the formulation of collective contracts or labor agreements.

e. Decision on questions concerning the dismissal of workers holding syndical offices.

Junius R. Smith
Colonel, WWC
Acting Director,
Labor Sub-Commission

cc: Economic Section
Legal Sub-Commission
Commerce Sub-Commission.

LEGAL SUB-COMMISION
CLO
DCLO
Chief Counsel
CJO
Italian Section
CL RKS

(11A)

Testo convenuto a la Sottocommissione del Lavoro ed il Ministero dell'Industria, Commercio e Lavoro da essere incluso alla circolare ministeriale relativa al decreto legge sulle Camere di Commercio.

" Pertanto le Camere continueranno ad esercitare, per quanto applicabili nell'attuale situazione politica del Paese, i compiti già previsti dal Capo II e dal Capo III del Testo Unico delle leggi sui Consigli e sugli Uffici provinciali dell'economia, approvato con R.D. 20 Settembre 1934, n. 2011, con le modificazioni di cui al R.D. 28 Aprile 1937 n. 524 convertito nella legge 7 giugno 1937 n. 1387 fatta eccezione per le funzioni e i poteri relativi alla materia del lavoro, che invece rimangono attribuiti agli Uffici regionali e provinciali del lavoro".

Text agreed upon between Labor Sub-Commission and Ministry of Industry, Commerce and Labor, to be included in Ministerial Circular accompanying Decree Law on Chamber of Commerce.

" The Chambers will continue to carry on - as long as applicable in the actual political situation of the country - the duties already fixed by paragraph II and paragraph III of the unique Text of the laws on Councils and on the economic provincial Offices, approved by R.D. 20 Sept. 1934, No. 2011, with the modifications as per R.D. 28 April 1937 No. 524 converted into law 7 June 1937 No. 1387, except for the functions and powers relative to Labor, which remain to the regional and Provincial Labor Offices."

File 40147

Legal-Lc 10A

HEADQUARTERS
ALLIED CONTROL COMMISSION
LABOR SUB-COMMISSION
APO 394

JTRS/lc

23 August 1944

SAB 24 3551

SUBJECT: Labor unrest in Italian Government Territory

TO : Ministry of Industry, Commerce and Labor

1. The Allied Control Commission is gravely concerned over continuing evidences of labor unrest in that part of Italian Government territory in which there is no organization to deal with such problems since no Labor Offices have been established. Particular reference is made to the four Apulian provinces of Bari, Brindisi, Lecce and Taranto and to Sardinia.

2. Attached are copies of telegrams received from employees of the Puglia Electric Company and the Manifattura Tabacchi both of Bari. Other telegrams and letters already forwarded to the Ministry, have been received from Postal telegraph employees at Lecce and at Bari. Serious difficulty has been experienced in Sardinia and at Taranto.

3. The responsibility for the avoidance of work stoppages in territory under Italian control is clearly that of the Italian Government, but since the Allied war effort is directly concerned the Allied Control Commission must see that their responsibility is properly discharged.

Therefore, it is again brought to the attention of the Ministry that it is urgent and necessary:

a) - to establish in the field Labor offices similar to those established in territories formerly under A.M.G. In this connection it should be noted that the Gazzetta Ufficiale N.15 of 25 March 1944 states that the Italian Government was preparing legislation to extend these labor offices to all Italian territory.

b) - to establish within the Ministry the necessary administrative machinery to deal with wage problems and with industrial relations.

c) - to establish a procedure for the submission of requests for salary and wage adjustments in exceptional cases.

The form for such procedure was agreed upon between A.C.C. and the present Ministry early in July, but no action has been taken by the Ministry.

4. The courtesy of a prompt reply is requested.

J.F.R. BAIN,
Colonel,
Director Labor Sub-Commission

Copies:

Economic Section
Legal Sub-Commission

108

ACC HOMOE NONE

BARI NONE NONE

NONE

LACK OF ADEQUATE SALARIES TO DEPENDENT MASS EMPLOYEES PROVOKES SERIOUS DISCONTENT ENTIRE POPULATION STOP MANIFATTURA TABACCHI BARI IN SERIOUS AGITATION BECAUSE OF EXTREME DISGRACEFUL CONDITIONS DEPENDENT PERSONNEL STOP URGE IMMEDIATE PROVISIONS TO AVOID WORSENING OF SITUATION.

CHAMBER OF LABOUR
DA LEONARDIS

ACC DIST

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COMMISSI ALLEATA DI CONTROLLO VIA VENE ROMA

BARI

DDD CC R BARI 0800 43 5 18

VIVID AGITATION PRIGNS AMONG EMPLOYEES PUGLIA GENERAL ELECTRIC COMPANY LACK OF RATIFICATION AGREEMENT STIPULATED MAY 15, 1944 REGARDING SALARY ADJUSTMENT. IN ORDER TO PREVENT AGGRAVATION OF AGITATION WE REQUEST TO PROMPTLY RATIFY AGREEMENTS FOR DIRECTIVE COUNCIL SYNDICATE EMPLOYEES PUGLIA GENERAL ELECTRIC

DOCTOR SERVIELLO

ACC DIST
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AMG 181700

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D CO IM NI 1800 - 43 - 5 - 18

VIVO FERMENTO REGNA DIPENDENTI SOCIETA' GENERALE PUGLIESE ELETTRICITA' MANCATA RATIFICA ACCORDO STIPULATO QUINDICI MAGGIO 1944 RELATIVO ADEGUAMENTO SALARIALE STOP EVITARE AGGRAVARSI FERMENTO PREGHIAMO SOLLECITA RATIFICA ACCORDI PER CONSIGLIO DIRETTIVO SINDACATO DIPENDENTI GENERALE PUGLIESE ELETTRICITA' - DOTTOR SERVIELLO -

23

MV/sa

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HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Subcommission
APO 394

Tel. No. 563
ACC/4014/7/L

RHW/ap
5 Aug 44

SUBJECT : ACC policy on approval Italian Legislation.

TO : Labor Sub-Commission.

1. Reference your letter LAB 091.4351 of 3 Aug 44.

2. The best practice in the case of legislation is for each Subcommission to have a definite arrangement with its opposite Ministry in the Italian Government that before any decree is presented to the Council of Ministers it will be discussed by the particular Ministry and Subcommission involved. After an agreement is reached on the principles involved the Ministry should have prepared and transmit a copy of the proposed legislation to the appropriate Subcommission for study by it with or without the aid of the Legal Subcommission as may seem desirable to the interested Subcommission. On the other hand it is quite proper for the Ministry to present an already prepared draft of a proposed decree for your consideration with opportunity afforded for its consideration. When the interested Subcommission is satisfied with the draft, which may be only after further discussions and amendments, the agreed draft should then be submitted to the Council of Ministers and not before.

3. If as I understand the policy ACC is to be consulted on all proposed legislation the situation quite properly and clearly pointed out by Major Albright must be avoided. If it is impossible to make satisfactory arrangements immediately with your Ministry on a Subcommission level, the matter should be taken up on a higher level.

4. If it is quite obvious that after a decree has passed the Council of Ministers it is more difficult and embarrassing to change it. However even then I would not hesitate to insist on changes, if essential, when your Ministry has failed to give you the proper opportunity first to study and comment on the draft of the proposed decree.

R. H. WILMER,
COL. CAC.,
Acting Chief Legal Officer.

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4-14/7

HEADQUARTERS
ALLIED CONTROL COMMISSION
LABOR SUB-COMMISSION
APO 394

LAB 091.4

3 August 1944

SUBJECT: ACC policy on approval Italian Legislation

TO : Legal Subcommission, ACC Hq.

1. Information is requested on the policy question presented by the attached memorandum from the Liason Officer of this Subcommission to the Italian Government.

2. Undoubtedly this same situation is occurring with other Subcommissions. Is there a definite policy established with the Head of the Italian Government?

J. T. R. BAIN
Colonel,
Director, Labor Sub-Commission

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HEADQUARTERS
ALLIED CONTROL COMMISSION
LABOR SUB-COMMISSION
APO 394

3 August 1944

SUBJECT: Submission of Labor Legislation for ACC Approval

TO : Col. J.T.R. BAIN Director, Labor Sub-Commission

1. Please advise concerning ACC policy on the approval of Decree Laws of the Italian Government.

2. In two recent cases the Ministry of Industry Commerce and Labor has submitted labor legislation to the Council of Minister without prior approval of the Labor Subcommission:

a) A decree concerning the suppression of certain Fascist Confederations and the liquidation of their assets was submitted to this Subcommission only a few hours before it was presented to the Council of Ministers. There was no time for an official answer, but the Ministry was informed that the Decree was unacceptable in its present form. It was nevertheless presented and passed by the Council.

b) A decree concerning disputes arising from applications of the approved percentage increase in salaries and wages, was presented to the Council of Ministers or Thursday, 27 July 1944 without prior submission or notice of any kind to the Labor Subcommission. The passage of this Decree was made known to the public through the Italian press.

3. Although it is understood that action by the Council of Ministers does not become law until approved by ACC and printed in the Gazzetta Ufficiale, it appears highly undesirable practice for the Italian Government to pass Decree Laws and leave the ACC in the position of considering, and sometimes as in the cited cases, disapproving of such Laws.

Robert M. Albright

ROBERT M. ALBRIGHT,
Major, Sp. Res.,
Labor Sub-Commission

(6A)

HEADQUARTERS
ALLIED CONTROL COMMISSION
APO 394

L3 091.3011 30 June, 1944

SUBJECT: Uniform Interpretation of A.M.G. Temporary Wage Adjustment Order as Applied to Public Employees

To: A. Regional Commissioners: Region IV
Rome Region
Region V
Region VIII
Region IX

1. Reference is made to Provisions of the A.M.G. Temporary Wage adjustment as applied to public employees, both in territory where the provisions are already in effect and in territory where they are being put into effect for the first time. These provisions read, in part, as follows:

(ARTICLE I)

....Employees of permanent and temporary status of the State, Provinces, Communes, Anti Para-Statals, and Public Institutions and Concerns (Aziende) which are administered by any of the foregoing governmental units shall be calculated upon the base of ..... total salaries .... (base plus ordinary and extraordinary indemnities which normally represent an integral part of their total salary) as described in Article IV below.....

(ARTICLE IV)

....The foregoing provisions shall be applied in accordance with the following scale:

(i) On 1st L. 1,000 per month (or fraction thereof) - 75%
2nd L. 1,000 per month (or fraction thereof) - 60%
3rd L. 1,000 per month (or fraction thereof) - 30%
4th L. 1,000 per month (or fraction thereof) - 20%
5th L. 1,000 per month (or fraction thereof) - 10%

(ii) In respect to salaries or wages which exceed L. 5,000 per month, no increase in excess of L. 1,900 shall be granted.

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2. Surveys by the Labor Sub-Commission have revealed numerous markedly different interpretations of the above wage adjustment provisions, not only between different provinces, but also between different public offices within the same province. As a result, serious inequities have been created in the pay of employees previously entitled to equal treatment. In order to eliminate and prevent such inequities, and to insure uniform procedure consistent with the intent of the adjustment provisions, the rules set forth in following paragraphs of this Instruction will be strictly observed.

3. In territory which has been under control of the Fascist Republic

To : Regional Commissioners
Rome Region
Region V
Region VIII
Region IX

1. Reference is made to Provisions of the A.M.G. Temporary Wage adjustment as applied to public employees, both in territory where the provisions are already in effect and in territory where they are being put into effect for the first time. These provisions read, in part, as follows:

(ARTICLE I)

...Employees of permanent and temporary status of the State, Province, Communes, Anti Para Statali, and Public Institutions and Consorzi (Aziende) which are administered by any of the foregoing governmental units shall be calculated upon the base of ..... total salaries .... (base plus ordinary and extraordinary indemnities which normally represent an integral part of their total salary) as described in Article IV below.....

(ARTICLE IV)

...The foregoing provisions shall be applied in accordance with the following scale:

(i) On 1st L. 1,000 per month (or fraction thereof) - 70%
2nd L. 1,000 per month (or fraction thereof) - 60%
3rd L. 1,000 per month (or fraction thereof) - 30%
4th L. 1,000 per month (or fraction thereof) - 20%
5th L. 1,000 per month (or fraction thereof) - 10%

(ii) In respect to salaries or wages which exceed L. 5,000 per month, no increase in excess of L. 1,900 shall be granted.

---

2. Surveys by the Labor Sub-Commission have revealed numerous markedly different interpretations of the above wage adjustment provisions, not only between different provinces, but also between different public offices within the same province. As a result, serious inequities have been created in the pay of employees previously entitled to equal treatment. In order to eliminate and prevent such inequities, and to insure uniform procedure consistent with the intent of the adjustment provisions, the rules set forth in following paragraphs of this Instruction will be strictly observed.

3. In territory which has been under control of the Fascist Republican Government, the wage adjustment for public employees (Article I) will be based on the pay in effect 1 September, 1943. The base will exclude, therefore, any and all increases and adjustments in public employees' salaries, wages, and ordinary or extraordinary indemnities made since that date.

All references in this Instruction to salaries, wages, and ordinary or extraordinary indemnities, as well as to any other payments of any kind made to public employees, shall be construed as referring solely to those provided for by laws and regulations of the Italian Government, in effect 1 September 1943, or subsequently established in liberated territory by recognized Italian governmental authority. (In territory where the Wage Adjustment Order has not yet been published, Article I will be corrected before issuance by inserting the same date of 1 September 1943.)

4. The scale of percentage increases in Article IV will be applied only to the TOTAL SUM of each of the following items as are applicable in the case of particular employees:

a. BASE SALARY (STIPENDIO BASE)

b. SUPPLEMENT FOR ACTIVE SERVICE (SUPPLEMENTO DI SERVIZIO ATTIVO)

c. TEMPORARY WAR ALLOWANCE (ASSEGNO TEMPORANEO DI GUERRA)

d. FAMILY ALLOWANCE (ASSEGNO DI FAMIGLIA)

e. REPLACEMENT INDEMNITY (INDENNITA' DI SUBAGGIORNAMENTO) -- To be included only in those cases where it is legally payable under provisions of Italian law or competent authorization given by Allied Military Government prior to 1 January, 1944. Where payable, it will be calculated solely on the basis provided by R.D.L. No. 1473 of 16 December, 1942, irrespective of previous differing procedures in particular offices, and the calculation will not take into consideration any increase previously or hereafter authorized in the amount of the Mission Indemnity (Indennità di Missione), as established by R.D.L. No. 76 of 27 February, 1942.

f. MISCELLANEOUS COMPENSATION FOR SPECIAL GROUPS (COMPENSI VARI PER GRUPPI SPECIALI) -- This term shall be understood to include all special indemnities and allowances provided by law in fixed amounts as recurrent, integral parts of the total compensation of public employees in particular branches of government service or working under particular conditions, excluding, however, such items as are dealt with separately in paragraph 5. Examples of items included are the Toga Indemnity for magistrates, the Special Service Indemnity for public safety employees, the Running (Percorrenza) Indemnity for State railway workers, the Evening and Night Service Indemnity for post office and other employees, etc. When such indemnities, as in the case of the Toga Indemnity or the Disadvantageous Residence Indemnity, are normally paid at longer intervals than monthly, a monthly average will be established for purposed of applying the scale of percentage increases in Article IV.

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5. The following special rules will govern the calculation of the payments listed below, which are considered as not coming within the group of items to be totaled for the purpose of applying the scale of percentage increases in Article IV.

a. PERIODICAL PREMIUMS FOR INDUSTRIOUSNESS AND PRODUCTIVITY (PREMI PERIODICI DI OPEROSITA' E RENDIMENTO) -- This term shall be understood to include all premiums, however designated, which are paid by and regularly paid periodically to salaried employees on the basis of their relative merit, whether [illegible]

only, to include such of the following items as are applicable in the case of particular employees:

a. BASE SALARY (STIPENDIO BASE)

b. SUPPLEMENT FOR ACTIVE SERVICE (SUPPLEMENTO DI SERVIZIO ATTIVO)

c. TEMPORARY WAR ALLOWANCE (ASSEGNO TEMPORANEO DI GUERRA)

d. FAMILY ALLOWANCE (ASSEGNO DI FAMIGLIA)

e. REARMENT INDEMNITY (INDENNITA' DI RIARMAMENTO) -- To be included only in those cases where it is legally payable under provisions of Italian law or competent authorization given by Allied Military Government prior to 1 January, 1944. Where payable, it will be calculated solely on the basis provided by A.M.G. No. 1498 of 16 December, 1948, irrespective of previous differing procedures in particular offices, and the calculation will not take into consideration any increase previously or hereafter authorized in the amount of the Mission Indemnity (Indennita' di Missione), as established by R.D.L. No. 76 of 27 February, 1928.

f. MISCELLANEOUS COMPENSATION FOR SPECIAL GROUPS (COMPENSI VARI PER GRUPPI SPECIALI) -- This term shall be understood to include all special indemnities and allowances provided by law in fixed amounts as recurrent, integral parts of the total compensation of public employees in particular branches of government service or working under particular conditions, excluding, however, such items as are dealt with separately in paragraphs 5. Examples of items included are the Toga Indemnity for magistrates, the Special Service Indemnity for public safety employees, the Running (Percorrenza) Indemnity for State railway workers, the Evening and Night Service Indemnity for post office and other employees, etc. When such indemnities, as in the case of the Toga Indemnity or the Disadvantageous Residence Indemnity, are normally paid at longer intervals than monthly, a monthly average will be established for purposed of applying the scale of percentage increases in Article IV.

18

5. The following special rules will govern the calculation of the payments listed below, which are considered as not coming within the group of items to be totaled for the purpose of applying the scale of percentage increases in Article IV.

a. PERIODICAL PREMIUMS FOR INDUSTRIOUSNESS AND PRODUCTIVITY (PREMI PERIODICI DI OPEROSITA' E RENDIMENTO) -- This term shall be understood to include all premiums, however designated, which are normally and regularly paid periodically to enlisted employees on the basis of their relative merit, whether paid quarterly, semi-annually, or annually. The total sum allocated for the purpose of the premium, the scale of individual payments, and the basis for selecting eligible employees shall be determined by the governmental authority legally empowered to make such provisions, except, however, that in no instance may the provisions adopted entail the allocation of a larger total sum nor entail a higher scale of payments than was in effect for the last periodical premium of this type paid in 1948

b. MONTHLY PREMIUM FOR INDUSTRIOUSNESS AND PRODUCTIVITY (PREMIO MENSILE DI OPEROSITA' E RENDIMENTO) -- In all offices where this premium is based on hourly rates, it will be calculated as follows:

(1) The hourly rates will be those established by law (or by the governing bodies of the offices in accordance with powers derived from law) prior to the A.M.G. Wage Adjustment Order,

(2) For State employees, the maximum number of hours for which the premium may be paid with respect to any month may not exceed 75, as prescribed by R.D.L. No. 182 of 17 February, 1924, except for State employees for whom a different maximum was prescribed by law prior to the A.M.G. Wage Adjustment Order. For other public employees, the number of hours for which the premium may be paid with respect to any month shall be in accordance with regulations heretofore or hereafter adopted by the governing bodies of the offices, subject to a maximum of 75 hours.

In the case of public offices which, prior to the A.M.G. Wage Adjustment Order, paid this premium on the basis of a fixed amount established by a central governing body, rather than on the basis of hourly rates and a specified number of hours, the premium will continue to be calculated on the basis of such fixed amount. Subject to the limitations of this paragraph, the premium may be paid irrespective of whether or not work is done in excess of normal hours.

c. 13TH MONTH AND SIMILAR BONUSES BASED ON EXTRA MONTH'S SALARY (TREDICESIMA MENSILITA' E ALTRE GRATIFICHE SIMILARI CORRESPOSTE SULLA BASE DI UNA MENSILITA') -- This type of bonus may be paid only in the cases of offices where, and to the extent that, it is normally and customarily payable to all employees as an established part of their annual compensation, in accordance with regulations and provisions adopted by central governing bodies, prior to the A.M.G. Wage Adjustment Order. Where payable on the basis of the above criteria, the amount of the bonus will be calculated only on the sum of the Base Salary (plus Supplement for Active Service) and the Family Allowance, augmented in accordance with the scale of percentage increases in Article IV.

d. COMPENSATION FOR ACTUAL OVERTIME EXCEEDING NORMAL HOURS OF WORK (COMPENSO PER LAVORO STRAORDINARIO EFFETTIVO ECCEDENTE L'ORARIO NORMALE) -- This provision is applicable only to agencies in which overtime exceeding normal hours of work is authorized by law or by competent regulations of central governing bodies. Proper control will be exercised in accordance with such regulations, subject to the further provision that all compensible overtime must be designated as essential by the head of the office concerned, must be performed at his direction, and must be verified by adequate records. Compensation will be based on such fixed hourly rates for overtime as were legally in force prior to the A.M.G. Wage Adjustment Order, plus an increase of 70%.

6. No increase in the Mission Indemnity (Indennita' di Missione) was authorized by the A.M.G. Wage Adjustment Order, since this indemnity clearly is not part of total salary or wage, but rather is in the nature of a reimbursement for specific expenses incurred by an employee in the course of his work. The same is true of the Mileage Indemnity (Indennita' Chilometrica) and other similar payments intended to offset to greater or less degree an out-of-pocket expense. However, with respect to the two indem-

scribed by law prior to the A.M.G. Wage Adjustment Order, the premium for which the premium other public employees, the number of hours for which the premium may be paid with respect to any month shall be in accordance with regulations heretofore or hereafter adopted by the governing bodies of the offices, subject to a maximum of 75 hours.

In the case of public offices which, prior to the A.M.G. Wage Adjustment Order, paid this premium on the basis of a fixed amount established by a central governing body, rather than on the basis of hourly rates and a specified number of hours, the premium will continue to be calculated on the basis of such fixed amount. Subject to the limitations of this paragraph, the premium may be paid irrespective of whether or not work is done in excess of normal hours.

c. 13TH MONTH AND SIMILAR BONUSES BASED ON EXTRA MONTH'S SALARY (TREDICESIMA MENSILITA' E ALTRE GRATIFICHE SIMILARI CORRESPONTI SULLA BASE DI UNA MENSILITA') -- This type of bonus may be paid only in the cases of offices where, and to the extent that, it is normally and customarily payable to all employees as an established part of their annual compensation, in accordance with regulations and provisions adopted by central governing bodies, prior to the A.M.G. Wage Adjustment Order. Where payable on the basis of the above criteria, the amount of the bonus will be calculated only on the sum of the Base Salary (plus Supplement for Active Service) and the Family Allowance, augmented in accordance with the scale of percentage increases in Article IV.

d. COMPENSATION FOR ACTUAL OVERTIME EXCEEDING NORMAL HOURS OF WORK (COMPENSO PER LAVORO STRAORDINARIO EFFETTIVO ECCEDENTE L'ORARIO NORMALE) -- This provision is applicable only to agencies in which overtime exceeding normal hours of work is authorized by law or by competent regulations of central governing bodies. Proper control will be exercised in accordance with such regulations, subject to the further provision that all compensible overtime must be designated as essential by the head of the office concerned, must be performed at his direction, and must be verified by adequate records. Compensation will be based on such fixed hourly rates for overtime as were legally in force prior to the A.M.G. Wage Adjustment Order, plus an increase of 70%.

6. No increase in the Mission Indemnity (Indennita' di Missione) was authorized by the A.M.G. Wage Adjustment Order, since this indemnity clearly is not part of total salary or wage, but rather is in the nature of a reimbursement for specific expenses incurred by an employee in the course of his work. The same is true of the Mileage Indemnity (Indennita' Chilometrica) and other similar payments intended to offset to greater or less degree an out-of-pocket expense. However, with respect to the two indemnities mentioned, the following adjustments in rates are hereby authorized:

a. MISSION INDEMNITY (INDENNITA' DI MISSIONE) -- The daily rates established by R.D.L. No. 76, of February 27, 1942, shall be increased by 70%.

Ltr LaS 091.4311 Ltd 30 June 44 Cont'd)

6. MILEAGE INDEMNITY (INDENNITA' CHILOMETRICA) -- The rate per chilometer established by A.M.G. No. 1311, of 14 September, 1918, as amended, shall be uniformly set at 5 lire.

7. The pertinent provisions of this Instruction will be issued without delay to all public offices concerned, as an A.M.G. Order, effective immediately, supplemental to and equally binding with the Wage Adjustment Order.

8. The order containing the pertinent provisions of this Instruction shall include a statement that persons violating its terms or the terms of the Wage Adjustment Order, as here interpreted, will be liable to fine or imprisonment, with or without other lawful punishment, upon conviction by a court of competent jurisdiction.

9. No adjustments of any kind will be undertaken with respect to payments to public employees made under varying interpretations of the Wage Adjustment Order prior to issuance of the interpretive order based on this Instruction.

10. For reference in the preparation of the Italian version of the pertinent provisions of this Instruction, an Italian translation of paragraphs 3 to 6, inclusive, is appended.

/s/ Norman E. Fiske, Colonel, for
M. S. LUSH,
Brigadier,
Executive Commissioner.

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OGGETTO : Norme per l'interpretazione uniforme dell'articolo dell'AMG sulla sistemazione degli stipendi e salari dei pubblici impiegati e salariati.

3) Nel territorio che e' stato sotto il controllo del Governo repubblicano fascista, le prestazioni delle varie parti pubblici impiegati (art. 1) sara' basata sulle paghe vigenti al 8 settembre 1943.

Nelle paghe poi, perio', non sara' compreso qualsiasi aumento o sistemazione concessa dopo quella data nei confronti delle paghe dei pubblici impiegati, o delle indennita' ordinarie e straordinarie. Quanto al riferimento contenuto in questa istruzione, in merito agli stipendi, ai salari ed alle indennita' ordinarie e straordinarie, come qualunque altro pagamento di qualunque natura fatto ai pubblici impiegati, sara' considerato unicamente in relazione a quanto previsto dalle leggi e dai regolamenti del Governo Italiano, vigenti al 1 settembre 1943 e stabiliti successivamente nel territorio liberato dalle autorita' Governative Italiane riconosciute.

4) La gradazione dell'aumento percentuale previsto nell'articolo IV sara' applicata solamente sulla somma totale di quelle voci che seguono quando esse rappresentano parte dell'emolumento degli impiegati:

a. STIPENDIO BASE

b. SUPPLEMENTO DI SERVIZIO ATTIVO

c. ASSEGNO TEMPORANEO DI GUERRA

d. ASSEGNO DI FAMIGLIA.

e. INDENNITA' DI DISLOCAMENTO. Includere solamente in quei casi in cui esse e' legalmente dovuta secondo la legge italiana oppure secondo la competenza autorizzazione accordata dall'A.M.G. prima del Gennaio 1944, quando non e' stabilita il pagamento dell'indennita' di dislocamento verra' calcolata solamente sulla base prevista dal R.D.L. n. 1400 del 16 dicembre 1944, senza tener conto delle diverse procedure adottate precedentemente da determinati uffici ed il suo calcolo non terra' in considerazione alcun incremento precedentemente e in seguito autorizzato nell'aumentare dell'indennita' di missione, come e' stabilito dal R.D.L. n. 76 del febbraio 1942.

f. DIFFERENZE VARIE PER CARICHI SPECIALI. Sotto questa denominazione verrano inclusi tutte le speciali indennita' e gli assegni previsti dalle leggi in sicura forza, come parti normali ed integrali del compenso totale dei pubblici impiegati appartenenti a speciali rami della pubblica amministrazione o quelle voci che sono state trattate separatamente nel paragrafo n. 5. Esempi delle voci da includere sono l'indennita' di tega per i magistrati, l'indennita' di servizio speciale P.S. per gli impiegati di Pubblica Sicurezza; il premio di percorrenza per gli impiegati delle F. ss.; l'indennita' di servizio serale o notturno per gli impiegati delle Poste e per gli impiegati, quando tali indennita', come per esempio l'indennita' di tega o l'indennita' per disagiata residenza, sono normalmente pagate a scadenze superiori al mese, sara' stabilita una media mensile ai fini della applicazione della gradazione dell'aumento percentuale previsto nell'articolo IV.

5) Le seguenti norme speciali regoleranno il calcolo delle voci sottodescritte, le quali non si debbono considerare comprese nel gruppo delle voci da sommare ai fini dell'applicazione della gradazione dell'aumento percentuale previsto nell'articolo IV.

che [illegible] ai pubblici impiegati, sara' considerato unicamente in relazione a quei provvedimenti legislativi e dei regolamenti del Governo Italiano, vigenti al 1 settembre 1943 e stabiliti successivamente nel territorio liberato dalle autorita' Governative Italiane riconosciute.

4) La prescrizione dell'aumento percentuale previsto nell'articolo IV sara' applicata solamente sulle somme totali di quelle voci che seguono quando esse rappresentano parte dell'emolumento degli impiegati:

1. STIPENDI BASE

2. SUPPLEMENTO DI ANZIANITA' ATTIVO

3. ASSEGNO TEMPORANEO DI GUERRA

4. ASSEGNI DI FAMIGLIA.

5. INDENNITA' DI PERMANENZA. Intendendosi che in quei casi in cui essa e' legalmente dovuta secondo le leggi italiane oppure secondo le competenze determinazioni accordate dall'A.M.G. prima del Gennaio 1944, quando essa e' stabilita, il pagamento d'indennita' di permanenza verra' calcolato solamente sulla base prevista dal R.D.L. n. 1290 del 16 dicembre 1942, senza tener conto delle diverse procedure adottate precedentemente da determinati uffici ed il suo calcolo non terra' in considerazione alcun aumento precedentemente o in seguito autorizzato dall'Amministrazione dell'Interno' di Milano, com'e' stabilito dal R.D.L. n. 76 del febbraio 1942.

6. PAGAMENTI VARI PER ORARI SPECIALI. Sotto questa denominazione vanno inclusi tutte le speciali indennita' e gli assegni previsti dalle leggi in sicure fasce, con certi permessi ed introiti del comune tutte dei pubblici impiegati appartenenti a speciali rami della pubblica amministrazione che svolgono la loro attivita' in peculiari condizioni, escludendo tuttavia quelle voci che sono state trattate separatamente nel paragrafo n. 5. Esempi della voci da includere sono: l'indennita' di reperibilita' i [illegible], l'indennita' di servizio speciale P.S. per gli impiegati di Pubblica Sicurezza; il premio di reperibilita per gli impiegati delle F.F. SS.; l'indennita' di servizio serale e notturno per gli impiegati delle Poste e per gli impiegati, quando tali indennita', come per esempio l'indennita' di tipo e l'indennita' per disagiata residenza, sono normalmente pagate a condizioni superiori al [illegible], sara' stabilita una media annuale ai fini della applicazione della prescrizione dell'aumento percentuale previsto nell'articolo IV.

5) Le seguenti norme speciali regoleranno il calcolo delle voci sottolineate, le quali non si debbono considerare compreso nel gruppo delle voci da sommare ai fini dell'applicazione della prescrizione dell'aumento percentuale previsto nell'articolo IV:

1

2. PREMI PERIODICI DI CONSISTENZA E RENDIMENTO. Con questo termine s'intende esprimere qualsiasi premio, comunque denominato, pagato normalmente in modo periodico e regolare (trimestralmente, semestralmente o annualmente) agli impiegati che si sono distinti per merito. Le quote individuali, la somma totale stanziata allo scopo ed i sistemi di valutazione del merito degli impiegati, saranno determinati dagli organi amministrativi investiti all'uopo dalla legge, purchè, tuttavia, in nessun caso le quote individuali e la relativa somma totale stanziata siano superiori a quelle relative all'ultimo premio periodico delle stesse, erano pagate nel 1945.

3. PREMIO INDIVIDUALE DI CONSISTENZA E RENDIMENTO. In tutti gli uffici in cui questo premio viene corrisposto sulla base di tariffa oraria, esso verrà calcolato come segue:

1) le tariffe orarie saranno quelle stabilite dalla legge (o dagli organi amministrativi degli uffici secondo i poteri attribuiti dalla legge) prima dell'ordine dell'A.M.G. sulla sistemazione degli stipendi e salari.

2) per quanto riguarda gli impiegati dello stato, il numero massimo di ore per cui il premio può essere concesso per qualsiasi mese, non può eccedere le 75 ore, non prescritto dal R.D.L. n. 182 del 17 Febbraio 1924, la sezione degli impiegati statali in forza dei quali un numero superiore di ore era fissato dalla legge prima dell'ordine dell'A.M.G. sulla sistemazione degli stipendi e dei salari. Per gli altri pubblici impiegati il numero di ore per cui il premio può essere concesso, per qualsiasi mese sarà regolato dalle precedenti norme o da quelle in seguito adottate dagli organi amministrativi dei vari uffici, col limite massimo di 75 ore mensili.

Nel caso di uffici pubblici che prima dell'ordine dell'A.M.G. sulla sistemazione degli stipendi e salari, basavano questo premio sulla base di una somma fissa stabilita da un organo amministrativo centrale, invece che sulla base di tariffa oraria o di un determinato numero di ore, si continuerà a calcolare il premio sulla base di detta somma fissa.
Fermo restando le limitazioni dettate in questo paragrafo, il premio può essere pagato senza tener conto o al lavoro eccedente l'orario normale sia svolto o meno svolto.

4. TRASFERIMENTO DELLE ATTRIBUZIONI PRATIFICHE SIMILARI CORRISPONDENTI SULLA BASE DI UNA MENSILITA'. Questo tipo di pratifica può essere pagato solo dagli uffici e nella misura in cui sostituisce normalmente e per consuetudine una parte di una gratifica annuale pagata a tutti gli impiegati secondo i regolamenti o le disposizioni adottate dagli organi amministrativi centrali prima dell'ordine nazionale dell'A.M.G. sulla sistemazione degli stipendi e dei salari. Nel caso in cui sia possibile l'aumentare di quella pratifica sarà costituito solo dalla somma dello stipendio base (e del supplemento di servizio attivo) e dell'indennità di famiglia, commutata dalle percentuali previste dall'articolo IV.

5. COMPENSO PER LAVORO STRAORDINARIO EFFETTIVO ECCEDENTE L'ORARIO NORMALE. Questo compenso sarà limitato ai pubblici uffici nei quali il lavoro straordinario eccedente l'orario normale è autorizzato dalla legge o da regolamenti emanati da organi amministrativi centrali in armonia di contrario disposizioni di legge. Adeguato controllo del lavoro straordinario sarà effettuato e

tiva somma totale stanziata siano superiori a quella relativa all'ultimo premio periodico dello stesso genere pagato nel 1942.

b. PREMIO MENSILE DI ORGANICITA' E RENDIMENTO. In tutti gli uffici in cui questo premio viene corrisposto sulla base di tariffa oraria, esso verrà calcolato come segue:

1) Le tariffe orarie saranno quelle stabilite dalla legge (o da gli organi amministrativi degli uffici secondo i poteri attribuiti dalla legge) prima dell'ordine dell'A.M.G. sulla sistemazione degli stipendi e salari.

2) Per quanto riguarda gli impiegati dello stato, il numero massimo di ore per cui il premio può essere concesso per qualsiasi mese, non può eccedere le 75 ore, come prescritto dal R.D.L. n. 182 del 17 Febbraio 1924, ed eccezione degli impiegati statali in favore dei quali un numero superiore di ore era fissato dalla legge prima dell'ordine dell'A.M.G. sulla sistemazione degli stipendi e dei salari. Per gli altri pubblici impiegati il numero di ore per cui il premio può essere concesso, per qualsiasi mese sarà regolato dalle precedenti norme e da quelle in seguito dettate dagli organi amministrativi dei vari uffici, col limite massimo di 75 ore mensili.

Nel caso di uffici pubblici che prima dell'ordine dell'A.M.G. sulla sistemazione degli stipendi e salari, corrispondevano questo premio sulla base di una somma fissa stabilita da un organo amministrativo competente, invece che sulla base di tariffa oraria e di un determinato numero di ore, si continuerà a calcolare il premio sulla base di detta somma fissa.
Ferme restando le limitazioni dettate in questo paragrafo, il premio può essere pagato senza tener conto se il lavoro eccedente l'orario normale sia stato o meno svolto.

c. TREDICESIMA MENSILITA' ED ALTRE GRATIFICHE SIMILARI CORRISPOSTE SULLA BASE DI UNA MENSILITA'. Questo tipo di gratifica può essere pagato solo dagli uffici e nella misura in cui costituisce normalmente o per consuetudine una parte di un complesso globalmente annuale pagato a tutti gli impiegati secondo i regolamenti o le disposizioni adottate dagli organi amministrativi centrali prima dell'ordine generale dell'A.M.G. sulla sistemazione degli stipendi e dei salari. Nel caso in cui sia pagabile l'ammontare di questa gratifica sarà costituito solo dalla somma dello stipendio base (e del supplemento di servizio attivo) e dell'aggiunta di famiglia aumentata delle percentuali previste dall'articolo IV.

d. COMPENSO CON LAVORO STRAORDINARIO EFFETTIVO SCHEMATA L'ORARIO NORMALE. Questa categoria sarà limitata ai pubblici uffici nei quali il lavoro straordinario eccedente l'orario normale è autorizzato dalle generali regolamenti emanati da organi amministrativi centrali in mancanza di contrario disposizioni di legge. Siffatto controllo del lavoro straordinario sarà effettuato secondo tali regolamenti, tenendo presente inoltre la norma per cui tutto il lavoro straordinario da compensare deve essere dichiarato indispensabile dal capo ufficio deve essere eseguito su suo ordine od autorizzato per iscritto in un registro delle

ore eseguito. Le tariffe orarie di tale compenso saranno quelle in vigore per il lavoro straordinario effettivo alla data dell'ordine dell' A.M.G. sulla sistemazione degli stipendi e salari, aumentato del 70 per cento.

6. Nessun aumento e' stato autorizzato sulle indennita' di sistemazione degli Ordini Regionali che provvedono la sistemazione degli stipendi, per il fatto che esse evidentemente non rappresenta una parte integrale dello stipendio, ma piuttosto ha il carattere di rimborso di spese effettivamente sostenute nello svolgimento della missione. Lo stesso vale per l'indennita' chilometrica e per le altre indennita' di eguale natura intese a rimborsare in maggiore o minore misura una spesa di denaro effettuata. Tuttavia relativamente alle due indennita' ora menzionate, col presente ordine, sono autorizzate le seguenti sistemazioni sulle loro tariffe:

a. INDENNITA' DI MISSIONE. La misura giornaliera stabilita dal R.D.L. n. 76 del 27 Febbraio 1942, dovra' essere aumentata del 70 per cento.

b. INDENNITA' CHILOMETRICA. Il compenso per ogni chilometro stabilito dal R.D.L. n. 1311 del 14 Settembre 1919, sara' elevato in modo uniforme a L. 3.

(58)

HEAD HEADQUARTERS
ALLIED CONTROL COMMISSION
LEGAL SUB-COMMISSION
APO 394.

20 May. 1944.

REFERENCE : ACC/4014/7/L.

SUBJECT : Societa' Generale Elettrica.

TO : Labour Sub-Commission.

Reference your LAB 091.46143 dated 17 May 1944 and confirming telephone conversation (Colonel UNJOHN - Colonel BAIN) yesterday :

1. This Sub-Commission is unable to advise you on the particular case raised in the absence of a copy of the agreement dated 9 March 1944 referred to in the first paragraph of Major VECCHIOLLA'S letter to the Regional Commissioner.

2. In view, however, of the widespread practice of giving advances the facts of an individual case are unimportant for the matter must obviously be dealt with on a national basis.

3. I suggest, therefore, that you should ask the Minister of Industry & Commerce to prepare a draft decree to deal with the trouble which has arisen and this Sub-Commission will be happy to advise you as to the effect of any draft decree which may be prepared by the Italian Government.

12

GERALD R. UNJOHN,
Colonel,
Chief Legal Officer.

GRU/wcw.

V. 4014/7

O + this should be prepared by Italian Govt. [illegible]

JTRB/tbw

4A

HEADQUARTERS
ALLIED CONTROL COMMISSION
LABOR SUB-COMMISSION
APO 394

LAB 091.46143 17 May, 1944

SUBJECT: Societa' Generale Elettrica

TO : Director, Legal Sub-Commission, A.C.C. Rear Headquarters

1. As arranged by telephone, the attached papers are passed to you.

2. No doubt you will check on the opinion expressed by the Legal Officer, Region I, but assuming, as I must, that he is right, action to stop the practice of giving "loans" must be taken. It is appreciated that genuine loans are given in "hard lines" cases, but at the risk of imposing hardship in these rare instances, we must find a form of words to prohibit the granting of loans.

3. After 23 years of Fascism, the Italian has become adept at calling a rose by another (wide variety) of names, and if I am to, 1. "hold the line" on wages, we must risk mild injustice in isolated cases to get at the real offence. I take the line that loans are wage increases, and must stop.

4. It is suggested that to the article of the Decree "freezing" wages and prices (see "Gazetta Ufficiale" No. 15, dated 25 March 44, page 97, 'Communication of the Head of the Government'), there be added a clause prohibiting all loans, advances, and additional payment of any other nature in cash or in kind.

5. It would be appreciated if this matter is dealt with urgently. I shall take the agreed draft to the General and the Minister upon receipt.

LEGAL SUB-COMMISION
CLO
DCLO
Chief Counsel
CJO
Italian Section
C. [illegible]

J. T. R. BAIN,
Colonel,
Director, Labor Sub-Commission

This letter was discussed with Col Bain at 1400 hrs 19.5.44. I advised him (1) We could not advise on particular case dealt with by Capt Vecchiella in absence of the agreement. In view however of the large number of cases in which advances were made a decree was obviously necessary.

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COPY

COPY

ALLIED CONTROL COMMISSION
Sicily Region Headquarters
APO 394

File RLA/230.653

13 May 1944

SUBJECT: S. Gen Elettrica

TO : Director; Labor Sub-Commission
Headquarters - A.C.C. C.M.F.

Reference telephone conversation of the morning (Colonel Bain - 1st Lt. Moffit.

1. Herewith copy of the opinion expressed by legal Division at this H.Q. regarding alleged illegal payment of wages by the S. G. Elettrica of Sicily.

D.A. DUNCAN
Major RASC
Labor Division

-10

Enclosures.

C O P Y

C O P Y

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ALLIED CONTROL COMMISSION
SICILY REGION HEADQUARTERS
APO 394

File: RLE 013.28/FLV

12th May 1944

SUBJECT: Opinion on advances to employees of S.G.E.

TO : Regional Commissioner - Sicily Region.

On the basis of facts available and subject to interpretation i.e; Royal Decree Law 11th February 1944 n. 32 Art. 1; Messages No. 2537 and No. 2685 emanating from Headquarters A.C.C., communication RLA 004,07 dated 26th April 1944 of Labor Division Region 1 and copy of agreement dated 9th March 1944 between the S.G.E.S and representatives of employee of said public utility the following legal conclusions are being submitted.

On the limited information submitted the contractual parties as contained in aforementioned agreement had in fact advanced several sums of monies in individual amounts of 1000 lires. Subsequently additional advances were requested by the employees of said S.G.E.S. which culminated in the execution of the aforementioned agreement which by its terms suspended the payment of previous advances made and in addition the said S.G.E.S. consented to the advance of additional 1000 lires at time of execution of said contract and assumed the obligation for the advance of another 1000 within a period of one month from date of execution thereof.
The restitution of monies so advanced by the terms of said agreement were suspended as were all previous advances. The obligation on part of S.G.E.S. to advance the last sum was conditional that the wage scale would remain as of March 9th 1944. From the terms of the said agreement it clearly establishes 9 restitution of previous advances including the advance at time of execution of same were suspended until approval for wage increase was obtained from necessary authorities and that these various sums were necessary to meet the economic conditions that seem to prevail. There is reference that the above agreement was entered into with the consent of authorities representing the Italian Government. The necessity for this opinion arises due to action of S.G.E.S. in advancing the final sum apparently referred to in the March 9th 1944 agreement , without the approval of Allied Authorities. The contention at present revolves itself as to whether these advances constituted a violation of Royal Decree Law 11th February 1944 N. 32 Art. 1 by the terms of which all wages, rates were "frozen" as of the prevailing scale of February 11th 1944 and providing for penalties for disobedience of said law.

The general tenor of agreement indicates these "anticipo" or advances as being synonymous with loans. Suspension of restitution by the employees and imposition of condition as to time of said restitution favours its interpretation as a loan. Wages as legal proposition is remuneration for services

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rendered or to be rendered payable at fixed intervals for which no restitution of monies so paid is made unless by intervention of court decree for legal reasons. Whether this action of further payment of advances on strength of contemplated increase in wages was in reality a subterfuge to circumvent the existing law applicable is not at present passed upon because of lack of any facts at present submitted to justify or create the need for such interpretation.

These advances, in effect loans do not therefore come within the provisions of Royal Decree of 11th February and such action in absence of additional data as mentioned in preceding sentence, may be deemed legal and permissable.

FRANK L. VECCHIOLLA
Major, JAGD.
Regional Legal Officer.

COPY

4D

ALLIED CONTROL COMMISSION
Sicily Region Headquarters
APO 394

File PLA/519.1

3 May 1944

SUBJECT : Labor Division - Monthly Report.

TO : Regional Commissioner.

1. Following is a report of activities of the Labor Division during the month of April - 1944

(a) Labor unrest

(1) Workers at General Electric Society made demands for a 1000 Lire advance, to be repaid from future wage adjustments. Although permission to make this advance was denied by A.C.C., the management did grant the advance -
Legal steps are being taken against the Company.

(2) The workers of Society General Electrica have presented demands that their wages be brought into line with the wages paid other utility workers. The management has not been cooperative in supplying date. It is believed that such an adjustment should be made at once.

(3) A study of wages in the Sulphur Industry was undertaken and completed - Recommendations for wage adjustments are being forwarded to Headquarters.

(4) A work stoppage protesting against low wages occurred at the Trabonella mine at Caltanisetta. Some adjustments were made on a temporary basis and work has been resumed.

(5) A work stoppage occurred on April 17 involving about 2000 workers of the Italian State Railway. No concessions were made and the workers have returned to work. A full detailed report has been forwarded to Headquarters. These workers supplied information regarding the persons operated the Black Market.

(6) The employees of the Filobus Company (a subsidiary of Soc.G.E.) made demands on the Prefect for a 50% wage increase and the company demanded a 100% tariff increase. The Prefect Musotto granted both these demands - This office succeeded in having both these increase nullified - No work stoppage resulted.

(7) The Camera del Lavoro, an organization that claims to act as a central labor body. A sort of a trades council. Actually the organization has been politically run by a group appointed by the Mayor of Palermo. A new group as now taken charge but the council should in our opinion be disbanded and reformed on less political and more democratic lines.

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(8) In general there is still unrest due to lack of food rather than low wages.

./.

(b) During the month a new classification and wage scale for employees (civilian) of the Armed Forces in Sicily was prepared and published.

(c) A new standard contract for stevedoring and new standard Island wide stevedoring rate was devised and published.

(d) Excellently located ground floor space was acquired and is in the process of being reconditioned for the Palermo Collocamento. It is expected to begin operations here within the week.

(e) Employment seems to stay at a rather steady level - Unemployment Insurance claims decreased about 10%

(f) Cost of living rose sharply at the end of the month. Black Market Bread going to 130 Lire per Kilo. There is no on the Market. The rise in the cost of bread is attributed to road blacks institued by I.B.S. which have hampered the small operators.

6

ALLIED CONTROL COMMISSION
Sicily Region Headquarters
APO 394

4E

File RLA/004.07

26 April 1944

SUBJECT : Unauthorized advance to employees ofS.G.E.

TO : Regional Commissioner, Sicily Region.

1. Engineer Tricomi, Managing Director, and Engineer Zava, another official of S.G.E. called on the Director of the Provincial Labor Office on April 21,. They stated that the Chamber of Commerce had circulated their workers and found that all of them wanted shoes. The price of the shoes was 700 Lire per pair.

   These officials requested permission to grant a 1000 Lire payment to each worker so that they might purchase shoes. They could not state wether or not this was to be a present or a loan. They, the company,wished permission to make this advance. The Director of the Provincial Labor Office said he would get an answer for them.

   On April 22, Dr.Gionfrida called on Lt.Colonel Thomas to discuss this advance - Lt.Colonel Thomas refered the Director to Lt.Moffitt - Lt.Moffitt after discussing the matter with Dr.Gionfrida and Lt.Colonel Thomas, told Dr.Gionfrida that such an advance would in reality be a wage increase and that it could not be authorize. It was suggested that the officials of the company submitt a wage study so that a request could be made to A.C.C. Headquarters for a real adjustment of wages for these workers. Dr.Gionfrida agreed to inform the S.G.E. of this decision and to obtain the wage study.

2. On April 24 Dr.Gionfrida received a letter from the S.G.E. informing him they had already made the 1000 Lire advance.

3. In the opinion of Dr.Gionfrida this is in violation of Royal Decree 11 February 1944 - Number 32, article 1. -

4. In view of the recent refusal of such an advance to the employees of the State Railway this action leaves us in a very embarrassing position. It is strongly recommend that some legal action be taken against the officer of S.G.E.

John H. Moffitt
1st Lt.
Labor Officer.

Trehor

19/5/44.

This is a big question involving the Bonds & possibly many utilities, who have made advances of shares which are the equivalent of loans free of interest over periods of many months - in case of Bonds several years.

Qy

(3A)

REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Subcommission
APO 394

GRU/gmf

ASC/4014/7/1

22 March 1944.

SUBJECT: Clarification of AMG Decrees Promulgated in Unoccupied Territory.

TO : Director, Labour Subcommission.

Ref your letter 20 March on the above subject matter (no ref. number) the position is as follows.

1. Proclamations and orders issued by the Allied Military Government ceased to be of force or effect on 10 Feb. and all special offices created thereunder, e.g. regional or provincial labour offices also came to an end, there being no existing machinery of the Italian Government to carry them on.

2. The Royal Decree No. 31 does not give continuing validity to proclamations and orders after the 10th Feb., but on the contrary, Art. 1 subpara 1 states that they lose their validity.

In my opinion para 2 of Art. 1, when read not by itself but together with the remaining provisions of Art. 1, only has the effect of validating acts done during the occupation; thus the creation of a Labour Office is recognised by the Italian Government as perfectly valid but the R.D. does not continue the office after cesser of occupation.

3. The above construction of the R.D. is also in accordance with the intentions expressed during the negotiations with the Italian Government before Regions 1 and 2 were restored to them and where it was desired to give continuing validity, after the cesser of occupation, to acts of the Allied Military Government the Italian Government were asked on the recommendations of subcommissions concerned to pass decrees to that end.

4. Pending the passing of a decree by the Italian Government adopting Labour Offices they have therefore no juridical status but as the Italian Government will no doubt make its decree retrospective to 11 Feb. the practical solution appears to be to agree with the Government for the present continuance of the office and payment of its officials pending publication of the decree.

G. R. UPJOHN, Colonel
Chief Legal Officer.

Legal Division
Labor Group
Spec

4014/7 (2A)

HEADQUARTERS
ALLIED CONTROL COMMISSION
LABOR SUB-COMMISSION
APO 394

20 March, 1944

SUBJECT: Clarification of A.M.G. Decrees Promulgated in Unoccupied Territory.

TO : Director, Legal Sub-Commission

Reference above:

1. Regional Commissioner, Region I, has cabled to inquire whether a decree reestablishing the Regional and Provincial Labor Offices had been promulgated by the Italian Government, suggesting at the same time that action should be taken immediately in view of a complicated situation now developing.

2. Royal Decree (11 February, 1944, No. 31) appears to contain the provisions defining the newly created situation. Article I of this Decree appears to mean that all Proclamations and Ordinances of the Allied Government shall cease to be in force as from 11 February, 1944, but also that such decisions or actions as had been taken in conformity with said Ordinances or Proclamations shall continue to be recognized.

3. We request your interpretation on the aforementioned Article, with special reference to the Labor Offices. Is it correct to say that the Labor Offices continue to be recognized by the Italian Government? Can the Labor Offices be regarded as covered by the expression: "Resta ferma l'efficacia degli atti o fatti compiuti delle autorita' Militari Alleate", or have they ceased to be recognized pending the promulgation of a decree by the Italian Government?

4. A Badoglio Ordinance published in Sicily on the occasion of the transfer (of which only a Press reproduction is available), appears to confirm the notion that the Italian Government only recognizes the effect of A.M.G. legislation for such time as it was in force ("per il tempo in cui hanno avuto esecuzione" cif. Article II Badoglio Ordinance dated 11 February, 1944). ?

5. The English text of a "Proclamation by the Italian Government to be signed by Marshall Badoglio" has been made available to the Sub-Commission. It is not known whether this was actually signed, and whether it was to be the official text for the Italian translation. Article II in this English text corresponds to the Article II of the Badoglio Ordinance, but the inclusion in the latter, of the words: " per il tempo in cui hanno avuto esecuzione" constitute a substantial change.

6. In view of the fundamental principle involved, it is requested that a written opinion be forwarded to this Sub-Commission immediately so that we may be in a position to answer the Regional Commissioner's question.

J. T. R. BAIN, Colonel,
Director, Labor Sub-Commission

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(1A)

Subject Insur Premiums and Liabilities 3 March 1944

To Col Upgolin

I This concerns inquiry of Labor Sub Commission in re above.

2. after wrestling therewith for several hours I concluded that the inquiry was unintelligible. I thereupon conferred with Capt Albright of the Labor Sub Commission who confirmed my conclusion.

3 I have accordingly requested him to have the inquiry so revised as to make the same susceptible of an answer. This he has agreed to do

Max Gross

To Major Grossman

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Max W. Grossmann

To Major Grossmann

1. O.K.
2. Give 'em hell.

GHQ

Mod. 110

AMMINISTRAZIONE DELLA PROVINCIA DI NAPOLI

Cat. — Fasc.

Matricola

Contabilità

delle somme dovute da

per spese di assistenza dell' illegittimo

nato

Assunto l'onere assistenziale con nota

Riferimento al giornale	PERIODO dal	PERIODO al	Sussidio mensile	Importo	TOTALE dei rimborsi dovuti pel suindicato illegittimo	
					Ammontare delle contabilità inviate e finora non ancora rimborsate . . L.	
					Ammontare della presente contabilità . . . . L.	
			Totale L.		Totale L.	

Esente da bollo: Circolare Ministero Finanze 9 ottobre 1920 n. 83884, parag. 17.

Tip. Dep. pedeb. pour. (31 — 1959 — 1000)

La suddetta somma potrà spedirsi direttamente al Tesoriere Provinciale (Banco di Napoli, Sede Spirito Santo, via Roma 402).

Napoli, 193

Visto:

IL PRESIDE

per spese di assistenza dell' illegittimo

nata

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Napoli, 193

Il Ragioniere Capo

Visto:
IL PRESIDE

Tip. Top. pub. pov. (31) — 9858 — 1000

MINISTERO DELLE CORPORAZIONI

Direzione Generale del Lavoro e della Previdenza Sociale

UFFICIO CONTRATTI COLLETTIVI

UFFICIO CONTRATTI COLLETTIVI

Lit Precisa. Roma - Ord. 116 1000