

1350

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

785016

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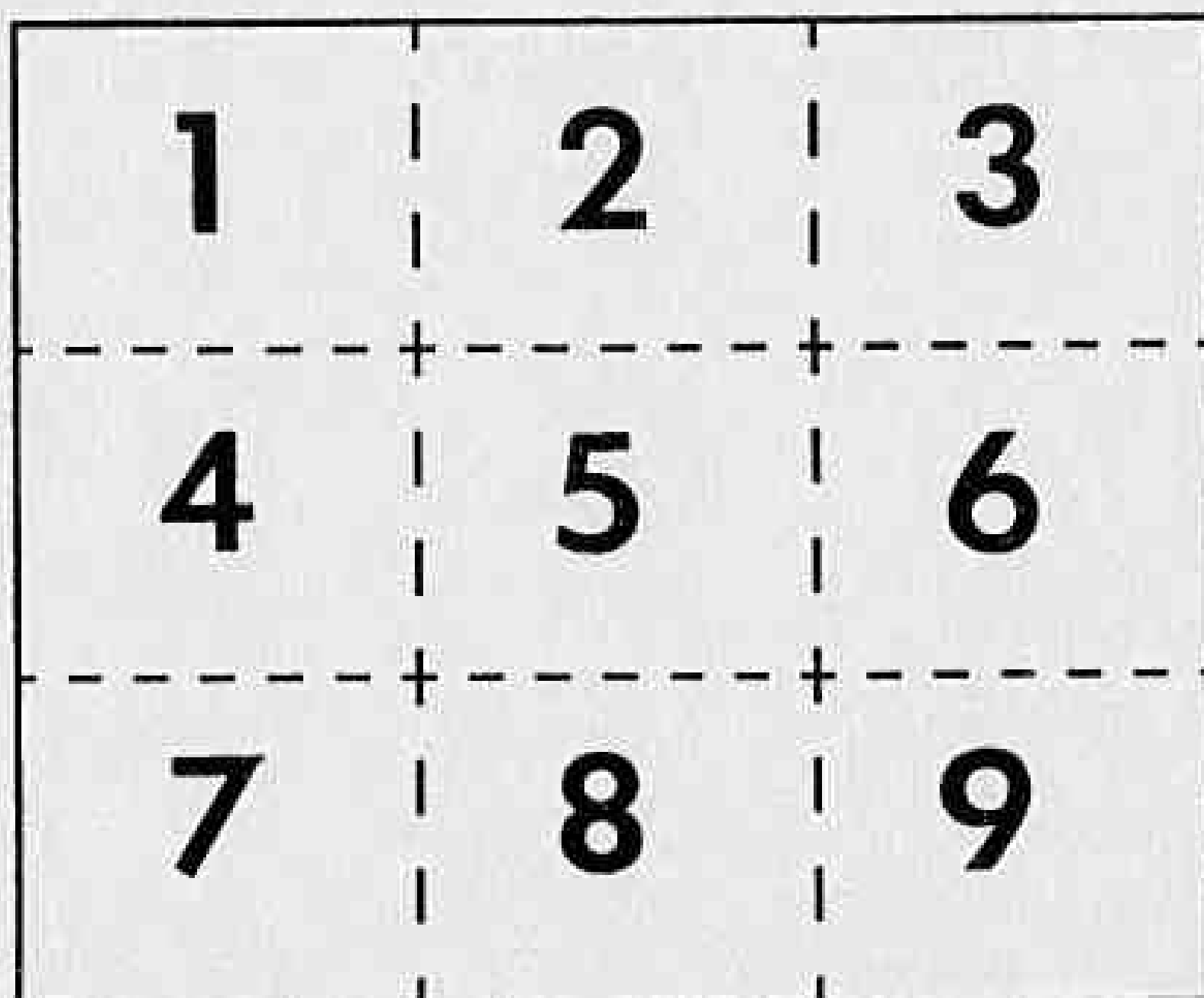
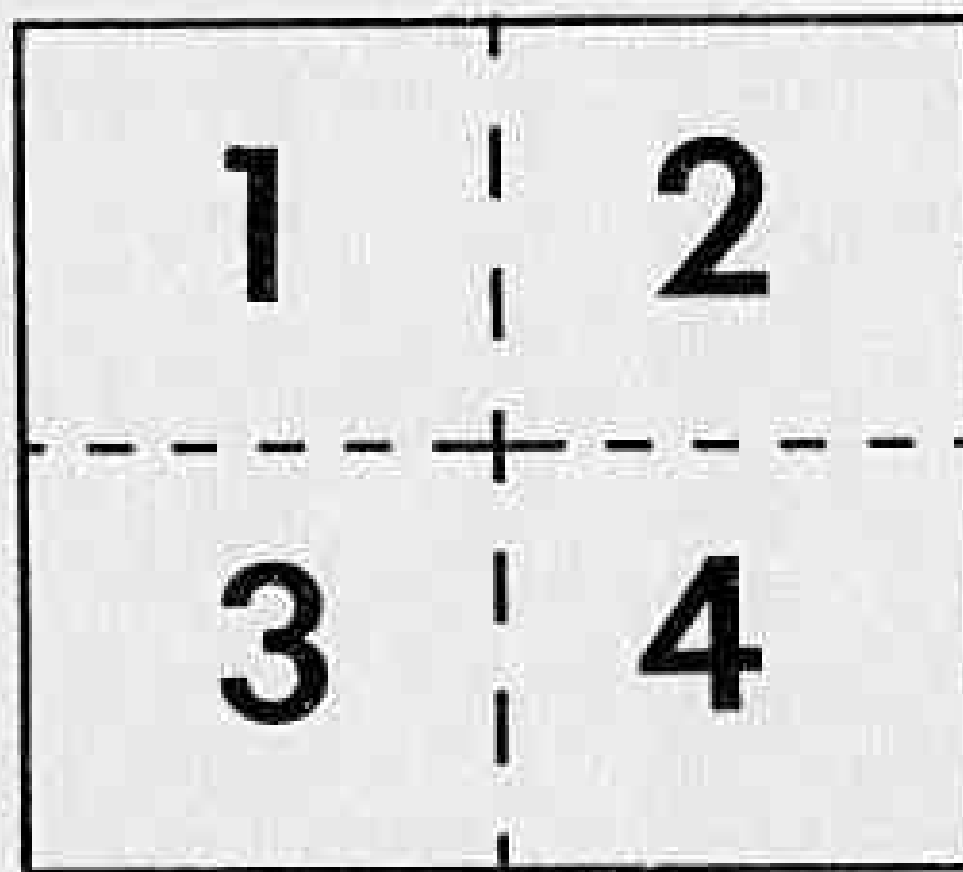
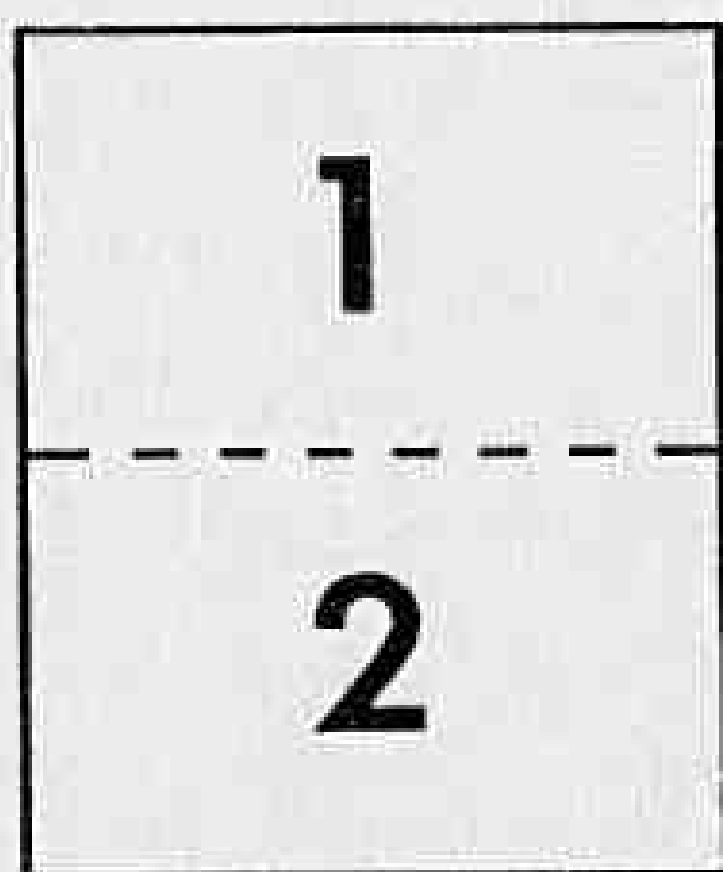
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GENERAL ORDER NO. 28
FEB. 1944 - JULY 1945

BEST COPY POSSIBLE
FILMED AS FOUND
IN COLLECTION

MAPS AND CHARTS TOO LARGE TO FILM
ON ONE EXPOSURE ARE FILMED CLOCKWISE
BEGINNING IN THE UPPER LEFT CORNER,
LEFT TO RIGHT, AND TOP TO BOTTOM.

SEE DIAGRAMS BELOW.



1354

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

785016

FILE CLOSED 24 July 1945

Allied Military Government of Occupied Territory

GENERAL ORDER No. 28

LABOUR RELATIONS

WHEREAS it is the policy of the United Nations to abolish the Fascist corporate syndicate system and to restore to labour the free right of collective bargaining;

Now, therefore, I, MAURICE STANLEY LUSH, C. B. E., M. C., Brigadier, Executive Commissioner Allied Control Commission, hereby order as follows: —

ARTICLE I.

Abolition of Certain Fascist Institutions

The Fascist Corporate Syndicate System is hereby abolished. All corporations, syndicates, institutions, unions, councils and other bodies which are or at any time were

- (a) in any way dependent on the former Fascist party or the Fascist Corporative Syndicate System; and,
- (b) concerned with the Fascist organization or regulations of labour in any form or aspect, and all branches, constituent bodies and other dependencies and successor organizations of the Fascist corporations, syndicates, institutions, unions councils and bodies are hereby dissolved.

ARTICLE II.

Right of Organization

Employees shall have the right to organize, hold meetings, and select representatives of their own choosing for the purpose of collective bargaining with respect to all matters pertaining to or connected with their employment, including such matters as concern hours, wages, working conditions, grievance disputes and mutual social and economic assistance.

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corporate syndicate system

Executive Commissioner,

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Governo Militare Al del Territorio Occupato

ORDINANZA GENERALE RAPPORTI DI LAVORO

POICHE' è nelle direttive delle Nazioni Unite di abolire il sistema sindacale-corporativo e di restituire ai lavoratori il libero diritto alle contrattazioni collettive;

Pertanto, Io, MAURICE STANLEY LUSH, C. B. E., M. C., Brigadiere Generale, della Commissione Alleata di Controllo, ordino quanto segue:

ARTICOLO I.

Abolizione di alcune istituzioni fasciste.

Il sistema sindacale-corporativo fascista è colla presente ordinanza abolito. Tutti i sindacati, istituzioni, unioni, consigli ed altri organi che sono o che in qualunque modo sono connessi al sistema fascista sono aboliti.

(a) comunque alle dipendenze del cessato partito fascista o del Sistema sindacale-corporativo fascista; ovvero

(b) connessi sotto qualunque forma o aspetto all'organizzazione fascista o alla dipendenza dal lavoro

nonchè tutte le derivazioni, corpi costituenti e altre dipendenze ed organizzazioni, ai sindacati, alle istituzioni, alle unioni, ai consigli ed organi fascisti, sono aboliti.

ARTICOLO II.

Diritto di Organizzazione.

I prestatori d'opera hanno il diritto di organizzarsi, tenere riunioni ed eleggere i loro rappresentanti a loro propria scelta al fine di negoziare contratti collettivi riguardo a tutto quanto concerne il loro impiego, ivi compreso tutto quanto si riferisce all'orario, paghe, condizioni di lavoro ed assistenza mutua, sociale ed economica.

overno Militare Alleato del Territorio Occupato

ORDINANZA GENERALE N. 28

RAPPORTI DI LAVORO

POICHE' è nelle direttive delle Nazioni Unite di abolire il sistema sindacale-corporativo fascista e di dare ai lavoratori il libero diritto alle contrattazioni collettive;

Pertanto, Io, MAURICE STANLEY LUSH, C. B. E., M. C., Brigadiere Generale, Commissario Esecutivo Commissione Alleata di Controllo, ordino quanto segue:

ARTICOLO I.

Abolizione di alcune istituzioni fasciste. 115

Il sistema sindacale-corporativo fascista è colla presente ordinanza abolito. Tutte le corporazioni, sindaci, istituzioni, unioni, consigli ed altri organi che sono o che in qualunque tempo furono:

- (a) comunque alle dipendenze del cessato partito fascista o del Sistema sindacale-corporativo fascista; ovvero
- (b) connessi sotto qualunque forma o aspetto all'organizzazione fascista o alla disciplina fascista del lavoro

che tutte le derivazioni, corpi costituenti e altre dipendenze ed organizzazioni succedute alle corporazioni, ai sindacati, alle istituzioni, alle unioni, ai consigli ed organi fascisti, sono con la presente ordinanza, aboliti.

ARTICOLO II.

Diritto di Organizzazione.

I prestatori d'opera hanno il diritto di organizzarsi, tenere riunioni ed eleggere rappresentanti di propria scelta al fine di negoziare contratti collettivi riguardo a tutto quanto concerne o sia connesso con l'impiego, ivi compreso tutto quanto si riferisce all'orario, paghe, condizioni di lavoro, reclami, conflitti, assistenza mutua, sociale ed economica.

Employees shall have the right to organize, hold meetings, and select representatives of their own choosing for the purpose of collective bargaining with respect to all matters pertaining to or connected with their employment, including such matters as concern hours, wages, working conditions, grievances, disputes and mutual social and economic assistance.

ARTICLE III.

Creation of Labour Offices.

The following institutions are hereby created:

- (a) A Regional Labour Office for each of such Regions as may be established in Military Government Territory;
- (b) A Provincial Labour Office for each Province in Military Government Territory, subordinate to the Regional Labour Office.

ARTICLE IV.

Rules and Regulations.

Rules and Regulations will be issued by the Allied Military Government to enable the Regional and Provincial Labour Offices so established to fulfill their objects and perform and carry out their powers, duties and functions.

ARTICLE V.

Objects of the Regional Labour Office.

Subject to the Rules and Regulations to be issued as aforesaid, each Regional Labour Office shall have the following powers, duties and functions, respectively:

- (a) To consider the most practicable and expeditious method of reestablishing and assuring freedom of Labour organization and representation throughout the Region.
- (b) The coordination of the work of and the information and statistics compiled by the Provincial Labour Offices:
- (c) The compilation of similar Regional statistics and information:
- (d) The issuing of periodical reports and bulletins on labour questions for issue to the public otherwise:
- (e) To act as conciliator, mediator, and arbitrator in labour cases which are of special economic significance or of interest to the entire Region:
- (f) Generally to do all such other things in connection with labour matters within each Region as may be required.

ARTICLE VI.

Objects of Provincial Labour Offices.

Subject to the Rules and Regulations to be issued as aforesaid, each Provincial Labour Office shall have the following powers, duties and functions within the Province in which it is established, and shall exercise such powers, duties and functions pending the establishment of a Regional Labour Office:

- (a) Until the establishment of a Regional Labour Office with jurisdiction over the Province, to take steps for the reestablishment and guarantee of freedom of labour organization and representation throughout the Province:
- (b) The compilation of information and statistics on labour:
- (c) The establishment of offices for the registration and supply of labour:

representatives of their own
training to or connected
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I prestatori d'opera hanno il diritto di organizzarsi, tenere riunioni ed eleggere
loro propria scelta al fine di negoziare contratti collettivi riguardo a tutto quanto concerne
il loro impiego, ivi compreso tutto quanto si riferisce all'orario, paghe, condizioni di lavoro
ed assistenza mutua, sociale ed economica.

ARTICOLO III.

Istituzione degli uffici del lavoro.

I seguenti organi sono istituiti colla presente ordinanza:

- (a) Un Ufficio Regionale del Lavoro per ognuna delle Regioni che saranno cost
soggetto al Governo Militare.
- (b) Un Ufficio Provinciale del lavoro per ciascuna provincia nel territorio del
dipendente dall'Ufficio Regionale del Lavoro.

ARTICOLO IV.

Regolamenti e disposizioni.

Regolamenti e disposizioni saranno emanati dal Governo Militare Alleato per
Uffici Regionali e Provinciali del Lavoro, come sopra istituiti, di conseguire i loro scop
i loro poteri e assolvere i loro compiti e le loro funzioni.

ARTICOLO V.

Compiti dell'Ufficio Regionale del Lavoro.

Subordinatamente ai regolamenti e disposizioni da emanarsi come sopra, ogni
Lavoro avrà i poteri, i compiti e le funzioni seguenti:

- (a) Studio del metodo più pratico e sollecito per ristabilire ed assicurare la
zione e della rappresentanza del Lavoro in tutta la Regione.
- (b) Coordinamento dell'attività degli Uffici Provinciali del Lavoro nonché dell
statistiche da questi compilate.
- (c) Compilazione di analoghe statistiche ed informazioni Regionali.
- (d) Compilazione di relazioni periodiche e di bollettini su questioni di lavoro
blico od altrimenti.
- (e) Opera di conciliatore, mediatore, ed arbitro nelle controversie di lavoro
colare importanza economica o di interesse dell'intera Regione.
- (f) Compimento in generale di tutto quanto in materia di lavoro possa essere
di ogni Regione.

ARTICOLO VI.

Compiti degli Uffici Provinciali del Lavoro.

Subordinatamente ai regolamenti e disposizioni da emanarsi come sopra, ogni
Lavoro avrà i seguenti poteri, compiti e funzioni nell'ambito della Provincia dove è
tare tali poteri, compiti e funzioni in attesa dell'istituzione di un Ufficio Regionale

- (a) Provvedere, fino all'istituzione di un Ufficio Regionale del Lavoro con
vincia, al ristabilimento e alla garanzia della libertà di organizzazione
lavoro in tutta la provincia.
- (b) Compilazione delle informazioni e statistiche sul lavoro.
- (c) Istituzione di uffici per l'iscrizione e la fornitura della mano d'opera.

...ori d'opera hanno il diritto di organizzazione, quale stabilito dal
...ta al fine di negoziare contratti collettivi riguardo a tutto quanto concerne o sia connesso con
...ivi compreso tutto quanto si riferisce all'orario, paghe, condizioni di lavoro, reclami, conflitti
...mutua, sociale ed economica.

ARTICOLO III.

Istituzione degli uffici del lavoro.

...ati organi sono istituiti colla presente ordinanza:

...Ufficio Regionale del Lavoro per ognuna delle Regioni che saranno costituite nel Territorio
...getto al Governo Militare.

...Ufficio Provinciale del lavoro per ciascuna provincia nel territorio del Governo Militare,
...endente dall'Ufficio Regionale del Lavoro.

ARTICOLO IV.

Regolamenti e disposizioni.

...amenti e disposizioni saranno emanati dal Governo Militare Alleato per mettere in grado gli
...ali e Provinciali del Lavoro, come sopra istituiti, di conseguire i loro scopi nonchè di esercitare
...assolvere i loro compiti e le loro funzioni.

ARTICOLO V.

Compiti dell'Ufficio Regionale del Lavoro.

...linatamente ai regolamenti e disposizioni da emanarsi come sopra, ogni Ufficio Regionale del
...i poteri, i compiti e le funzioni seguenti:

...udio del metodo più pratico e sollecito per ristabilire ed assicurare la libertà dell'organizza-
...one e della rappresentanza del Lavoro in tutta la Regione.

...ordinamento dell'attività degli Uffici Provinciali del Lavoro nonchè delle informazioni e delle
...stistiche da questi compilate.

...ompilazione di analoghe statistiche ed informazioni Regionali.

...ompilazione di relazioni periodiche e di bollettini su questioni di lavoro da distribuirsi al pub-
...lico od altrimenti.

...pera di conciliatore, mediatore, ed arbitro nelle controversie di lavoro, che siano di parti-
...olare importanza economica o di interesse dell'intera Regione.

...ompimento in generale di tutto quanto in materia di lavoro possa essere necessario nell'ambito
...di ogni Regione.

ARTICOLO VI.

Compiti degli Uffici Provinciali del Lavoro.

...rdinatamente ai regolamenti e disposizioni da emanarsi come sopra, ogni Ufficio Provinciale del
...a i seguenti poteri, compiti e funzioni nell'ambito della Provincia dove è istituito e potrà eserci-
...oteri, compiti e funzioni in attesa dell'istituzione di un Ufficio Regionale del Lavoro:

...Provvedere, fino all'istituzione di un Ufficio Regionale del Lavoro con giurisdizione sulla pro-
...vincia, al ristabilimento e alla garanzia della libertà di organizzazione e di rappresentanza del
...lavoro in tutta la provincia.

...Compilazione delle informazioni e statistiche sul lavoro.

...Istituzione di uffici per l'iscrizione e la fornitura della mano d'opera.

exercise such powers, duties and functions pending the establishment of a Regional Labour Office.

- (a) Until the establishment of a Regional Labour Office with jurisdiction over the Province, to take steps for the reestablishment and guarantee of freedom of labour organization and representation throughout the Province;
- (b) The compilation of information and statistics on labour;
- (c) The establishment of offices for the registration and supply of labour;
- (d) To act as conciliator, mediators or arbitrators in labour disputes;
- (e) Generally to do all such other things in connection with labour matters within the Province as may be required.

ARTICLE VII.

Penalties.

Any person interfering or assisting or attempting to interfere with any right conferred by Article of this Order or otherwise failing to observe any provisions of this order shall upon conviction by an Allied Military Court be liable to punishment by imprisonment or fine or both and such other lawful punishment as the Court may determine.

ARTICLE VIII.

Repeal of Conflicting Laws.

Any and all provisions of Italian Law inconsistent or in conflict with the provisions of this Order hereby repealed.

ARTICLE IX.

Effective Date.

This Order shall become operative in each Province or part thereof within the Military Government territory on the date of its first publication therein.

FOR THE CHIEF COMMISSIONER

M. S. LUSH

Brigadier

Executive Commissioner

Allied Control Commission

Dated:

ional Labour Office.

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organization and representa-

atters within the Province as

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ll upon conviction by an Allied
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the provisions of this Order are

within the Military Government

S. LUSH
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ecutive Commissioner
ed Control Commission

tare tali poteri, compiti e funzioni in attesa dell'istituzione di un Ufficio Regionale del Lavoro con
(a) Provvedere, fino all'istituzione di un Ufficio Regionale del Lavoro con
vincia, al ristabilimento e alla garanzia della libertà di organizzazione
lavoro in tutta la provincia.

(b) Compilazione delle informazioni e statistiche sul lavoro.

(c) Istituzione di uffici per l'iscrizione e la fornitura della mano d'opera.

(d) Opera di conciliatori, mediatori o arbitri nelle controversie di lavoro.

(e) Compimento in generale di tutto quanto in materia di lavoro possa esse
della provincia.

ARTICOLO VII.

Penalità

Chiunque impedisca ovvero aiuti nell'impedire o tenti d'impedire l'esercizio
ritti conferiti dall'Art. II della presente Ordinanza o comunque venga meno all'o
sposizione della presente Ordinanza, sarà, se riconosciuto colpevole da un Tribu
sibile di reclusione o di multa o di entrambe nonché di ogni altra punizione lega
Tribunale.

ARTICOLO VIII.

Abrogazione di Leggi contrastanti.

Ogni e qualsiasi disposizione del diritto italiano che sia incompatibile o
zioni della presente Ordinanza è abrogata.

ARTICOLO IX.

Data di entrata in vigore.

La presente Ordinanza entrerà in vigore in ogni provincia, o parte di essa,
getto al Governo Militare, a partire dalla data della sua prima pubblicazione.

PER IL CAPO COMMISSARIO

M. S. L.
Brigadi
Comm
Comm

tare tali poteri, compiti e funzioni in attesa dell'istituzione di un Ufficio Regionale del Lavoro con giurisdizione sulla

- (a) Provvedere, fino all'istituzione di un Ufficio Regionale del Lavoro con giurisdizione sulla provincia, al ristabilimento e alla garanzia della libertà di organizzazione e di rappresentanza del lavoro in tutta la provincia.
- (b) Compilazione delle informazioni e statistiche sul lavoro.
- (c) Istituzione di uffici per l'iscrizione e la fornitura della mano d'opera.
- (d) Opera di conciliatori, mediatori o arbitri nelle controversie di lavoro.
- (e) Compimento in generale di tutto quanto in materia di lavoro possa essere necessario nell'interesse della provincia.

ARTICOLO VII.

Penalità

Chiunque impedisca ovvero aiuti nell'impedire o tenti d'impedire l'esercizio di uno qualsiasi dei diritti conferiti dall'Art. II della presente Ordinanza o comunque venga meno all'osservanza di qualsiasi disposizione della presente Ordinanza, sarà, se riconosciuto colpevole da un Tribunale Militare Alleato, punito con la pena di reclusione o di multa o di entrambe nonché di ogni altra punizione legale, secondo la decisione del Tribunale.

ARTICOLO VIII.

Abrogazione di Leggi contrastanti.

Ogni e qualsiasi disposizione del diritto italiano che sia incompatibile o in conflitto con le disposizioni della presente Ordinanza è abrogata.

ARTICOLO IX.

Data di entrata in vigore.

La presente Ordinanza entrerà in vigore in ogni provincia, o parte di essa, compresa nel territorio sotto il controllo del Governo Militare, a partire dalla data della sua prima pubblicazione.

PER IL CAPO COMMISSARIO

M. S. LUSH
Brigadiere Generale
Commissario Esecutivo
Commissione Alleata di

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

24 July 1945

AC/4074/11/L

SUBJECT : Rules and Regulations - General Order No 28

TO : Director, Labor Sub-Commission

1. Reference your LSC/1301 of 17 July 1945 I am informed that Rules and Regulations of this nature have in fact been issued before without the necessity of a certificate from the C.L.A. I do not know whether this is true but if it is you may be prepared to present the attached document for signature by the CCAO without my certificate.

2. In any case I am not prepared to give my certificate in respect of the document in point as it contains a large number of typing errors and in particular the form of signature is not correct.

3. The documents are returned herewith.

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

114

Incls.

1.363

785016

(35A)

File
4074/1101

HEADQUARTERS ALLIED COMMISSION

APO 394
LABOR SUB-COMMISSION

DCS/sb

TEL : 416

17 July 1945

REF : LSC/1301

SUBJECT: Rules and Regulations - General Order No. 28.

TO : Legal Sub-Commission
Attn: Col. Behrens

1. Enclosed find draft of Rules and Regulations to General Order No. 28 corrected in accordance with the suggestions contained in your AC/4074/11/L of 11 July. — 34A

2. Your certificate in respect of the same will be awaited.

W. H. Braine

W. H. BRAINE
Director
Labor Sub-Commission

113

1 Incl.

LEGAL SUB-COMMISSION

CLO

DCLO

Chief Counsel

CJO

→ Italian Section

CL RKS

17 JUL 1945

Hold for further

[Faint handwritten notes and signatures]

1. I am ^{not} inferring ^{that} Rights
of the act have in fact
been used before act was of
act for CCA

I do not know what this is
but of course they are

not permitted to present all data for
use by CCAO without my act.

2. I am sure I am not permitted to
give out in info of data especially
from. A large number of
typing errors & in particular
line of signature is not correct

Over act

34A

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/4074/11/L.

/rlp.
11 July 1945.

SUBJECT : General Order No. 28.

TO : Labor S/C.

revised

1. I have perused the attached rules and have the following ^{com}ments to make thereon.

2. Article II, 1, I, your draft "as provided for on General Order"; the word "on" is surely a misprint for "by", and I suggest that for the word "general" you should say "AMG."

3. Article II, 2, B, the second sentence is ungrammatical; the word "and" at the beginning of line 6 should be deleted.

4. Article II, 2, C, "or any other General Order." I suggest you say "AMG order."

5. Article III, 3rd paragraph. The word "Commissioner" appears to be a mistake for "Labor Office." If it is not a mistake I cannot agree that it is proper for a regional director to decide the jurisdiction of AMG officers.

6. Article VII, 1, C; "AMG General Orders? I suggest delete "General."

7. Article VIII, last word; this appears to be an error for "office."

8. If you agree with these comments and make the necessary amendments I shall give my certificate in respect of the document.

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

Incl: Rules of GO 28.

4074/11
HEAD QUARTERS
ALLIED MILITARY GOVERNMENT
ANCONA PROVINCE

33A

Subject: General Order No.28

To: R.L.O., Umbria-Marche Region

From: P.L.O., Ancona

Ref: Anc/11/8

Date: 4 May 1945

LEGAL OFFICE

Ancona

21 MAG 1945

1. General Order No.28 was distributed to P.O.s by this office on 14 Nov 1944.

For the Provincial Commissioner:

W.T. Boone
W.T. BOONE,
Capt. CMP
PLO Ancona

Legal ✓

B

Read by
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32A

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB - COMMISSION

/rlp.
27 April 1945.

SUBJECT : Wage Increases.

TO : Regional Commissioner (Attn: Regional Legal Officer),
TOSCANA Region.

1. Labor Sub-Commission has requested this sub-commission to send a signal to you advising you that you are authorized to grant an increase in wages if such increase has been negotiated between the employers and employees concerned.

2. It appears that there is some dispute between various divisions in your region over this matter and as the exact facts in issue are not known, it would obviously not be proper for any general authority of the kind mentioned to be forwarded.

3. On the other hand, for what it may be worth, it may be desirable that the general views of this sub-commission on this subject be stated.

4. Proclamation II, Art. 9 provides that the rates of wages shall remain unaltered until further order by the Allied Military Government. AMG has in fact issued many further orders by the implementation in AMG Territory of various Italian Government Decrees and in particular by the issue of General Order No. 28. This provides in Art. 2 that employees may hold meetings for the purpose of collective bargaining with respect to wages. If, as a result of such collective bargaining, an agreement is reached for the increase of the wages, it would render the provisions of General Order No. 28 inoperative to hold that such a negotiated contract could not, as a matter of law, be authorized by order of AMG. In fact, according to Labor Sub-Commission, instructions have been issued by Labor Sub-Commission (although no copy has been supplied to this sub-commission), laying down the principles upon which such agreements may be approved and authorizing Regional Commissioners to issue the necessary AMG order for this purpose. Accordingly, it is the view of this sub-commission that Regional Commissioners are authorized to issue the necessary order to give effect to an agreement for the increase of wages, although of course it is a matter for the discretion of the Regional Commissioner in a particular case whether the circumstances justify such an order.

5. It is hoped that this opinion may be of assistance.

By command of Rear Admiral STONE:

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

Copy to: File AG/4074/11/L.

1370

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

785016

(31A)

27 Dec 44

31C

Original and one copy of Italian text of Rules and Regulations pursuant to General Order 28 handed over to Major Albright without covering letter. (Labor S/C)

27 DEC 1944

109

To: Deputy C.L.A.

(31B)

Subject: Rules & Regulations with regard to Labour

1. - The English text has been amended as requested by Labour S/C and ~~by~~ suggested by us -

2. - The Italian translation thereof has been corrected ~~as~~ suggested by us and agreed upon by Labour S/C. (Conferences were held with Am. La Loggia of Labour)

3. - Both texts are in their final form.

21 Dec. 1944

Phonement 108

HEADQUARTERS ALLIED COMMISSION
APO 394
LABOR SUB-COMMISSION

310

MEMORANDUM

OGGETTO : Disposizioni per l'attuazione dell'Ordinanza Generale N° 28, in materia di lavoro.

Considerato che, in virtù dell'ordine generale N° 28, era stato disposto che speciali disposizioni sarebbero state promulgate per assicurare il funzionamento degli Uffici del Lavoro Regionali e provinciali,

Io, ELLERY W. STONE, Ammiraglio, USNR, a nome del Comandante Supremo Alleato e Governatore Militare, promulgo il seguente regolamento e dispongo in conseguenza:

ART. 1 - Costituzione degli Uffici del Lavoro

1. In ogni provincia e regione verrà costituito, nei luoghi indicati dal competente Commissario provinciale o regionale, un Ufficio provinciale o regionale del Lavoro, a seconda del caso.

Il suddetto Ufficio sarà diretto da un funzionario civile italiano, che avrà il titolo di Direttore Regionale o Provinciale del Lavoro, e sarà nominato, a seconda dei casi, dal Commissario regionale o provinciale.

I Direttori del Lavoro avranno la facoltà - subordinatamente all'approvazione del competente Commissario regionale o provinciale - di nominare un adeguato numero di impiegati per provvedere al buon funzionamento dei rispettivi uffici.

2. Uffici del Lavoro comunali e speciali Uffici del Lavoro portuali e agricoli saranno costituiti in determinate località e con un personale civile ita-

liano, secondo le direttive del Commissario provinciale.

3. Tutte le designazioni di personale italiano per gli Uffici del Lavoro avranno un carattere spolitico.

ART. II - Competenze e compiti degli
Uffici del Lavoro.

1. Gli Uffici Regionali del Lavoro avranno in primo luogo il compito di controllare e coordinare le funzioni e le attività degli Uffici provinciali del Lavoro. Inoltre essi esplicheranno le seguenti speciali funzioni:

A. Promuovere la prassi e la procedura della contrattazione collettiva e tutelare i lavoratori nell'esercizio della piena libertà di associazione, di organizzazione autonoma, nonché di designazione di rappresentanti di loro scelta allo scopo di negoziare i termini e le condizioni del loro impiego e di altre forme di mutua assistenza o tutela. Promuovere la prassi fondamentale della soluzione amichevole delle controversie di lavoro che possano sorgere da divergenze circa i salari, gli orari e le altre condizioni di lavoro.

B. Dirigere e controllare l'attività dell'Ispettorato del Lavoro, che sarà limitata al solo servizio di ispezione del lavoro.

C. Assumere la cognizione di quelle controversie del lavoro che - a giudizio del direttore regionale - richiedano un intervento regionale anziché provinciale, e sottoporre al Commissario regionale quelle controversie del lavoro, per le quali un intervento nazionale anziché regionale appare necessario.

D. Compilare regolari e speciali relazioni e rapporti in base alle informazioni fornite dagli Uffici provinciali del lavoro e integrate dai dati provenienti da altre fonti e

da studi indipendenti.

E. Promuovere il benessere delle donne salariate e dei fanciulli, migliorare le loro condizioni di lavoro, aumentare la loro efficienza lavorativa e aumentare le possibilità del loro vantaggioso impiego.

F. Sorvegliare ed assistere le migrazioni e altri movimenti della mano d'opera, ogni qual volta se ne presenti la opportunità e la necessità, ed esercitare quei controlli sulla mano d'opera che possano essere **disposti** da un Ordine Generale o da una legge italiana.

G. Occuparsi di qualunque altra pratica riguardante le relazioni o i problemi del lavoro della regione, secondo quanto potrà essere disposto dal Commissario regionale.

2. Gli Uffici provinciali del lavoro hanno il compito di attuare nelle provincie il programma loro assegnato nel campo del lavoro, nonché di controllare e coordinare tutti gli uffici comunali e speciali, posti sotto la loro giurisdizione. Inoltre essi **esplicheranno** le seguenti funzioni:

A. Costituire e potenziare un ufficio Centrale di collocamento, che dovrà formare una delle principali sezioni dell'Ufficio provinciale del lavoro. Costituire, controllare e dirigere tutti gli altri uffici di collocamento o collocatori delle provincie, a seconda delle specifiche necessità.

1) Registrare i prestatori d'opera in cerca di occupazione e tenere aggiornati i dati e le notizie sui lavoratori disponibili.

2) Reclutare e fornire la mano d'opera civile alle Forze Armate Alleate, secondo le richieste, dando un'assoluta precedenza alle richieste delle autorità militari.

3) Reclutare e fornire la mano d'opera civile ai datori di lavoro civili.

4) Fornire le necessarie informazioni e provvedere ai servizi relativi al pagamento delle indennità di disoccupazione.

B. Costituire e potenziare una sezione di conciliazione o mediazione nell'ambito dell'ufficio Provinciale del lavoro. Il direttore provinciale del lavoro sarà anche autorizzato a fungere da mediatore o da conciliatore e a designare speciali commissari conciliatori ogni qual volta, a suo giudizio, ciò si renda necessario nell'interesse della pace industriale e sociale. La giurisdizione dell'ufficio Provinciale del lavoro è estesa a tutte le controversie del lavoro che interessino l'attività lavorativa nell'ambito della provincia, salvo che, tuttavia, l'ufficio Regionale del lavoro non le avochi alla sua giurisdizione, a discrezione del Direttore regionale.

C. Rilevare e compilare informazioni statistiche sul collocamento del personale negli impieghi pubblici o privati, nonché sulla disoccupazione, sulle controversie del lavoro, sui movimenti della mano d'opera, sul costo della vita, sulla sicurezza e sugli infortuni del lavoro, sulle mercedi, sugli orari di lavoro e sulle condizioni d'impiego. A nessuno sarà lecito rifiutare informazioni e dati su queste materie, dietro richiesta di un ufficio Provinciale del lavoro. Sarà inoltre proibito di rendere nota la fonte delle informazioni così ottenute.

D. Trattare tutte le altre questioni riguardanti i rapporti di lavoro o i problemi del lavoro della provincia, secondo le istruzioni che possano essere impartite al riguardo dal Commissario provinciale, dal Direttore regionale del lavoro o dal Commissario regionale.

ART. IV - Arbitrato

Tutte le controversie collettive in materia di lavoro, comprese quelle che potranno sorgere in base a decreti del Governo italiano sulle mercedi o sulle condizioni di lavoro, in caso di mancato regolamento a mezzo di mediazione o di conciliazione dovranno essere sottoposte al giudizio di Commissioni arbitrali, le quali fungeranno sotto la sorve-

glianza di un ufficio regionale o provinciale del lavoro. Ogni commissione sarà costituita da una rappresentanza tripartita, costituita da un egual numero di rappresentanti dei datori di lavoro, dei prestatori d'opera e del pubblico.

I membri in rappresentanza dei prestatori d'opera saranno scelti dai lavoratori o dai loro rappresentanti; i membri dei datori di lavoro saranno scelti dai datori di lavoro o dai loro rappresentanti; i rappresentanti del pubblico saranno scelti dal direttore dell'ufficio del lavoro avente giurisdizione sul procedimento di arbitrato: inteso, comunque, che i rappresentanti pubblici, quando possibile, debbono essere persone di gradimento sia ai datori di lavoro che ai lavoratori; ed inteso inoltre che il direttore dell'Ufficio del Lavoro può nominare i membri rappresentanti i lavoratori o il datore di lavoro, se -dopo debito avviso- tali membri non fossero scelti dalle parti interessate.

Prima che una controversia sia dal Direttore provinciale del lavoro sottoposta a decisione arbitrale, sarà portata a conoscenza del Direttore regionale, il quale determinerà se la decisione arbitrale concerna la giurisdizione dell'ufficio provinciale o regionale del lavoro.

L'arbitrato sarà obbligatorio e le decisioni delle suddette commissioni arbitrali saranno definitive per i lavoratori ed i datori di lavoro interessati quando siano depositate presso il Commissario Regionale e da lui ratificate.

Nel caso di ricorsi o controversie individuali di lavoro tra i singoli datori di lavoro e lavoratori, le parti interessate possono volontariamente convenire per sottoporli a giudizio arbitrale presso gli uffici provinciali del lavoro; o possono ricorrere alla autorità giudiziaria.

Nell'arbitrato di controversie individuali o collettive, le commissioni arbitrali non saranno vincolate da qualsiasi speciale formalità procedurale o limitazione, e tutte le decisioni arbitrali saranno pronunziate secondo equità.

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ART. V - Rappresentanti ed Elezioni

Allorquando sorgano divergenze in merito alle rappresentanze dei lavoratori, il Direttore Regionale del lavoro, o persona da lui designata, potrà indagare al riguardo e certificare alle parti, per iscritto, il nome o i nomi dei rappresentanti che sono stati designati o scelti.

In tali casi egli potrà determinare se, ai fini della contrattazione collettiva, il soggetto ~~contrattante~~ contraente debba essere o una intera industria, o una determinata categoria di lavoratori, o un mestiere, o un'azienda o un'altra sottodivisione.

I rappresentanti così designati o scelti per una determinata unità saranno i rappresentanti esclusivi di tutti i prestatori d'opera di tale unità per quanto riguarda la contrattazione collettiva in materia di tariffe, salari, durata ed altre condizioni di lavoro, salvo sempre il diritto di ogni singolo lavoratore o gruppo di lavoratori di presentare reclami in qualsiasi momento al proprio datore di lavoro.

In tali indagini il Direttore Regionale del lavoro, o la persona da lui designata, provvederà, previo debito avviso, ad un opportuno dibattito e potrà provocare una votazione segreta dei lavoratori ed utilizzare ogni altro mezzo atto a stabilire quali siano gli effettivi rappresentanti.

ART. VI - Procedimenti illeciti in materia di rapporti di lavoro

A nessun datore di lavoro sarà consentito:

1) = di interferire, esercitare coazioni o restrizioni sui lavoratori nell'esercizio dei diritti loro garantiti dall'Ordine generale n. 28, o dal presente regolamento;

2) = di imporsi o interferire nella formazione o amministrazione di qualsiasi organizzazione di lavoratori, oppure finanziarle o comunque sostenerle; ma con questo non saranno escluse le riunioni fra datori di lavoro e

././.

prestatori d'opera durante le ore del lavoro, senza perdita di paga;

3) = applicare discriminazioni fra lavoratori, relativamente alla loro assunzione, o mantenimento in servizio, alla durata del lavoro o a qualsiasi termine o condizione di lavoro in dipendenza dell'appartenza del lavoratore a una organizzazione sindacale; oppure scoraggiare l'adesione del lavoratore a questa ultima;

4) = infliggere provvedimenti disciplinari oppure effettuare discriminazioni sotto altre forme ai danni di qualsiasi prestatore d'opera, perché questo abbia reclamato, formulato accuse o prestato testimonianza contro il datore di lavoro in qualsiasi controversia o questione di lavoro.

ART. VII - Esenzione delle tasse nei
procedimenti in materia di lavoro

Tutti gli atti relativi ai procedimenti arbitrali sono esenti da tasse di bollo e di registrazione.

Ogni altra esenzione da tasse e tutte le altre agevolazioni accordate dalle vigenti leggi in favore dei procedimenti di lavoro, si applicheranno anche a qualsiasi atto o documento che direttamente o incidentalmente connesso alla conciliazione, alla mediazione o all'arbitrato delle controversie di lavoro.

ART. VIII - Registri delle associazioni
disciolte

I registri e le carte delle istituzioni sciolte a' sensi dell'Art. 1 dell'Ordine n. 28 saranno consegnati al Direttore Provinciale del Lavoro, o a persona da lui designata.

ART. IX - Validità dei contratti

1. Nessun contratto collettivo fra datore di lavoro e prestatore d'opera sarà valido, a meno che:

- a) = sia redatto per iscritto;
- b) = una copia del medesimo sia depositata presso l'Ufficio Regionale del lavoro nella cui giurisdizione trovasi il territorio in cui il suddetto contratto venne stipulato;
- c) = sia conforme alle direttive di stabilizzazione delle mercedi, alle Ordinanze generali, Norme e Regolamenti dell'A.M.G. e alle leggi italiane non in contrasto con quanto sopra stabilito.

2. Le condizioni, i regolamenti e le tariffe salariali contemplati dai contratti collettivi, dagli accordi economici e dalle sentenze pronunciate dalla speciale Magistratura del Lavoro, come pure dalle Ordinanze Corporative di cui agli Art. X e XIII della legge 5 febbraio 1934, n. 163, e dagli Art. IV e V del R. Decreto 9 agosto 1943, n. 821, continueranno ad avere effetto obbligatorio fino a quando non saranno revisionati o finché non sarà disposto altrimenti dal Governo Militare Alleato, oppure non saranno modificati da sentenze arbitrali o da nuovi contratti collettivi conclusi fra i datori di lavoro e i lavoratori.

Per il Comandante Supremo Alleato e
Governatore Militare:

106

ELLERY W. STONE, Ammiraglio
Ufficiale Capo per gli
affari civili.

30 novembre 1944

4074/11
✓
HEADQUARTERS ALLIED COMMISSION
APO 894
LABOR SUB-COMMISSION

JRS/rmw

30A

TEL : 478904

6 December 1944

REF : 091.4313

SUBJECT: Rules and Regulations With Regard to Labor
Issued Pursuant to General Order No. 28.

TO : Legal Sub-Commission
Attention: Colonel W. E. Behrens

27A

1. Referring to your memorandum of 23 November, AC/4074/11/L, corrections have been made to the Rules and Regulations in accordance with your observations, and attached herewith, therefore, is the final document both in English and Italian, ready for signature.

2. Will you please check the translation and, if satisfactory, issue the proper certificate?

Awarded

Italian text given by Bureau to
for the Bureau of Labor SFC -
19.12.44 Prisoners

Junius R. Smith
JUNIOUS R. SMITH
Colonel, OMC
Acting Director
Labor Sub-Commission

99

Enclosures (2)

LEGAL SUB-COMMISSION	CL RKS
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DCLO	
Chief Counsel	
CJO	
Italian Section	
CL RKS	
6 DEC 1944	

pan K. J. H.
Section
for checking
(w/)

4074/11

File

HEADQUARTERS ALLIED COMMISSION

APO 894

LABOR SUB-COMMISSION

FMA/raw

29A

TEL : 478304

8. Dec.
~~29 November~~ 1944

REF : 091.4661

SUBJECT: Implementation of DLL/303.

TO : Legal Sub-Commission.

1. With reference to your AC/4074/11/L of 24 November 1944, this will confirm the Labor Sub-Commission's approval of the implementation in occupied territory of DLL No. 303 concerning wage increases of Italian civilian workers.

John R. Smith
JONIUS R. SMITH
Colonel, GMC
Acting Director
Labor Sub-Commission

28A

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

/mt.
2 December 1944.

AC/4074/11/L.

SUBJECT : Implementation of D.L.L. 303
TO : Director, Labour Sub-Commission.

1. With reference to this Sub-Commission's letter AC/4074/11/L of 24 Nov. 1944 may the written confirmation requested in para 3 please be forwarded to this Sub-Commission at your earliest convenience.

AC/4074/11/L.

Cep
A. R. THACKERAY,
Lt. Col.,
Italian Branch,
for Chief Legal Advisor.

97

27A

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/4074/11/L.

/rlp.
28 November 1944.

SUBJECT : General Order No. 28.

TO : Labor S/C.

1. Your eighth draft of the rules and regulations under General Order No. 28 is returned herewith with the observations mentioned below. If you will prepare a copy of the orders in accordance with these observations and will submit an Italian translation, we shall be pleased to check the translation and to give a certificate in respect to the rules.

2. The observations are:

a. The draft down to the words "Article I" is out of order. The document should read:

"ALLIED MILITARY GOVERNMENT OF OCCUPIED TERRITORY

RULES AND REGULATIONS WITH REGARD TO LABOR ISSUED PURSUANT TO

GENERAL ORDER NO. 28

WHEREAS, by General Order No. 28, ^{it was} ~~the Allied Military Government~~ provided that certain rules and regulations would be issued for the operation of regional and provincial labor offices,

NOW THEREFORE, I, ELLERY W. STONE, COMMODORE, USNR, for and on behalf of the Supreme Allied Commander and Military Governor, hereby issue the following rules and regulations and I hereby order as follows, " 98

b. Article ² ~~IX~~ A, line 2--for principal spelled "principle" read ~~spelled~~ "principal."

² ~~IX~~ A, line 7--for "necessary.", read "necessary" no full stop.

c. Article IX, 2, line 8--delete "decree." AMG does not issue decrees and an AMG order implementing an Italian decree is an AMG order.

d. Signature. The rules should be signed ^{For} the Supreme Allied Commander and Military Governor (by) Ellery W. Stone, Commodore, USNR, Chief Civil Affairs Officer.

Incl: 8th Draft of GO #28.

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

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

26A

AC/4074/11/L.

ART/ap.
27 November 1944.

SUBJECT : Jurisdiction of Italian Courts
in Labour Controversies.

TO : H. E. The Minister of Pardon and Justice.

1. In regard to Your Excellency's report at the last conference on 17 Nov that Art. 6 para (d) of AMG General Order No. 28 had been erroneously construed at Ascoli Piceno as abolishing the jurisdiction of the Italian Courts, enquiry elicits the following information:-

2. It is exact that the Provincial Labour Office did so construe the said General Order and informed the Italian authorities accordingly.

3. The Regional Labour Officer, however, states that he has issued no such instructions nor expressed any opinion thereon to the Italian authorities. He states that Provincial Labour Offices are in fact exercising their powers as arbitrators and that the practice is for any dispute not settled before them to be referred to the Italian Courts.

4. This Sub-Commission's Legal Officer at Ascoli Piceno has been instructed to see that any misapprehension on the part of the Italian authorities or of the Provincial Labour Officer on this subject is duly corrected. 93

Ref
A. R. THACKRAH,
Lt. Colonel,
Italian Branch,
for Chief Legal Advisor.

TO : H.Q. ALLIED COMMISSION
(attention of Legal Sub-Commission)

FROM : H.Q. AMG/AC ABRUZZI MARCHE REGION

SUBJECT : Jurisdiction of Italian Courts in Labour Disputes

REF. : AMR/511/12/AP/AIM

DATE : 24 Nov. '44

4074/11

(25A)

19A

1. Ref. your AC/4074/11/L dated 16 Nov. '44. I have discussed this matter with the Regional Labour Officer. He informs me that he has issued no written or verbal instructions and has expressed no opinion to the Italian authorities to the effect that the jurisdiction of the Italian Courts is excluded by General Order No 28 as regards Labour Disputes. He states that the Provincial Labour Offices are in fact exercising their powers as arbitrators and that the practice is for any dispute not settled before them to be referred to the Courts. I have informed him of your attitude in the matter with which, of course, he entirely agrees.
2. P.L.O. Ascoli Piceno on the other hand informs me that the Provincial Labour Officer there states that he has always considered that General Order No 28 does abolish the jurisdiction of the Italian Courts and has expressed this opinion verbally to the Italian Authorities. I am informing the Regional Labour Officer of this.
3. I have instructed P.L.O. Ascoli Piceno to see that any misapprehension on the part of local Italian Authorities or of the ~~Labour~~ Provincial Labour Officer as to the attitude of AMG on this subject is corrected.

For the Regional Commissioner

R. G. S. Alexander

R. G. S. ALEXANDER, Major,
R.L.O.

92

LEGAL SUB-COMMISSION	
CLO	
DCLO	
Chief Counsel	
CJO	
Italian Section	
CLERKS	
2 NOV 1944	

This is a copy of the report prepared for the

HEADQUARTERS ALLIED COMMISSION
APO 394
LABOUR SUB-COMMISSION

AC/4074/11/L.

23 November 1944.

SUBJECT : Implementation of DLL No. 303.

TO : Civil Affairs Section.

1. The attached memorandum from Labour Sub-Commission proposes that the above decree be partially implemented in a portion of territory now under Regional control. Apart from this partial implementation the Labour Sub-Commission request non-implementation of the decree in occupied territory.

2. It is not possible from a legal point of view to implement the decree with the exclusion of Article 10. There are at least two reasons for this :-

(a) Article 11 of the decree specifically refers to Article 10.

(b) The decree will become operative in full in any territory which is restored hereafter to the Italian Government with effect from the date of restoration. A partial implementation during the period of military government may raise difficulties as to the effective date of the commencement of the decree.

3. While theoretically possible it is undesirable to implement the whole decree in a portion only of occupied territory. This is contrary to the existing practice and may lead to confusion. It is suggested that the decree should be implemented over the whole of the usual territory or excluded from implementation.

4. It appears from the letter that the objections to Article 10 of the decree are :-

(a) that it provides for a compulsory attempt at conciliation and

(b) that its provisions are not in conformity with General Order No. 28.

5. In my opinion there is no substance in the objection that it provides for a compulsory attempt at conciliation. Article 10 reads "that individual and collective disputes affecting only one provision if they are not settled by conciliation of representatives of the interested de facto labour organizations are referred to an Arbitration Board....." This does not involve compulsory conciliation.

2.

6. The real complaint of the Labour Sub-Commission as contained in the letter and as explained to me in conference is that the decree is considered to be an attempt to overthrow the arbitral jurisdiction of the Provincial Labour Offices. Article 10 does provide that for the purposes of arbitration there shall be three arbitrators, one selected by each party and the third to be nominated by agreement between the parties. In default of agreement the nomination is made by the Provincial Labour Office. It will be observed that the jurisdiction of the Provincial Labour Office can be excluded if agreement is reached on the nomination of the third arbitrator.

7. It is, of course, a matter of policy whether this element of the decree is of sufficient importance to warrant its non-implementation. I did, however, bring to the attention of the Labour Sub-Commission the fact that the decree is correctly described as providing for "economic improvement of workers" and that I thought it would secure unfavourable publicity to refuse to implement it.

W. E. BEHRENS.

Colonel.

Deputy Chief Legal Advisor.

HEADQUARTERS ALLIED COMMISSION
AFO 394
LEGAL SUB-COMMISSION

24 November 1944.

AC/4074/11/L.

SUBJECT : Implementation of DLL 303.

TO : Director, Labour Sub-Commission.

1. With reference to your 091.4661 of 17 Nov 44 requesting the non-implementation or partial implementation of the above decree Major Albright has had a conference on the proposed rules and regulations under General Order No. 28.

2. Major Albright agreed that in view of the amendments proposed to these rules and regulations it was no longer necessary to withhold implementation of DLL No. 303.

3. Will you please therefore confirm that you approve the implementation of this decree in occupied territory.

W. E. BEHRENS.

Colonel.

Deputy Chief Legal Advisor.

91

WEB/wew.

Copy to : AC/4010/1/L.
AC/4010/4/L.

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/4074/11/L.

23 November 1944.

SUBJECT : Implementation of DLL No.303.

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W. E. Behrens

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

HEADQUARTERS ALLIED COMMISSION
APO 894
LABOR SUB-COMMISSION

RMA/rmw

TEL : 478904

21 November 1944

REF : 091.4313

SUBJECT: Rules and Regulations Pursuant to General Order 28.

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 R. Smith
JUNIUS R. SMITH
Colonel, QMC
Acting Director
Labor Sub-Commission

LEGAL SUB-COMMISSION

CLO

DCLO

Chief Counsel

CLO

Italian Section

CLERKS

22 NOV 1944

LABOR SUB-COMMISSION

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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.

IN THE CASE OF LABOR DISPUTES
OF claims between individual employees and employers, 87
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.

ARTICLE X

(REGIONAL ORDER)

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. 28, and the Rules and Regulations issued pursuant thereto.

ARTICLE VII - TAX EXEMPTIONS FOR
LABOR PROCEEDINGS

(RULES AND
REGULATIONS)

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.

7le

HEADQUARTERS ALLIED COMMISSION
APO 394
LABOR SUB-COMMISSION

JRS/rmw

TEL : 478904

17 November 1944

REF : 091.4661

SUBJECT: Gazzetta Ufficiale, No. 81 of 14 November, 1944,
Paragraph 1-H, "Legislative Decree of Lieutenant
General, No. 303 of 2 November, 1944".

TO : Legal Sub-Commission

1. With respect to the Legislative Decree of the Lieutenant General, No. 303, signed 2 November, 1944, which increases wages for workers in private industry, it is requested that all the provisions contained in this Decree be excluded from the Provinces of Emilia, Liguria, Venezia, Lombardia and Piemonte.

2. It is further requested that in its application to A.M.G. areas in Toscana, Marche-Abruzzi e Molise, and Umbria-Lazio, Article X be specifically excluded.

3. Objection is raised to the provisions contained in Article X:

A. On Juridical Grounds

The article indirectly provides for a compulsory attempt at conciliation - the responsibility for which is made to devolve on the "de facto" associations. In consequence of this provision, a citizen who is legally claiming a right would be obliged, in the event of a dispute, to submit his case for compulsory conciliation to associations which have only a "de facto" existence and are devoid of any legal status or juridical existence. The legal is therefore subjected to the "de facto" - an untenable juridical concept.

- 2 -

B. On Practical Grounds

As a result of the situation outlined above, the following difficulties are likely to arise:

- (1) The citizen claiming a legal right which is being denied to him in the application of the present law would not be in a position to know if "de facto" Syndical Associations exist - there being at present no provision for registration of the Associations;
- (2) Similarly, he would not be in a position to know the official seats of the "de facto" Associations, their jurisdictional activities, and the legitimate representatives to whom the dispute would be referred for conciliation;
- (3) In order to obtain redress of a legal right, he might have to submit his case to a "de facto" Association which for its political character or for its lack of seriousness he may regard as unacceptable or not worthy of trust;
- (4) He would, moreover, have no definite guidance wherever there might come into existence two or more "de facto" associations.

4. The provisions made by Article X are not in conformity with General Order No. 28, which devolves on the Labor Offices all attempts at conciliation and arbitration. General Order No. 28, therefore, already provides the proper machinery for the solution of these problems. Therefore, in making the Italian Decree applicable, it will only be necessary in A.M.G. territory to substitute General Order No. 28 for Article X.

5. When the text of this draft law was discussed with the Labor Sub-Commission, the provisions for arbitration were not those contained in the law as finally promulgated. In

83

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- 3 -

fact, this text of Article X was never submitted either to the Labor Sub-Commission or to the Allied Commission. This raises the question as to whether the Italian Government is bound to consult A.C. with respect to any draft legislation. No directive has been issued to this Sub-Commission on this point since A.C.C. became A.C.

Junius R. Smith

JUNIUS R. SMITH
Colonel, QMC
Acting Director
Labor Sub-Commission

*Answered in conference 20/Nov.
Maj Albright to 8046
General order for
Submission to C-20.*

WAB.

25/11/44

LEGAL SUB-COMMISSION
CLO
DOLO
Chief Counsel
CID
Italian Section
Q. RKS
18 NOV 1944
~~18 NOV 1944~~

82

To Mr. Tol. Thacker

1. - Reference your note of November 18th, 1944, re Labour

Decree n. 303 of 2 November, 1944.

2. - I frankly don't see the point in Para 1 of the letter from Labour S/Comm., but I understand this is also your view.

3. - ~~As to~~ Art. IX of the Decree I think: (see translation attached).

(a) that the provision is sound and proper. The 'de facto' Labour organizations are not given any specific right and the citizens are in no way compelled to submit their cases to them.

(b) that Art. X cannot be eliminated without changing Art. XI, which is directly involved; ~~and without~~ in this cases new provisions should be issued, and - I'm afraid - they should be very much the same as the ones whose elimination is requested.

3. - As to Art. X of the Decree I think: (see translation) The 'de facto' that the provision is sound and proper.

(a) that the provision is sound and proper and the citizens labour organizations are not given any specific right and the citizens are in no way compelled to submit their cases to them.

(b) that Art. X cannot be eliminated without changing Art. XI, which is directly involved; ~~and without~~ in this case new provisions ^{the same} of 51

should be issued, and - I'm afraid - they should be very much as the ones whose elimination is requested.

Proponent

19. 11. 44

L.L.D. 303. provides for the payment of allowances to workers to meet the increased living costs on a daily family allowance basis. The workers entitled are all those benefiting governed by collective contracts. The decree also sets up in Article 10. a system of contribution to social services which may arise as a result of application of the decree. (vide translation attached).

To Lt. Col. Grossman.

I

18/11/44.

1. If you exclude in advance Emilia, Liguria, Venezia, Lombardia & Piemonte, there are only left Toscana, 2 Provinces of Lazio and 4 Provinces of Marche in which to implement the device minus Articles.
2. ^(a) Query as it worth this complication for so restricted a territory and ^(b) as the suggestion contained in the second half of para 4 workable?

II

AR. Bhattacharya

To Avv. Chiomanti - please to say if Shh. No 303 could function as a truncated piece of legislation with Article X eliminated. Vide letter Labour S/Coms 17/11/44 attached. It would appear not because Art 11 is involved.

Deef.

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Dsh. No: 303.

Article I

The individual & collective controversies in any single province which may arise thru the application of the present decree (except those concerning the matters regulated by Article 2 - supplementary family allowances), if they are not conciliated by representatives of the de facto associations interested, shall be referred to the decision of an arbitral college composed of two members, nominated respectively by each of the parties, and of a third member functioning as president, appointed by common accord of the same parties. If the arbitrators be not nominated for any reason whatsoever, the nomination shall be made by the Labor Office, or, in the provinces where there are not constituted, by the inspectors of industry and labor.

If a collective controversy interests more than one province, the nomination of the arbitrators, whenever the parties do not make provision, shall be made by the regional labor office for the provinces comprised in the district of such province office, or by the Minister of Industry, Commerce and Labor in other cases.

Article XII

The colleges of arbitrators referred to in the preceding article shall adjust the without observing special procedural forms and according to equity.

The decisions upon individual controversies as well as collective interesting simple forms shall be submitted at the Labor Office and the

arbitrators be not nominated for any reason whatsoever, the nomination shall be made by the Labour Officer, or, in the provinces where there are not constituted, by the inspectors of industry and labour.

If a collective controversy interests more than one province, the nomination of the arbitrators, whenever the parties do not make provision, shall be made by the regional labour office for the provinces comprised in the district of such ~~provision~~ office, or by the minister of industry, commerce labour in other ~~cases~~ ^{if}.

Article XII

The colleges of arbitrators referred to in the preceding article shall adjudge without observing special procedural forms and according to equity.

The decisions upon individual controversies as well as collective interesting single provinces shall be deposited at the Labour Office and the Inspectorate of Industry labour competent for the territory, and those upon collective controversies interesting more than one province at the Regional Labour office, or ~~at~~ ^{with} the Ministry of Industry Commerce labour in accordance with the second para of the ~~article~~ preceding article.

The aforesaid organisations shall communicate the decisions to the parties. There is no right of appeal.

The decisions is to individual controversies are executory. Those as to collective controversies are

HEADQUARTERS ALLIED COMMISSION
APO 394.
LEGAL SUB-COMMISSION

AC/4074/11/L.

16 November 1944.

SUBJECT : Jurisdiction of Italian Courts in Labour Disputes.

TO : Regional Commissioner, ABRUZZI-MARCHE REGION.
Attention Regional Legal Officer.

1. The Minister of Justice has reported to this Headquarters that the Allied Authorities at ASCOLI-PICENO interpret General Order No. 28, Article 6, para. d as abolishing the jurisdiction of Italian Courts in labour matters and referring labour disputes to "arbitri".

2. Will you please investigate with the assistance, if necessary, of the Regional Labour Officer and the Italian Courts the origin of this interpretation and advise this Sub-Commission as soon as possible.

3. It is pointed out that under the Fascist regime there were two types of tribunals dealing with labour disputes. These were :-

(a) The special labour courts. These courts have been expressly or impliedly abolished and if they exist, which is considered unlikely, have no jurisdiction to try anything.

(b) Special sections of the ordinary courts which dealt with labour disputes and applied special rapid procedure for this purpose. No change has taken place in the constitution of these special sections and the procedure to be applied by them.

4. It is not understood how General Order No. 28 could be construed as abolishing any jurisdiction possessed by any court in any labour matters.

By Command of Commodore STONE.

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

WEB/wos.

HEADQUARTERS ALLIED COMMISSION

APO 394

LABOR SUB-COMMISSION

RMA/rmw

18A

TEL : 478904

15 November 1944

REF : Lab. 091.4313

SUBJECT: Revision of Rules and Regulations, G. O. 28

TO : Legal Sub-Commission

1. Attached are two copies of proposed rules and regulations with regard to labor, issued pursuant to General Order No. 28.

2. This revision has been drafted in accordance with the recent conference and the agreement between the Labor and Legal Sub-Commissions, both as to omissions and changes in form and phraseology.

Junius R. Smith

JUNIUS R. SMITH
Colonel, QMC
Acting Director
Labor Sub-Commission

16 November.

Draft returned with corrections
& revisions to Major Albright
after conference.

Major Albright

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

17A

AC/1074/11/L.

HJC/pa.
2 Nov 44.

SUBJECT : Rules and Regulations pursuant to General Order No.28.
TO : Labor Sub-Commission.

1. Reference your Labor 4313 dated 31 October 1944 enclosing your draft of above.

2. Although you indicate that your draft omits reference to previous legislation, Article I notwithstanding remains included therein. Our advice was that it be wholly excluded because (a) General Orders cannot be repealed by Rules and Regulations and (b) reference to Executive Memorandum is inappropriate since it is not a document open to public inspection.

3. Article III as we have already indicated contains much surplusage by way of administrative definition of General Order No.28 and matters of internal routine which would more appropriately be the subject of Adm. Directive.

4. Article III-I-C is objectionable in that it provides that the Regional Director shall refer certain disputes to the Labor Sub-Commission thereby by passing the Regional Commissioner to whom the Regional Director is responsible. Our draft required the reference of such disputes to the Regional Commissioner.

5. Article III Para 2, Section A 2 illustrates the purely internal administrative character of much of the matter included in this Article. Certainly the "Directive" to personnel to give "highest priority to military requirements" has no place in these Rules and Regulations.

6. Article XVI Para 2 B provides that the Provincial Labor Office shall have jurisdiction of all labor disputes concerning work within the Province. If "work within the Province" is to be the criterion of jurisdiction it must be more clearly defined. Is it intended for example that jurisdiction of a dispute involving employees of a construction company located in Province A who are temporarily working in Province B shall be taken by the Provincial Labor Office of Province B?

Because of the difficulties inherent in defining the respective jurisdictions of Regional and Provincial Labor Offices our draft proposed that the Regional Labor Director upon notice of a dispute should designate to the office to take jurisdiction thereof.

Your draft is further objectionable in that you have rejected our

100-28
Drafted by
1. June 1946

provisions for notice to the Regional Labor Director and have thus deprived him of the means whereby he can know of and assert jurisdiction in labor disputes if he so elects.

7. As a matter of good drafting the subject of jurisdiction should be assembled in one article and not scattered as in your draft. Your arrangement of Article III Para. 2 is such that the jurisdiction of the Provincial Labor Office as therein defined might be construed to be limited to conciliation and mediation matters. If contrary to our advice an attempt is to be made separately to define the jurisdiction of the Regional and Provincial Labor Offices, the sentence having to do with the jurisdiction of the Provincial Office should be set up in a separate para.

8. We advisedly covered the subject of conciliation in a separate article because either the Regional or Provincial Labor Office might be charged with conciliation duties dependent upon which had jurisdiction of the dispute. Your draft entirely ignores jurisdictional lines and gives the Provincial Office exclusive control of conciliation whether the dispute be provincial or regional in character. Our criticism in this connection goes to the form as well as to the substance of your draft.

9. You rejected our Article VI on statistics although it must be apparent to you that the effort to collect vital statistics might well prove futile unless implemented by the power to require disclosures thereof.

10. We restructured your original Article VII (Representatives and Elections) by our Article IV because we considered it naturally desirable to provide first for the manner and method of selecting representatives before undertaking to provide for disputes, if any, arising in connection therewith as you have done.

Although in the case of disputed or questioned elections you have provided the methods whereby the Regional Director may ascertain the true representatives (which purely administrative details we consider entirely unnecessary) no procedures whatever are set forth with respect to the elections themselves, which we assume are relatively new to Italian industry. It was for that reason that we inserted the minimum requirement of election by ballot.

11. Article III Para 1-G provides for the handling by the Regional Labor Office of such other matters as the Regional Commissioner may direct, whereas the comparable provision as to Provincial Labor Offices (Art. III Para 2 - d) provides that such other matters shall be handled as the Provincial Commissioner, the Regional Labor Director or the Regional Labor Officer may direct. Was it intended to exclude the Regional Labor Director and the Regional Labor Officer from Regional office decisions as has been done in Article III Para 1-G above. In any case

the reference to the Regional Labor Officer should be to the Regional Commissioner. This objection applies also to Art. III Para 2 (c).

12. There are other details of our drafting which you have rejected in preference to your own. We still regard ours as preferable, but except where the difference is one of substance, we have made no comment with respect thereto.

MARK J. GROSSMAN,
Lt. Colonel,
Chief Counsel,
for Chief Legal Advisor.

HEADQUARTERS ALLIED COMMISSION
APO 394
LABOR SUB-COMMISSION

JRS/rmw

16A

31 October 1944

Ref. Lab. 4313

SUBJECT: Rules and Regulations Pursuant to General Order No. 28.

TO : Legal Sub-Commission

1. There is submitted herewith a second revision of Rules and Regulations incorporating suggestions made by the Legal Sub-Commission with articles included in the previous draft of the Labor Sub-Commission and believed essential for the final draft.

2. In answer to the questions raised in the memorandum of 29 October, 1944 it is stated that employees of Labor Offices are paid through Italian payrolls in accordance with local agreements made between AMG financial officers and Italian Government officials. This is not thought to be an appropriate provision for inclusion in the Rules and Regulations. It is not intended that use of the employment offices shall be mandatory on the part of employers and employees. It is believed that reference to the Ispettorato del Lavoro should be included in the Rules and Regulations, since direction of this agency is a matter of administrative policy rather than of procedure.

3. In the present draft the following suggestions of the Legal Sub-Commission have been accepted and incorporated:

- (A) Omission of all references to jurisdiction of Regional and Provincial Commissioners;
- (B) Omission of article on previous labor legislation;
- (C) Omission of possible exemptions for military establishments;
- (D) Clarification of questions of jurisdiction in labor disputes, including provision for handling of inter-regional disputes;
- (E) Combination of sections dealing with duties of Regional and Provincial Labor Offices.

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4. In the present draft Articles I, III, V, VII, VIII and IX of the Legal Sub-Commission draft of 29 October have been quoted verbatim, except for typographical corrections.

Junius R. Smith
JUNIUS R. SMITH
Colonel, QMC
Acting Director
Labor Sub-Commission

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4th Draft Hqd by Econ Sec

16B

HEADQUARTERS ALLIED CENTRAL MEDITERRANEAN FORCES

ALLIED MILITARY GOVERNMENT

RULES AND REGULATIONS WITH REGARD TO LABOR ISSUED PURSUANT

TO GENERAL ORDER NO. 28

ARTICLE I - STATUS OF LABOR ORDERS

General Order 28 supersedes all previous General Orders and Regional Orders pertaining to Labor Offices and Labor Relations.

In the application of General Order No. 28, Executive Memorandum No. 69 of 17 July 1944, should be referred to together with these Rules and Regulations which supersede the Rules and Regulations issued pursuant to General Order No. 5.

ARTICLE II - ESTABLISHMENT OF LABOR OFFICES

1. For each Province and Region there shall be established at such place as the Provincial or Regional Commissioner may respectively direct a Provincial or Regional Labor Office as the case may be.

Such Labor Office shall be in charge of an Italian civilian to be known as the Regional or Provincial Director of Labor and to be appointed by the Regional or Provincial Commissioner as the case may be.

Directors of Labor may, subject to the approval of the

with these Rules and Regulations which supersede the Rules and Regulations issued pursuant to General Order No. 5.

ARTICLE II - ESTABLISHMENT OF LABOR
OFFICES

1. For each Province and Region there shall be established at such place as the Provincial or Regional Commissioner may respectively direct a Provincial or Regional Labor Office as the case may be.

Such Labor Office shall be in charge of an Italian civilian to be known as the Regional or Provincial Director of Labor and to be appointed by the Regional or Provincial Commissioner as the case may be.

Directors of Labor may, subject to the approval of the Regional or Provincial Commissioner concerned, appoint an appropriate and adequate staff for their respective offices.

2. Communal, special port and Farm Labor Offices will be established in such places and with such Italian civilian staffs as the Provincial Commissioner may direct.

3. All appointments of Italian Personnel in Labor Offices shall be non-political and temporary.

- 2 -

ARTICLE III - POWERS AND DUTIES OF LABOR OFFICES

1. Regional Labor Offices have the primary responsibility of supervising and coordinating the functions and activities of the Provincial Labor Offices. In addition they will have the following special functions:

- A. To encourage the practice and procedure of collective bargaining, and to protect the exercise by workers of full freedom of association, self-organization, and designation of representatives of their own choosing, for the purpose of negotiating the terms and conditions of their employment or other mutual aid or protection. To encourage practices fundamental to the friendly adjustment of labor disputes arising out of differences as to wages, hours and other conditions of employment.
- B. To direct and control the work of the Ispettorato del Lavoro as a labor inspection service only.
- C. To take jurisdiction of such labor disputes as appear to the Regional Director to affect

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for the purpose of negotiating the terms and conditions of their employment or other mutual aid or protection. To encourage practices fundamental to the friendly adjustment of labor disputes arising out of differences as to wages, hours and other conditions of employment.

B. To direct and control the work of the Ispettorato del Lavoro as a labor inspection service only.

C. To take jurisdiction of such labor disputes as appear to the Regional Director to affect more than one Province, or which for any reason appear to need Regional rather than provincial intervention; and to refer to the Labor Sub-Commission, ~~ACC~~ HQ, such labor disputes which appear to affect more than one Region or which for any reason appear to need National rather than Regional intervention.

D. To prepare regular and special reports and surveys upon information furnished by the Provincial Labor Offices and supplemented by other sources and independent studies.

E. To promote the welfare of wage-earning women, and children, improve their working conditions, increase their efficiency, and advance their opportunities for profitable employment.

F. To supervise and assist in such migration and other movement of workers as may be necessary and proper and to exercise such manpower controls as may be determined by General Order or by Italian law.

G. To deal with such other matters relating to labor relations or labor problems in the said Region as the Regional Commissioner may direct.

2. Provincial Labor Offices have the responsibility for directing the labor program throughout the Provinces, and supervising and coordinating all Communal and special offices under their jurisdiction. In addition they will have the following special functions:

General Order or by Italian law.

G. To deal with such other matters relating to labor relations or labor problems in the said Region as the Regional Commissioner may direct.

2. provincial Labor Offices have the responsibility for directing the labor program throughout the Provinces, and supervising and coordinating all Communal and special offices under their jurisdiction. In addition they will have the following special functions:

A. To establish and develop a central Employment Service Office as one of the principle divisions within the Provincial Labor Office. To establish, supervise and direct such other employment offices (Uffici di Collocamento) or officers throughout the Provinces as may be necessary.

(1) To register job-seekers and maintain current information on available workers.

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- (2) To recruit and furnish civilian labor to the Allied Military Forces as requested, giving highest priority to military requirements.
- (3) To recruit and furnish civilian labor for civilian employers.
- (4) To furnish necessary information and services in connection with the payment of unemployment compensation.
- B. To establish and develop a conciliation and mediation section within the Provincial Labor Office. The Provincial Director of Labor shall also have power to act as mediator or conciliator and to appoint Special Commissioners of Conciliation whenever in his judgment the interests of social and industrial peace may require it. The jurisdiction of the Provincial Labor Office is extended to all labor disputes concerning work within the Province, provided however, that the Regional Labor Office may take jurisdiction at the discretion of the Regional Director.

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Office. The Provincial Director of Labor shall also have power to act as mediator or conciliator and to appoint Special Commissioners of Conciliation whenever in his judgment the interests of social and industrial peace may require it. The jurisdiction of the Provincial Labor Office is extended to all labor disputes concerning work within the Province, provided however, that the Regional Labor Office may take jurisdiction at the discretion of the Regional Director.

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- C. To compile statistical information on private and public employment, unemployment, labor disputes, labor turnover, cost of living, safety and industrial accidents, wages, hours and conditions of employment, and prepare regular reports thereon for submission to the Provincial Commissioner, the Regional Director of Labor, and the Regional Labor Officer. *Conciliation*
- D. To deal with such other matters relating to labor relations or labor problems in the said Province as the Provincial Commissioner, Regional Director of Labor or Regional Labor Officer *Conciliation* may direct.

ARTICLE IV - ARBITRATION

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 such board shall consist of tripartite representation with an equal number of representatives for the employers, employees and the public, and the members of said boards shall be drawn from a panel selected by the Director of the Provincial or Regional Labor office as the case may be, but subject always in either case to the approval of the Regional Commissioner. 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.

Any award not so approved by him may at his direction be reopened for further evidence and consideration or such disposition as he may determine.

ARTICLE V - REPRESENTATIVES AND ELECTIONS

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1. Whenever a question arises concerning the representation of employees, the Regional Director of Labor or person designated by him, may investigate such controversy and certify to the parties, in writing, the name or names of the representatives that have been designated or selected. In any such investigation the Regional Director of Labor or person designated by him

shall be final and binding upon the parties thereto when filed with and approved by the Regional Commissioner.

Any award not so approved by him may at his direction be reopened for further evidence and consideration or such disposition as he may determine.

ARTICLE V - REPRESENTATIVES AND
ELECTIONS

67

1. Whenever a question arises concerning the representation of employees, the Regional Director of Labor or person designated by him, may investigate such controversy and certify to the parties, in writing, the name or names of the representatives that have been designated or selected. In any such investigation the Regional Director of Labor or person designated by him, shall provide for an appropriate hearing upon due notice, and may take a secret ballot of employees, or utilize any other suitable method to ascertain such representatives.

2. The Regional Director of Labor or person designated by him, shall decide in each case, subject to review by the Regional Commissioner, whether, in order to insure to employees the full benefit of their right to self-organization and to collective bargaining, and otherwise to effectuate the policies of General Order No. 28, the unit appropriate for the purposes of collective bargaining shall be the industry unit, employer unit, craft unit,

plant unit, or subdivision thereof. The representatives so designated or selected for such unit shall be the exclusive representatives of all the employees in such unit for the purpose of collective bargaining in respect to rates of pay, wages, hours of employment, or other conditions of employment; provided, that any individual employee or group of employees shall have the right at any time to present grievances to their employer.

ARTICLE VI - UNFAIR LABOR PRACTICES

No employer shall:

- (1) interfere with, restrain or coerce employees in the exercise of the rights guaranteed in General Order No. 28 or in these Rules and Regulations;
- (2) dominate or interfere with the formation or administration of any labor organization, or contribute financial or other support thereto, but nothing herein contained shall preclude conferences between employers and employees during working hours without loss of time or pay;
- (3) discriminate in regard to hire or tenure of employment or in regard to any term or condition of membership in

in the exercise of the rights guaranteed in General Order No. 28 or in these Rules and

Regulations;

(2) dominate or interfere with the formation or administration of any labor organization, or contribute financial or other support thereto, but nothing herein contained shall preclude conferences between employers and employees during working hours without loss of time or pay;

(3) discriminate in regard to hire or tenure of employment or in regard to any term or condition of employment by reason of membership in any labor organization, or discourage such membership;

(4) penalize or otherwise discriminate against any employee because he has made complaint, filed charges or given testimony against the employer in any labor matter or controversy.

ARTICLE VII - TAX EXEMPTIONS FOR
LABOR PROCEEDINGS

All 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.

ARTICLE VIII - RECORDS OF DISSOLVED
INSTITUTIONS

Records and files of the institutions dissolved by Art. I of General Order No. 29 shall be delivered to the Provincial Director of Labor or as he shall direct.

ARTICLE IX - VALIDITY OF CONTRACTS

1. No group contract between employer and employees shall be valid unless:

- (A) it is in writing;
- (B) a copy thereof is filed in the Regional Labor Office having jurisdiction of the area within which the same was executed;
- (c) it conforms to the wage stabilization policy,³ AMG General Orders, Ordinances, Rules and Regulations, and Italian laws not in conflict with the foregoing.

2. The conditions, regulations and wage scales contained

1. No group contract between employer and employees shall be valid unless:

(A) it is in writing;

(B) a copy thereof is filed in the Regional Labor Office having jurisdiction of the area within which the same was executed;

(c) it conforms to the wage stabilization policy,³

AMG General Orders, Ordinances, Rules and

Regulations, and Italian laws not in conflict with the foregoing.

2. The conditions, regulations and wage scales contained in collective contracts in economic agreements, in sentences delivered by the Special Labor Magistracy and in corporative ordinance in conformity with Art. X and Art. XIII of the law of 5th February 1934 No. 163, and Art. IV and Art. V of the Royal Decree of 9 August 1943 No. 821 shall continue to be binding until otherwise revised or ordered by Allied Military Government decree, arbitrations awards, or new executed group contracts between employers and employees.

M. S. LUSH,
Brigadier,
Chief of Staff

19 October, 1944

15A

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

SUBJECT : Labor Offices.

29 October 1944.

MEMORANDUM TO : Labor Sub-Commission.

1. What provision has been made for payment of employees in Labor Offices and should anything be contained in the Rules and Regulations with respect thereto?
2. Is it intended that use of Central Employment Office shall be mandatory on the part of employer or employees. If so provision therefor should be made in the Rules and Regulations. Otherwise we believe that the matter can be handled through Administrative Instructions.
3. We have omitted reference to the Ispettorato del Lavoro because we felt that it could be handled through Administrative Instructions.

MARC. J. GROSSMAN.
Lieutenant-Colonel. 3
Chief Counsel.
for Chief Legal Advisor

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3rd Draft. ppd by legal.

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RULES AND REGULATIONS WITH REGARD TO LABOR OFFICES ISSUED

PURSUANT TO GENERAL ORDER NO. 29

ART. I

1. For each Province and Region there shall be established at such place as the Provincial or Regional Commissioner may respectively direct a Provincial or Regional Labor Office as the case may be.

Such Labor Office shall be in charge of an Italian civilian to be known as the Regional or Provincial Director of Labor and to be appointed by the Regional or Provincial Commissioner as the case may be.

Directors of Labor may, subject to the approval of the Regional or Provincial Commissioner concerned, appoint an appropriate and adequate staff for their respective offices.

2. Communal, special Port and Farm Labor Offices will be established in such places and with such Italian civilian staffs as the Provincial Commissioner may direct.

3. All appointments of Italian Personnel in Labor offices shall be non political and temporary.

ART. II.
~~Constitution~~
Conciliation

All labor disputes shall be notified by the Provincial Labor Director to the Regional Labor Director who forthwith shall decide whether the Provincial or Regional Labor Office shall take jurisdiction thereof.

If the Regional Labor Director shall find that the said dispute affects

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Regional or Provincial Commissioner concerned, appoint an appropriate and adequate staff for their respective offices.

2. Communal, special Port and Para Labor Offices will be established in such places and with such Italian civilian staffs as the Provincial Commissioner may direct.

3. All appointments of Italian Personnel in Labor offices shall be non political and temporary.

ART. II.
Conciliation

All labor disputes shall be notified by the Provincial Labor Director to the Regional Labor Director who forthwith shall decide whether the Provincial or Regional Labor Office shall take jurisdiction thereof.

If the Regional Labor Director shall find that the said dispute affects more than one Region, he shall so notify the Regional Commissioner and shall refer the said dispute to such arbitration board as the Regional Commissioner may direct.

Upon application by either party to a Labor dispute to the Labor office having jurisdiction thereof as so determined, or upon his own motion the Provincial Labor Director or Regional Labor Director as the case may be, may cause the dispute to be mediated and may either himself act as mediator or appoint some special conciliator or conciliators for such purpose.

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

ART. III.

Arbitration

Labor disputes which fail of settlement through mediator or conciliator shall be finally adjudicated by arbitration boards appointed by the Director of the Labor office having jurisdiction thereof. Each such board shall consist of tripartite representation with an equal number of representatives for the employers, employees and the public, and the members of said boards shall be drawn from a panel selected by the Director of the Provincial or Regional Labor office as the case may be, but subject always in either case to the approval of the Regional Commissioner. 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.

Any award not so approved by him may at his direction be reopened for further evidence and consideration or such disposition as he may determine.

ART. IV

Representations and Elections

The Regional Director of Labor with the approval of the Regional Commissioner may decide and designate in any or all cases, the collective bargaining unit ^{full} best calculated to ensure to employees the benefit of self organization and collective bargaining. The representatives of the unit so designated shall be elected by ballot, and shall be the exclusive representatives of all the employees thereof for the purpose of collective bargaining in respect to ^{if} wages of pay, wages, hours and other conditions of employment.

Nothing herein contained shall deprive individual employees or groups of employees of the right at any time to present grievances to their employers. Any controversy or dispute as to who are the duly elected representatives

Representations and Elections

The Regional Director of Labor with the approval of the Regional Commissioner may decide and designate in any or all cases, the collective bargaining unit ^{full} best calculated to ensure to employees the benefit of self organization and collective bargaining. The representatives of the unit so designated shall be elected by ballot, and shall be the exclusive representatives of all the employees thereof for the purpose of collective bargaining in respect to ^{if} wages of pay, wages, hours and other conditions of employment.

Nothing herein contained shall deprive individual employees or groups of employees of the right at any time to present grievances to their employers.

Any controversy or dispute as to who are the duly elected representatives of any bargaining unit shall be resolved by the Regional Director of Labor by such tests means and mechanisms as he may determine.

ART. V

Unfair Labor Practices

No employer shall :

- (1) interfere with, restrain or coerce employees in the exercise of the rights guaranteed in General Order No. 28 or in these rules and regulations.

(2) Derivate or interfere with the formation or administration of any labor organization, or contribute financial or other support thereto, but nothing herein contained shall preclude conferences between employers and employees during working hours without loss of time or pay.

(5) Discriminate in regard to hire or tenure of employment or in regard to any term or condition of employment by reason of membership in any labor organization, or discourage such membership.

(4) penalize or otherwise discriminate against any employee because he has made complaint, filed, charges or given testimony against the employer in any labor matter or controversy.

ART. VI

Statistics

Provincial labor offices shall collect and compile statistical information on private and public employment, unemployment, labor disputes, labor turnover, cost of living, safety and industrial accidents, wages, hours and conditions of employment, and no person shall refuse to disclose or supply information requested by a Provincial labor office with respect thereto.

The source of information so secured shall not be disclosed. 61

ART. VII

Tax exemptions for labor proceedings.

All tax exemptions and other privileges granted

Provincial Labor offices shall collect and compile statistical information on private and public employment, unemployment, labor disputes, labor turnover, cost of living, safety and industrial accidents, wages, hours and conditions of employment, and no person shall refuse to disclose or supply information requested by a Provincial Labor office with respect thereto.

61

The source of information so secured shall not be disclosed.

ART. VII

Tax exemptions for labor proceedings.

All tax exemptions and other privileges granted under existing law in favour 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.

ART. VIII

Records of dissolved institutions

Records and files of the institutions dissolved by Art. I of General Order No. 29 shall be delivered to the Provincial Director of Labor or as he shall direct.

ART. IX.

Validity of contracts

1. No group contract between employer and employees shall be valid unless

3.

- (1) it is in writing
 - (2) a copy thereof is filed in the Regional Labor office having jurisdiction of the area within which the same was executed.
 - (3) it conforms to the wage stabilization policy, UMG General Orders, Ordinances, Rules and Regulations, and Italian laws not in conflict with the foregoing.
2. The conditions, regulations and wage scales contained in collective contracts in economic agreements, in sentences delivered by the Special Labor Magistracy and in corporative ordinance in conformity with Art.X and Art.XIII of the law of 5th February 1934 No. 163, and Art.IV and Art.V of the Royal Decree of 9 August 1943 No. 831 shall continue to be binding until otherwise revised or ordered by Allied Military Government, decrees arbitrations awards or new executed group contracts between employers and employees.

2nd Draft

ppd by

Samuel Lee

Revised by legal

C4A

HEADQUARTERS ALLIED CENTRAL MEDITERRANEAN FORCESALLIED MILITARY GOVERNMENTRULES AND REGULATIONS WITH REGARD TO LABOR ISSUED
PURSUANT TO GENERAL ORDER NO. 28ARTICLE I - STATUS OF LABOR ORDERS

General Order 28, and these Rules and Regulations, issued pur-
suant thereto, supersede all previous Regional Orders, General
Orders and Rules and Regulations pertaining to Labor Offices and
Labor Relations.

Executive Memorandum No. 69 of 17 July 1944, should be re-
ferred to in the application of General Order No. 28 and these
Rules and Regulations.

ARTICLE II - ESTABLISHMENT OF LABOR
OFFICES

1. A Regional Labor Office for each Region will be established
at such place as the Regional Commissioner may direct.
2. Provincial Labor Offices will be established in the capital
of each Province or in such place as the Provincial Commissioner,
on the advice of the Regional Labor Officer, may direct.
3. Communal Labor Offices (or Officers) will be established
in such communes or groups of communes as the Provincial Commis-
sioner may direct.

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

ARTICLE II - ESTABLISHMENT OF LABOR
OFFICES

1. A Regional Labor Office for each Region will be established at such place as the Regional Commissioner may direct.

2. Provincial Labor Offices will be established in the capital of each Province or in such place as the Provincial Commissioner, on the advice of the Regional Labor Officer, may direct.

3. Communal Labor Offices (or Officers) ⁵⁸ will be established in such communes or groups of communes as the Provincial Commissioner, on the advice of the Regional Labor Officer, may find necessary in order to render proper labor services throughout the Province.

4. Special Labor Offices, such as Port and Farm Labor Offices, may be established at such places and for such times as the Provincial Commissioner, on the advice of the Regional Labor Officer, ^{direct} may find necessary in order to supplement the regular labor services of the Provincial and Communal Labor Offices.

Transferred

- 2 -

ARTICLE III - APPOINTMENT OF LABOR OFFICE PERSONNEL

1. Regional Directors of Labor, Provincial Directors of Labor, and such other employment and labor specialists and clerical staff as may be necessary, will be appointed by ~~the~~ *be for and in their respective regions* Regional Commissioner, ^{after} for Provincial Commissioners within each Province, on the recommendations of the Regional Labor Officers.
2. All appointees shall be Italian civilians, and all appointments shall be temporary and non-political.

ARTICLE IV - POWERS AND DUTIES OF LABOR OFFICES

1. Regional Labor Offices ^{and} have the primary responsibility of supervising and coordinating the functions and activities of the Provincial Labor Offices. In addition they will have the following special functions:

- A. To encourage the practice and procedure of collective bargaining, and to protect the exercise by workers of full freedom of association, self-organization, and designation of representatives of their own choosing, for the purpose of negotiating the terms and conditions of their employment or other

57

of supervising and coordinating the functions and activities of the Provincial Labor Offices. In addition they will have the following special functions:

A. To encourage the practice and procedure of collective bargaining, and to protect the exercise by workers of full freedom of association, self-organization, and designation of representatives of their own choosing, for the purpose of negotiating the terms and conditions of their employment or other mutual aid or protection. To encourage practices fundamental to the friendly adjustment of labor disputes arising out of differences as to wages, hours and other conditions of employment.

B. To direct and control the work of the Ispettorato del Lavoro as a labor inspection service.

Administrative
reputation
of the

- 3 -

- Administrative*
- C. To take jurisdiction of such labor disputes *as the opinion of* the Regional Director *written by us in* to affect more than one Province, *or which* for any reason appear *to need* Regional rather than Provincial intervention.
- Administrative*
- D. To prepare regular and special reports and surveys upon information furnished by the Provincial Labor Offices and supplemented by other sources and independent studies.
- E. To promote the welfare of wage-earning women, and children, improve their working conditions, increase their efficiency, and advance their opportunities for profitable employment.
- F. To supervise and assist in such migration and other movement of workers as may be necessary and proper and to exercise such manpower controls as may be *fixed by* *of the Allied Military Government* determined by *order* General Order or by Italian law.
- G. To deal with such other matters relating to labor relations or labor problems in the said Region as the Regional Commissioner may direct.

2. Provincial Labor Offices *will* have the responsibility

fitable employment.

F. To supervise and assist in such migration and other movement of workers as may be necessary and proper and to exercise such

manpower controls as may be determined by *order* ^{of the Allied Military Government} General Order or by Italian law.

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G. To deal with such other matters relating to labor relations or labor problems in the said Region as the Regional Commissioner may direct.

2. Provincial Labor Offices, ^{will} have the responsibility for directing the labor program throughout the Provinces, and supervising and coordinating all Communal and special offices under their jurisdiction. In addition they will have the following special functions:

- A. To establish and develop a central ^{provincial} Employment Service Office (as one of the principle divisions within the Provincial Labor Office.)

Mandatory

- 4 -

To establish, supervise and direct such other employment offices (Uffici di Collocamento) or officers throughout the Provinces as may be necessary.

(1) To register job-seekers and maintain current information on available workers.

(2) To recruit and furnish civilian labor to the Allied Military Forces as requested, (giving highest priority to military requirements.)

(3) To recruit and furnish civilian labor for civilian employers.

(4) To furnish necessary information and services in connection with the payment of unemployment compensation.

B. To establish and develop a conciliation and mediation section within the Provincial Labor Office. The Provincial Director of Labor shall also have power to act as mediator or conciliator and to appoint Special Commissioners of Conciliation whenever in his judgment the interests of social and industrial peace may require it. The jurisdiction of the Provincial Labor

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*Adm.**X**reference*

labor for civilian employers.

(4) To furnish necessary information and services in connection with the payment of unemployment compensation.

B. To establish and develop a conciliation and mediation section within the Provincial Labor Office. The Provincial Director of Labor shall also have power to act as mediator or conciliator and to appoint Special Commissioners of Conciliation whenever in his judgment the interests of social and industrial peace may require it. The jurisdiction of the Provincial Labor Office is extended to all labor disputes concerning work within the Province, provided ^{that} ~~however~~ ^{that} the Regional Labor Office ~~may~~ take jurisdiction at the discretion of the Regional Director.

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To compile statistical information on private and public employment, unemployment, labor disputes, labor turnover, cost of living, safety and industrial accidents, wages, hours and conditions of employment, and prepare regular

reports thereon for submission to the Provincial Commissioner, the Regional Director of Labor, and the Regional Labor Officer.

D. To deal with such other matters relating to labor relations or labor problems in the said Province as the Provincial Commissioner, Regional Director of Labor or Regional Labor Officer may direct.

ARTICLE V - ARBITRATION

1. For labor disputes which cannot be settled by mediation or conciliation, representative Arbitration Boards will be appointed by the Provincial Labor Director, or by the Regional Labor Director if the case has been taken under the jurisdiction of the Regional Labor Office.

2. Every Arbitration Board shall consist of tripartite representation, with an equal number of representatives for employees, employers and the public. All appointments shall be made from lists or panels recommended by the Provincial Labor Director to the Regional Labor Officer for approval by the Regional Commissioner.

3. Since strike and lockout remain illegal instruments

Boards will be appointed by the Provincial Labor Director, or by the Regional Labor Director if the case has been taken under the jurisdiction of the Regional Labor Office.

2. Every Arbitration Board shall consist of tripartite representation, with an equal number of representatives for employees, employers and the public. All appointments shall be made from lists or panels recommended by the Provincial Labor Director to the Regional Labor Officer for approval by the Regional Commissioner. 54

under Ottawa Law in time of war are
3. Since strike and lockout remain illegal instruments for the settlement of labor disputes, arbitration will be compulsory and the awards will be binding upon the employees and employers concerned. All arbitration awards or agreements relating to wages or salaries shall be filed with the Regional Commissioner or an officer duly designated by him, and shall not be put into effect until approved by him.

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ARTICLE VI - UNFAIR LABOR PRACTICE

It shall be unfair labor practice for an employer:

1. To interfere with, restrain, or coerce employees in the exercise of the rights guaranteed in General Order No. 28 and these Rules and Regulations.
2. To dominate or interfere with the formation or administration of any labor organization or contribute financial or other support to it. An employer shall not be prohibited however from permitting employees to confer with him during working hours without loss of time or pay.
3. To discriminate in regard to hire or tenure of employment or in regard to any term or condition of employment because of membership in any labor organization, or to discourage such membership.
4. To discourage or otherwise discriminate against an employee because he has filed charges or given testimony against the employer in a labor matter.

ARTICLE VII - REPRESENTATIVES AND ELECTIONS

1. In case of dispute as to who are the duly certified
Whenever a question arises concerning the representation of employees, the Regional Director of Labor or person designated by him, ~~may~~ ^{shall} investigate such controversy and certify to the parties, in writing, ^{authoritative}

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of employment because of membership in any labor organization, or to discourage such membership.

4. To discourage or otherwise discriminate against an employee because he has filed charges or given testimony against the employer in a labor matter.

ARTICLE VII - REPRESENTATIVES AND ELECTIONS

In case of dispute as to who are the duly certified
1. Whenever a question arises concerning the represen-

tation of employees, the Regional Director of Labor or person designated by him, *shall* ~~may~~ investigate such controversy and certify to the parties, in writing, the name or names of the ^{authorized} representatives, ~~that have~~ been designated or selected. In any such investigation the Regional Director of Labor or person designated by him, shall provide for an appropriate hearing upon due notice, and may take a secret ballot of employees, or utilize any other suitable method to ascertain such representatives.

2. The Regional Director of Labor or person designated by him, shall decide in each case, subject to review

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by the Regional Commissioner, whether, in order to insure to employees the full benefit of their right to self-organization and to collective bargaining, and otherwise to effectuate the policies of General Order No. 28, the unit appropriate for the purposes of collective bargaining shall be the industry unit, employer unit, craft unit, plant unit, or subdivision thereof. The representatives so designated or selected for such unit shall be the exclusive representatives of all the employees in such unit for the purpose of collective bargaining in respect to rates of pay, wages, hours of employment, or other conditions of employment; provided, that any individual employee or group of employees shall have the right at any time to present grievances to their employer.

ARTICLE VIII - TAX EXEMPTIONS FOR
LABOR PROCEEDINGS 52

All tax exemptions and privileges established by existing laws in favor of labor proceedings are applicable to any acts and documents relative to conciliation, mediation and arbitration of labor disputes.

Amended

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ARTICLE VIII - TAX EXEMPTIONS FOR
LABOR PROCEEDINGS

52

All tax exemptions and privileges established by exist-
ing laws in favor of labor proceedings are applicable to any
acts and documents relative to conciliation, mediation and
arbitration of labor disputes.

ARTICLE IX - RECORDS AND FILES OF
THE DISSOLVED INSTITUTIONS

The records and files of the institutions dissolved by
Article I of General Order No. 28 shall be delivered to the
Provincial Director of Labor. Upon the establishment of the
Regional Office such records and files shall be delivered to
the Regional Director of Labor or as he shall direct.

What about
inter regional disputes

ARTICLE X - VALIDITY OF CONTRACTS AND
LABOR PROVISIONS

1. Among the conditions essential to the validity of collective contracts are the following;

A. All collective contracts must be stipulated in writing.

B. A copy of all collective contracts must be filed with the Regional Labor Office of proper jurisdiction.

C. All collective contracts must conform to the Wage Stabilization Policy, ACC/AMG General Orders, Ordinances and Rules and Regulations, and with Italian Laws not in conflict with ACC/AMG provisions.

2. (In Collective and Individual Labor Relations) the conditions, regulations, and wage scales contained in collective contracts, in economic agreements, in sentences delivered by the Special Labor Magistracy, and in corporative ordinance, in conformity with Article 10 and Art. 13 of the Law of 5th February, No. 163, and of Art. 4 and Art. 5 of the Royal Decree of 9th August 1943, No. 821, shall continue to be binding until revised further by decree, ^{order of arbitral tribunal government} Arbitration awards, or newly executed collective agreements and contracts.

in conflict with ACC/AMG provisions.

2. (In Collective and Individual Labor Relations, the
conditions, regulations, and wage scales contained in collective
contracts, in economic agreements, in sentences delivered by
the Special Labor Magistracy, and in corporative ordinance, in
conformity with Article 10 and Art. 13 of the Law of 5th 1 51
February, No. 163, and of Art. 4 and Art. 5 of the Royal Decree
of 9th August 1943, No. 321, shall continue to be binding until
revised further by decree, ^{order of the Ministry of Government} Arbitration awards, or newly executed
collective agreements and contracts.

M. S. LUSH,
Brigadier,
Chief of Staff

19 October 1944

/tr

QUARTIER GENERALE DELLE FORZE ALLEATEDEL MEDITERRANEO CENTRALEGOVERNO MILITARE ALLEATO

REGOLAMENTO IN MATERIA DI LAVORO EMANATO
IN ESECUZIONE DELL'ORDINANZA GENERALE N.28

ART. 1 - DISCIPLINA DEL LAVORO

L'Ordinanza Generale N° 28 ed il regolamento emanato per l'esecuzione della stessa, sostituiscono tutte le precedenti ordinanze regionali e locali ed i regolamenti relativi agli uffici del lavoro ed ai rapporti di lavoro.

Nell'applicazione dell'Ordinanza Generale N° 28 e del presente regolamento si farà riferimento all'ordinanza N° 69 del 17 luglio 1944.

ART. 2 - UFFICI REGIONALI DEL LAVORO

1. In ogni regione, e nella località stabilita dal Commissario Regionale, sarà istituito un Ufficio Regionale del Lavoro.

2. L'Ufficio Regionale del Lavoro sarà diretto da un funzionario civile italiano, il quale avrà la qualifica di Direttore regionale del lavoro e sarà nominato dal Commissario regionale, su designazione dell'ufficiale regionale del lavoro. Alle sue dipendenze sarà posto, secondo le sue richieste e con approvazione del Commissario Regionale, un

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...e con approvazione del Commissario Regionale, un

Nell'apparato
del presente regolamento si farà riferimento all'ordinanza
N° 69 del 17 luglio 1944.

ART. 2 - UFFICI REGIONALI DEL LAVORO

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2. L'Ufficio Regionale del Lavoro sarà diretto da un
funzionario civile italiano, il quale avrà la qualifica di
Direttore regionale del lavoro e sarà nominato dal Commissa-
rio regionale, su designazione dell'Ufficiale regionale del
lavoro. Alle sue dipendenze sarà posto, secondo le sue ri-
chieste e con approvazione del Commissario Regionale, un
personale composto di esperti in materia di lavoro e colloca-
mento, di ispettori e simili. Le nomine saranno temporanee
e non avranno carattere politiche. Saranno date istruzioni
circa la classifica e la retribuzione del personale.

3. L'Ufficio Regionale del Lavoro avrà i seguenti
poteri, obblighi e funzioni:

- a) coordinare le funzioni e l'attività degli Uffi-
ci provinciali del Lavoro;
- b) incoraggiare la prassi ed agevolare la procedura
della contrattazione collettiva del lavoro, proteggere i
lavoratori nell'esercizio della piena libertà di associazione,

- 2 -

dell'auto-organizzazione e della designazione di rappresentanti di loro scelta, al fine di negoziare i termini e le condizioni del loro impiego e della mutua assistenza e tutela. Incoraggiare la prassi fondamentale della soluzione amichevole delle controversie che possano sorgere da divergenze circa salari, orari e altre condizioni di lavoro;

c) dirigere e controllare l'opera dell'Ispettorato Corporativo, che dovrà essere denominato Ispettorato del Lavoro, e che diverrà parte integrante dell'Ufficio Regionale del Lavoro, funzionando soltanto come servizio ispettivo;

d) agire, attraverso il Direttore regionale del lavoro, in materia di mediazione e conciliazione e nominare Commissari di conciliazione ogni volta che, a giudizio del Direttore, l'interesse dell'ordine sociale ed economico lo richieda. Per le controversie interessanti più di una Provincia e che non possano essere risolte con la mediazione o la conciliazione, il Direttore regionale del lavoro nominerà collegi arbitrali a base rappresentativa. Poiché gli scioperi e le serrate rimangono mezzi illegali per la soluzione delle controversie di lavoro, l'arbitrato sarà obbligatorio e le decisioni saranno definitive per i lavoratori ed i datori di lavoro interessati. Tutte le decisioni arbitrali e gli accordi relativi ai salari ed agli stipendi saranno vagliate con l'intervento del Commissario regionale o di un ufficiale da lui debitamente incaricato, e non entreranno in vigore

Direttore, l'interesse dell'ordine sociale ed economico si richieda. Per le controversie interessanti più di una Provincia e che non possano essere risolte con la mediazione o la conciliazione, il Direttore regionale del lavoro nominerà collegi arbitrali a base rappresentativa. Poichè gli scioperi e le serrate rimangono mezzi illegali per la soluzione delle controversie di lavoro, l'arbitrato sarà obbligatorio e le decisioni saranno definitive per i lavoratori ed i datori di lavoro interessati. Tutte le decisioni arbitrali e gli accordi relativi ai salari ed agli stipendi saranno vagliate con l'intervento del Commissario regionale o di un ufficiale da lui debitamente incaricato, e non entreranno in vigore senza la sua approvazione. Nell'approvare, modificare o respingere tali sentenze od accordi, il Commissario regionale sarà tenuto ad osservare le direttive per la stabilizzazione dei salari stabilite dalla Commissione Alleata di Controllo. Qualora il Commissario regionale intenda approvare una decisione od un accordo che superi il massimo salariale consentito, la questione dovrà essere sottoposta all'autorità superiore perchè la prenda in considerazione. Qualunque altra decisione od accordo su questioni non inerenti a salari, che sembrasse in contrasto con gli interessi delle Forze Alleate, o che risultasse non conforme a direttive riguardanti il pubblico interesse, potrà essere, a discrezione del Commissario

- 3 -

regionale, presa nuovamente in esame ai fini di ulteriore documentazione, considerazione e modifica;

e) preparare periodiche relazioni e fare indagini sulle condizioni di lavoro e sulle tariffe salariali, sul pubblico impiego, sui prezzi al dettaglio dei generi alimentari, sui prezzi di vendita, sulle controversie di lavoro, sull'andamento del mercato del lavoro, sul costo della vita, sul lavoro nelle prigioni, sugli orari di lavoro, sulle retribuzioni orarie e settimanali, sugli accordi sindacali, sulla sicurezza e sugli infortuni nell'industria, sul lavoro dei fanciulli, sul rendimento del lavoro, sui salari, orari e condizioni di lavoro nelle industrie caratteristiche della Regione. Questi dati statistici saranno basati su informazioni fornite dagli Uffici Provinciali del Lavoro e controllati e paragonati con ogni altra utile informazione;

f) promuovere il miglioramento delle retribuzioni delle donne e dei fanciulli, migliorare le loro condizioni di lavoro, aumentare il loro rendimento ed aumentare le loro possibilità per un impiego redditizio;

g) soprintendere ed agevolare le migrazioni interne e gli spostamenti di mano d'opera che fossero necessari e opportuni, ed esercitare su di essi il controllo eventualmente stabilito da Ordinanze Generali o da leggi italiane;

h) trattare tutte le altre questioni relative ai rapporti di lavoro e problemi del lavoro nella propria Regione, secondo le direttive del Commissario Regionale.

saranno basati su informazioni fornite dagli Uffici Provinciali del Lavoro e controllati e paragonati con ogni altra utile informazione;

- f) promuovere il miglioramento delle retribuzioni delle donne e dei fanciulli, migliorare le loro condizioni di lavoro, aumentare il loro rendimento ed aumentare le loro possibilità per un impiego redditizio;
- g) sopralintendere ed agevolare le migrazioni interne e gli spostamenti di mano d'opera che fossero necessari e opportuni, ed esercitare su di essi il controllo eventualmente stabilito da Ordinanze Generali o da leggi italiane;
- h) trattare tutte le altre questioni relative ai rapporti di lavoro e problemi del lavoro nella propria Regione, secondo le direttive del Commissario Regionale.

ART. 3 - UFFICI PROVINCIALI DEL LAVORO

1. Nel capoluogo di ogni Provincia, o nelle località stabilite dal Commissario Regionale, su suggerimento dell'Ufficiale Regionale del Lavoro, sarà istituito un Ufficio Provinciale del Lavoro.
2. Ogni Ufficio Provinciale del Lavoro sarà diretto da un funzionario civile italiano, il quale avrà la qualifica di Direttore Provinciale del Lavoro, e sarà nominato dal Commissario

Provinciale, su designazione dell'Ufficiale Regionale del Lavoro e del Direttore Regionale del Lavoro. Alle sue dipendenze sarà posto, secondo le sue richieste e con l'approvazione del Commissario Provinciale, un personale composto di esperti in materia di collocamento e di lavoro, di ispettori e di tutti gli impiegati d'ordine necessari. Le nomine saranno temporanee e non avranno carattere politico. Saranno date istruzioni circa la classifica e la retribuzione del personale.

3. L'Ufficio Provinciale del Lavoro avrà i seguenti poteri, obblighi e funzioni:

a) istituire e sviluppare, in seno all'Ufficio Provinciale del Lavoro, un Servizio centrale per gli Uffici di collocamento e istituire, controllare e dirigere tali Uffici di collocamento o collocatori nei singoli Comuni, quando ciò sia necessario. Le funzioni più importanti di tali Uffici di collocamento sono:

- (1) registrare le richieste di lavoro e tenere dati aggiornati sui lavoratori disponibili.
- (2) reclutare e fornire mano d'opera civile alle Forze Armate Alleate, dietro loro richiesta, e dando la massima precedenza alle richieste di carattere militare.
- (3) reclutare e fornire mano d'opera ai datori di lavoro privati.
- (4) fornire le necessarie informazioni e provvedere ai servizi relativi al pagamento dell'indennità

amento e istituire, controllare e dirigere tali Uffici di collocamento o collocatori nei singoli Comuni, quando ciò sia necessario. Le funzioni più importanti di tali Uffici di collocamento sono:

- (1) registrare le richieste di lavoro e tenere dati aggiornati sui lavoratori disponibili.
- (2) reclutare e fornire mano d'opera civile alle Forze Armate Alleate, dietro loro richiesta, e dando la massima precedenza alle richieste di carattere militare.
- (3) reclutare e fornire mano d'opera ai datori di lavoro privati.
- (4) fornire le necessarie informazioni e provvedere ai servizi relativi al pagamento dell'indennità di disoccupazione.

b) istituire e sviluppare una Sezione per la conciliazione e la mediazione in seno all'Ufficio Provinciale del Lavoro. Il Direttore Provinciale del Lavoro avrà altresì il potere di agire come mediatore o conciliatore, e di nominare Commissari speciali di conciliazione, qualora, a suo parere, l'interesse dell'ordine sociale ed economico lo richieda. Per le controversie nell'ambito della Provincia che non possano essere risolte con la mediazione o la conciliazione, il Direttore Provinciale del Lavoro può nominare Collegi arbitrali a base rappresentativa. Poiché gli scioperi e le serrate rimangono mezzi illegali per la soluzione delle controversie del lavoro, l'arbitrato sarà obbligatorio e le decisioni saranno definitive per i lavoratori

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ed i datori di lavoro interessati. Tutte le decisioni arbitrali e gli accordi relativi ai salari ed agli stipendi saranno vagliate con l'intervento del Commissario Provinciale o di un ufficiale da lui debitamente incaricato, e non entreranno in vigore senza la sua approvazione. Nell'approvare, modificare o respingere tali decisioni od accordi, il Commissario Provinciale sarà tenuto ad osservare le direttive per la stabilizzazione dei salari stabilite dalla Commissione Alleata di Controllo. Qualora il Commissario Provinciale intenda approvare una decisione od un accordo che superi il massimo salariale consentito, la questione dovrà essere sottoposta all'autorità superiore perchè la prenda in considerazione. Qualunque altra decisione od accordo su questioni non inerenti a salari che sembrasse contrarie agli interessi delle Forze Alleate, o che risultasse non conforme a direttive riguardanti il pubblico interesse, potrà essere, a discrezione del Commissario Regionale o di un Ufficiale da lui designato, presa nuovamente in esame ai fini di ulteriore documentazione, considerazione e modifica. Le controversie relative a più di una provincia saranno sottoposte all'esame dell'Ufficio Regionale del Lavoro;

c) provvedere a documentazioni statistiche sull'impiego pubblico e privato, sulla disoccupazione, sulle controversie di lavoro, sull'andamento del mercato del lavoro, sul costo della vita, sulla sicurezza e sugli infortuni nell'industria, sui salari, orari e condizioni di lavoro; e preparare relazioni periodiche da presentare al Commissario Provinciale, al Direttore

od' accordo su questioni non inerenti a salari che sembrasse contrarie agli interessi delle Forze Alleate, o che risultasse non conforme a direttive riguardanti il pubblico interesse, potrà essere, a discrezione del Commissario Regionale o di un Ufficiale da lui designato, presa nuovamente in esame ai fini di ulteriore documentazione, considerazione e modifica. Le controversie relative a più di una provincia saranno sottoposte all'esame dell'Ufficio Regionale del Lavoro;

c) provvedere a documentazioni statistiche sull'impiego pubblico e privato, sulla disoccupazione, sulle controversie di lavoro, sull'andamento del mercato del lavoro, sul costo della vita, sulla sicurezza e sugli infortuni nell'industria, ⁴⁶ sui salari, orari e condizioni di lavoro; e preparare relazioni periodiche da presentare al Commissario Provinciale, al Direttore Regionale del Lavoro ed all'Ufficiale Regionale del Lavoro;

d) trattare qualsiasi altra questione relativa ai rapporti di lavoro e ai problemi del lavoro nella propria provincia, secondo le direttive del Commissario Provinciale, del Direttore Regionale del Lavoro e dell'Ufficiale Regionale del Lavoro.

ART. 4 - ATTIVITA' ILLEGALE IN MATERIA DI LAVORO

Sarà considerata come attività illegale, per un datore di lavoro:

1. Interferire, limitare o coartare, circa l'esercizio, da parte dei lavoratori, dei diritti assicurati dall'Ordinanza

- 6 -

Generale N° 28 e dal presente regolamento.

2. Voler avere la supremazia od interferire nella formazione e nell'amministrazione di qualsiasi organizzazione di lavoratori, o dare ad essa contributi finanziari od altri ausili. Il datore di lavoro potrà permettere però ai suoi dipendenti di conferire con lui, senza perdita né di tempo né di paga.

3. ~~Interferire~~ ^{Disturbare} l'appartenenza ad organizzazioni sindacali, facendo distinzioni per quanto riguarda l'assunzione e la conservazione del posto, come pure altre modalità e condizioni di lavoro.

4. Perseguitare o fare comunque parzialità a danno di un dipendente, che abbia assunto incarichi o fatto attestazioni, in esecuzione dell'Ordinanza Generale N. 28 e del presente regolamento.

ART. 5 - RAPPRESENTANTI ED ELEZIONI

1. I rappresentanti nominati o scelti per la contrattazione collettiva dalla maggioranza dei prestatori d'opera appartenenti alla categoria a ciò interessata, avranno la rappresentanza esclusiva di tutti i prestatori d'opera di tale categoria per quanto riguarda la contrattazione collettiva in materia di tariffe, salari, durata ed altre condizioni di lavoro: purché ogni angolo lavoratore o gruppo di lavoratori abbia in qualsiasi momento il diritto di presentare ricorso al proprio datore di lavoro.

2. Quando si abbiano divergenze in merito ai rappresentanti

ART. 5 - RAPPRESENTANTI ED ELEZIONI

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2. Quando si abbiano divergenze in merito ai rappresentanti dei lavoratori, il Direttore Regionale del Lavoro, od altra persona da lui designata, potrà fare indagini al riguardo e comunicare alle parti, per iscritto, il nome od i nomi dei rappresentanti che sono stati designati o scelti. In tali indagini il Direttore Regionale del Lavoro, o la persona da lui designata, provvederà ad un debito esame delle notizie, e potrà provocare una votazione segreta dei lavoratori od utilizzare ogni altro mezzo atto a stabilire quali sono i rappresentanti.
3. Il Direttore Regionale del Lavoro, od altra persona da esso designata, deciderà, in ogni caso, se, allo scopo di assicurare ai lavoratori il pieno beneficio del loro diritto di associazione e di contrattazione collettiva, od altrimenti porre

in atto le direttive dell'Ordinanza Generale N° 28, la categoria più appropriata per la contrattazione collettiva sia quella dell'industria, dei datori di lavoro, di mestiere, di fabbrica, od altre suddivisioni.

ART. 6 - ESENZIONI FISCALI PER I PROCEDIMENTI
IN MATERIA DI LAVORO.

Tutte le esenzioni fiscali ed i privilegi stabiliti dalle leggi vigenti in favore dei procedimenti in materia di lavoro, sono applicabili a tutti gli atti ed ai documenti relativi alla conciliazione, mediazione ed arbitrato delle controversie di lavoro.

ART. 7 - ARCHIVI E DOCUMENTI DELLE DISCIOLE ISTITUZIONI

Gli archivi ed i documenti delle organizzazioni disciolte dall'Art. 1 dell'Ordinanza Generale N° 28 dovranno essere consegnati al Direttore Provinciale del Lavoro. Dopo l'istituzione dell'Ufficio Regionale, tali archivi e documenti saranno consegnati al Direttore Regionale del Lavoro od a chi da lui designato.

ART. 8 - DISPOSIZIONI LEGISLATIVE RELATIVE AL
COLLOCAMENTO

Tutte le disposizioni legislative italiane relative al collocamento, resteranno in vigore, purché non siano in contrasto con le Ordinanze del Governo Militare Alleato.

ART. 9 - VALIDITA' DEI CONTRATTI E DELLE DISPOSIZIONI

ART. 7 - ARCHIVI E DOCUMENTI DELLE DISCIPLINE ISTITUZIONI

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Tutte le disposizioni legislative italiane relative al collocamento, resteranno in vigore, purché non siano in contrasto con le Ordinanze del Governo Militare Alleato.

ART. 9 - VALIDITA' DEI CONTRATTI E DELLE DISPOSIZIONI SUL LAVORO

1. Le condizioni essenziali per la validità dei contratti collettivi sono le seguenti:
 - A. Tutti i contratti collettivi debbono essere stipulati per iscritto.
 - B. Una copia di tutti i contratti collettivi deve essere depositata presso l'Ufficio Regionale del Lavoro della località interessata.
 - C. Tutti i contratti collettivi debbono essere conformi alle direttive per la stabilizzazione dei salari, alle Ordinanze generali ed ai regolamenti della

- 8 -

Commissione Alleata di Controllo e del Governo Militare Alleato ed alle leggi italiane, a meno che esse siano in contrasto con le disposizioni della Commissione Alleata di Controllo e del Governo Militare Alleato.

2. Nei rapporti collettivi ed individuali di lavoro, le condizioni, disposizioni e tariffe salariali contenute nei contratti collettivi, negli accordi economici, nelle sentenze emunate dalla Magistratura del Lavoro e nelle ordinanze corporative, in conformità degli Art. 10 e 13 della Legge 5 Febbraio No 163, e degli Art. 4 e 5 del R. Decreto 9 Agosto 1945, No 821, continueranno ad essere obbligatorie sino a che non siano modificate da decreti, decisioni arbitrali o nuovi contratti ed accordi collettivi.

M. L. LUSH,
Brigadiere,
Capo di Stato Maggiore

19 Ottobre, 1944

1st Draft ppd by Leon Sec

HEADQUARTERS ALLIED CENTRAL MEDITERRANEAN FORCES

ALLIED MILITARY GOVERNMENT

RULES AND REGULATIONS WITH REGARD TO LABOR ISSUED
PURSUANT TO GENERAL ORDER NO. 28

ARTICLE I - STATUS OF LABOR ORDERS

General Order 28, and these Rules and Regulations issued pursuant thereto, supersede all previous Regional Orders, General Orders and Rules and Regulations pertaining to Labor Offices and Labor Relations.

Executive Memorandum No. 69 of 17 July 1944, should be referred to in the application of General Order No. 28 and these Rules and Regulations.

ARTICLE II - REGIONAL LABOR OFFICES

1. A Regional Labor Office for each Region will be established at such place as the Regional Commissioner may direct.
2. The Regional Labor Office shall be directed by an Italian Civilian to be known as the Regional Director of Labor, to be appointed by the Regional Commissioner on the recommendation of the Regional Labor Officer. His staff shall be composed of employment and labor specialists, investigators and such other civilian personnel as he may require, and the Regional Commissioner may approve. Every appointment shall be temporary and non-political. Instructions will be issued for the classification and wages of the personnel.
3. The powers, duties and functions of each Regional Labor

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DECLASSIFIED E.O. 12356 SECTION 3.3/NND No. 785016

ARTICLE II - REGIONAL LABOR OFFICES

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2. The Regional Labor Office shall be directed by an Italian Civilian to be known as the Regional Director of Labor, to be appointed by the Regional Commissioner on the recommendation of the Regional Labor Officer. His staff shall be composed of employment and labor specialists, investigators and such other civilian personnel as he may require, and the Regional Commissioner may approve. Every appointment shall be temporary and non-political. Instructions will be issued for the classification and wages of the personnel.

3. The powers, duties and functions of each Regional Labor

Office will be as follows:

A. To coordinate the functions and activities of

Provincial Labor Offices.

B. To encourage the practice and procedure of collective bargaining, and to protect the exercise by workers of full freedom of association, self-organization, and designation of representatives

- 2 -

of their own choosing, for the purpose of negotiating the terms and conditions of their employment or other mutual aid or protection. To encourage practices fundamental to the friendly adjustment of labor disputes arising out of differences as to wages, hours and other conditions of employment.

C. To direct and control the work of the

Ispettorato Corporativo, which shall be

known as the Ispettorato del Lavoro, which

shall become an integral part of the Regional

Labor Office and shall operate as an inspection

service only.

D. To act through the Regional Director of Labor

in mediation or conciliation and to appoint

Commissioners of Conciliation whenever in the

Director's judgment the interest of social and

industrial peace may require it. For labor dis-

putes affecting more than one province and which

cannot be settled by mediation or conciliation,

the Regional Labor Director will appoint repre-

sentative arbitration boards. Since strikes and

lockouts remain illegal instruments for the

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D. To act through the Regional Director of Labor

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lockouts remain illegal instruments for the
settlement of labor disputes, arbitration will be
compulsory and the awards will be binding upon
the employees and employers concerned. All arbit-
ration awards or agreements relating to wages or
salaries shall be filed with the Regional Commissioner
or an officer duly designated by him, and shall not
be put into effect until approved. In approving,

- 3 -

modifying or disapproving such awards or agreements the Regional Commissioner shall be responsible for compliance with the ACC Wage Stabilization policy. If the Regional Commissioner wishes to approve any award or agreement which would exceed established wage ceilings, the case must be forwarded to higher authority for consideration. Any other decision or agreement on non-wage matters which appears to affect adversely the interest of the Allied Forces, or which is in conflict with any policy affecting the public interest, may, at the discretion of the Regional Commissioner, be reopened and reviewed by him for further evidence, consideration and modification.

E. To prepare regular reports and to make surveys of employment and payrolls, public employment, retail food prices, wholesale prices, labor disputes, labor turnover, cost of living, prison labor, hours of work, hourly and weekly earnings, union agreements, safety and industrial accidents, child labor, productivity of labor, wages, hours and working conditions in specific industries in the Region; such statistical information to be based upon information

Commissioner, be reopened and reviewed by him for further evidence, consideration and modification.

E. To prepare regular reports and to make surveys of employment and payrolls, public employment, retail food prices, wholesale prices, labor disputes, labor turnover, cost of living, prison labor, hours of work, hourly and weekly earnings, union agreements, safety and industrial accidents, child labor, productivity of labor, wages, hours and working conditions in specific industries in the Region; such statistical information to be based upon information supplied by the Provincial Labor Offices and checked and compared with all other available information.

F. To promote the welfare of wage-earning women, and children, improve their working conditions, increase their efficiency, and advance their opportunities for profitable employment.

G. To supervise and assist in such migration and other movement of workers as may be necessary and proper and

- 4 -

to exercise such manpower controls as may be determined by General Order or by Italian law.

4. To deal with such other matters relating to labor relations or labor problems in the said Region as the Regional Commissioner may direct.

ARTICLE III - PROVINCIAL LABOR OFFICES

1. Provincial Labor Offices will be established in the capital of each Province in such place as the Provincial Commissioner, on the advice of the Regional Labor Officer, may direct.

2. Each Provincial Labor Office will be under the direction of an Italian civilian to be known as the Provincial Director of Labor, who shall be appointed by the Provincial Commissioner on the recommendation of the Regional Labor Officer and the Regional Labor Director. His staff shall consist of employment and labor specialists and investigators and such clerical employees as may be required and as are approved by the Provincial Commissioner. Every appointment shall be temporary and non-political. Instructions will be issued for the classifications and wages of the personnel.

3. The powers, duties and functions of each Provincial Labor Officer will be as follows:

A. To establish and develop a central employment

39

the recommendation of the Regional Labor Officer and the Regional Labor Director. His staff shall consist of employment and labor specialists and investigators and such clerical employees as may be required and as are approved by the Provincial Commissioner. Every appointment shall be temporary and non-political. Instructions will be issued for the classifications and wages of the personnel.

3. The powers, duties and functions of each Provincial Labor

Officer will be as follows:

A. To establish and develop a central employment

Service Office within the Provincial Labor

Office and to establish, supervise and direct

such employment offices (Uffici di Collocamento)

or officers in the communes as may be necessary.

The principal functions of these employment

offices are:

(1) To register job-seekers and main-

tain current information on available

workers.

- 5 -

(2) To recruit and furnish civilian

labor to the Allied Military

Forces as requested, giving high-

est priority to military require-

ments.

(3) To recruit and furnish civilian

labor for civilian employers.

(4) To furnish necessary information

and services in connection with the

payment of unemployment compensation.

B. To establish and develop a conciliation and mediation

section within the Provincial Labor Office. The

Provincial Director of Labor shall also have power

to act as mediator or conciliator and to appoint

Special Commissioners of Conciliation whenever in

his judgment the interests of social and industrial

peace may require it. For labor disputes within

the Province which cannot be settled by mediation

or conciliation, the Provincial Labor Director may

appoint representative Arbitration Boards. Since

strikes and lockouts remain illegal instruments

for the settlement of labor disputes, arbitration

will be compulsory and the awards will be binding

upon the employees and employers concerned. All

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section within the provincial Labor Office. The provincial Director of Labor shall also have power to act as mediator or conciliator and to appoint Special Commissioners of Conciliation whenever in his judgment the interests of social and industrial peace may require it. For labor disputes within the province which cannot be settled by mediation or conciliation, the provincial Labor Director may appoint representative Arbitration Boards. Since strikes and lockouts remain illegal instruments for the settlement of labor disputes, arbitration will be compulsory and the awards will be binding upon the employees and employers concerned. All arbitration awards or agreements relating to wages or salaries shall be filed with the provincial Commissioner or an officer duly designated by him, and shall not be put into effect until approved. In approving, modifying or disapproving such awards or agreements the provincial Commissioner shall be responsible for compliance with the ACC Wage Stabilization Policy. If the provincial Commissioner

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wishes to approve any award or agreement which would exceed established wage ceilings, the case must be forwarded to higher authority for consideration. Any other award or agreement on non-wage matters which appears to affect adversely the interests of the Allied Forces, or which is in conflict with any policy affecting the public interest may, at the discretion of the Regional Commissioner or officer duly designated by him, be reopened and reviewed for further evidence, consideration and modification. Disputes affecting more than one province will be submitted to the Regional Labor Office for handling.

C. To compile statistical information on private and public employment, unemployment, labor disputes, labor turnover, cost of living, safety and industrial accidents, wages, hours and conditions of employment, and prepare regular reports thereon for submission to the Provincial Commissioner, the Regional Director of Labor, and the Regional Labor Officer.

D. To deal with such other matters relating to labor relations or labor problems in the said province as the Provincial Commissioner, Regional Director of

Office for handling.

C. To compile statistical information on private and public employment, unemployment, labor disputes, labor turnover, cost of living, safety and industrial accidents, wages, hours and conditions of employment, and prepare regular reports thereon for submission to the Provincial Commissioner, the Regional Director of Labor, and the Regional Labor Officer.

D. To deal with such other matters relating to labor relations or labor problems in the said Province as the Provincial Commissioner, Regional Director of Labor or Regional Labor Officer may direct.

ARTICLE IV - UNFAIR LABOR PRACTICE

It shall be unfair labor practice for an employer:

1. To interfere with, restrain, or coerce employees in the exercise of the rights guaranteed in General Order No. 28 and these Rules and Regulations.

what are after

- 7 -

2. To dominate or interfere with the formation or administration of any labor organization or contribute financial or other support to it. An employer shall not be prohibited however from permitting employees to confer with him during working hours without loss of time or pay.

3. By discrimination in regard to hire or tenure of employment or any term or condition of employment to discourage membership in any labor organization.

4. To discourage or otherwise discriminate against an employee because he has filed charges or given testimony under General Order No. 28 or these Rules and Regulations.

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ARTICLE V - REPRESENTATIVES AND ELECTIONS

1. Representatives designated or selected for the purpose of collective bargaining by the majority of the employees in a unit appropriate for such purposes, shall be the exclusive representatives of all the employees in such unit for the purpose of collective bargaining in respect to rates of pay, wages, hours of employment, or other conditions of employment: provided, That any individual employee or a group of employees shall have the right at any time to present grievances to their

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and Regulations.

ARTICLE V - REPRESENTATIVES AND ELECTIONS

1. Representatives designated or selected for the purpose of collective bargaining by the majority of the employees in a unit appropriate for such purposes, shall be the exclusive representatives of all the employees in such unit for the purpose of collective bargaining in respect to rates of pay, wages, hours of employment, or other conditions of employment: provided, That any individual employee or a group of employees shall have the right at any time to present grievances to their employer.

Whenever a question arises concerning the representation of employees, the Regional Director of Labor or person designated by him, may investigate such controversy and certify to the parties, in writing, the name or names of the representatives that have been designated or selected. In any such investigation,

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the Regional Director of Labor or person designated by him, shall provide for an appropriate hearing upon due notice, and may take a secret ballot of employees, or utilize any other suitable method to ascertain such representatives.

3. The Regional Director of Labor or person designated by him, shall decide in each case whether, in order to insure to employees the full benefit of their right to self-organization and to collective bargaining, and otherwise to effectuate the policies of General Order No. 28, the unit appropriate for the purposes of collective bargaining shall be the industry unit, employer unit, craft unit, plant unit, or subdivision thereof.

ARTICLE VI - TAX EXEMPTIONS FOR LABOR PROCEEDINGS

All tax exemptions and privileges established by existing laws in favor of labor proceedings are applicable to any acts and documents³⁵ relative to conciliation, mediation and arbitration of labor disputes.

ARTICLE VII - RECORDS AND FILES OF THE DISSOLVED INSTITUTIONS

The records and files of the institutions dissolved by Article I of General Order No. 28 shall be delivered to the Provincial Director of the National Office such records

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

ARTICLE VI - TAX EXEMPTIONS FOR LABOR
PROCEEDINGS

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ARTICLE VII - RECORDS AND FILES OF THE
DISSOLVED INSTITUTIONS

The records and files of the institutions dissolved by Article I of General Order No. 28 shall be delivered to the Provincial Director of Labor. Upon the establishment of the Regional Office such records and files shall be delivered to the Regional Director of Labor or as he shall direct.

ARTICLE VIII - LEGISLATIVE PROVISIONS
CONCERNING EMPLOYMENT

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1 All Italian legislative provisions concerning employment, shall remain in force provided that they are not in conflict with A.M.G. ordinances.

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that general ~~provisions~~ regulations
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regulate*

ARTICLE IX - VALIDITY OF CONTRACTS AND
LABOR PROVISIONS

1. Among the conditions essential to the validity of collective contracts are the following:

- A. All collective contracts must be stipulated in writing.
- B. A copy of all collective contracts must be filed with the Regional Labor Office of proper jurisdiction.
- C. All collective contracts must conform to the Wage Stabilization Policy, ACC/AMG General Orders, Ordinances and Rules and Regulations, and with Italian Laws not in conflict with ACC/AMG provisions.

2. In Collective and Individual Labor Relations, the conditions, regulations, and wage scales contained in collective contracts, in economic agreements, in sentences delivered by the Special Labor Magistracy, and in cooperative ordinance, in conformity with Article 10 and Art. 13 of the Law of 5th February, No. 163, and of Art. 4 and Art. 5 of the Royal Decree of 9th August 1943, No. 821, shall continue to be binding until revised further by decree, Arbitration awards, or newly executed collective agreements and contracts.

ARTICLE X - MILITARY ESTABLISHMENTS

Nothing contained in these Rules and Regulations shall be so interpreted or applied as to interfere in any way with the successful operation of any military establishment or project.

There are no provisions in contract
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agreements, in sentences delivered by the Special Labor Magistracy, and in
corporate ordinance, in conformity with Article 10 and Art. 13 of the Law
of 5th February, No. 163, and of Art. 4 and Art. 5 of the Royal Decree of
9th August 1943, No. 821, shall continue to be binding until revised further
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contracts.

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should be used?

ARTICLE X - MILITARY ESTABLISHMENTS

Nothing contained in these Rules and Regulations shall be so interpreted
or applied as to interfere in any way with the successful operation of any
military establishment or project.

What does mean?

M. S. LUSH,
Brigadier,
Chief of Staff

19 October 1944

in appropriate cases

(13A)

HEADQUARTERS
ALLIED CONTROL COMMISSION
LEGAL SUB-COMMISSION
APO 394.

6 August, 1944.

ACG/4074/11/L.

SUBJECT : General Order No. 28.

TO : R.L.O. (thru Regional Commissioner), Region 5.

1. Acknowledging yours 4 August 1944 - R5/511/17.
2. The subject of wages was omitted from General Order 28 by direction of the Labor Sub-Commission on the theory that it could not effectively be dealt with by General Order.
3. Since the question involved is one of policy it should we believe be submitted by the Regional Labor Officer to the Labor Sub-Commission. We have no information on the subject.
4. If as the Labor Sub-Commission maintains the subject of wages can properly be handled only on a local or quasi local basis, it would seem to follow that an appropriate Regional Order could properly be issued. If, however, any doubts are entertained as to whether such order would be in conformity with Executive Memorandum 68, the question should be submitted to R.C. & H.C. Section for decision.

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MARC. J. GROSSMAN, Lt. Col.
Chief Counsel,
for Acting Chief Legal Officer.

MXG/wew.

4074/11
 TO CLO HQ. ACC
 FROM HQ. REGION 5 ACC
 SUBJECT Gen. Order 28.

E5/511/17

4 August 44

1. This HQ. has now received copies of Gen. Order 28.
2. It was understood that the Labour General Order would contain a recapitulation in some form of the main provisions of (inter alia) the old General Order 5.
3. It is ~~observed~~ ^{observed} however that in Gen. Order 28 no reference is made to the increase in wage levels which was previously provided in Gen. Order 5, and it is understood by the Labour Division here that this matter is to be dealt with by the local Regional Labour Officer at his discretion but in substantial accordance with the old General Order 5.
4. It appears that an Order of some kind is necessary to give effect to these increases since it is understood from the Reg. Lab. Off. that no provision exists in R.D.I.s or other similar legislation to create the necessary authority.
5. In view of the terms of Executive Memorandum N. 68 may this HQ. be advised, please, whether it will be proper for a Regional Order to be published on this subject, substantially ~~along~~ ^{along} the lines of Art. IV of title 1 of Gen. Order 5 or whether some further Order or directive is shortly to be issued from higher authority.

For the Regional Commissioner

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W. E. Behrens
 W. E. BEHRENS
 Colonel, RLC

Copy to Labour Division.
 WEB/nm

*See 3.2.4. This a matter
 for Labour to deal with?
 Al*



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Tel Ext - 87509A.

HEADQUARTERS
ALLIED CONTROL COMMISSION
LEGAL SUB-COMMISSION
APO 524

AMC/1074/11/L.

/rlp.
29 July 1944.

SUBJECT : General Order No. 28.

TO : EC & MG Sec.

1. Returned herewith galley proof of General Order No. 28 approved with corrections.
2. Because of the loss of the Italian translation which we sent you, it was necessary to prepare an entirely new one.
3. In view of the numerous corrections required in the galley proof, it is requested that fresh proof be submitted to us.

Encls.

Copy
106. MARC J. GROSSMAN,
Lt Col, AUS,
Chief Counsel,
for Acting Chief Legal Officer.

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4079/11

Legal mgs 11B

HEADQUARTERS
ALLIED CONTROL COMMISSION
R.C. & M.C. SECTION
APO 394

411

Ref/262/19/CA

17 July 1944

EXECUTIVE MEMORANDUM)

NUMBER

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GENERAL ORDER NO. 28 - LABOUR RELATIONS

1. The suppression of the Fascist Party has made inevitable the abolition of the Corporative Syndical System, which was perhaps the most characteristic feature of the Fascist Regime.

It stands to reason that the abolition of this System given rise to the necessity of providing new machinery and procedure as well as a democratic form of Trade Union organization which would effectively enable the Allied Military Government to cope with social and juridical problems in the labor field.

2. General Order No. 28 - Labor Relations, has been designed to provide for this urgent necessity and though it is self-explanatory, some points of guidance have been set out below in order to present a clearer picture of the background against which this Order is to be enforced.

3. A close examination of General Order No. 28 would show that

a. The abolition of the Corporative Syndical System has been clearly set out in all its features in Article I;

b. The fundamental democratic principle underlying the new order of things has been laid down in the words "to restore to labor the free right of collective bargaining" of the preamble and more specifically in Article II - "Right of Organization";

c. The minimum machinery required to govern labor relations, and to enable the State to discharge all its responsibilities in the labor field have been provided for in Articles III, V and VI.

4. General Order No. 28 does not cover many important details and Article IV may be regarded as a "savings clause" that would enable ACG/AMG to meet the situation as occasion demands. Article VII provides for enforcement of the fundamental principles and provisions contained in this General Order.

2. General Order No. 28 - Labor Relations, has been designed to provide for this urgent necessity and though it is self-explanatory, some points of guidance have been set out below in order to present a clearer picture of the background against which this Order is to be enforced.

3. A close examination of General Order No. 28 would show that

a. The abolition of the Corporative Syndical System has been clearly set out in all its features in Article I;

b. The fundamental democratic principle underlying the new order of things has been laid down in the words "to restore to labor the free right of collective bargaining" of the preamble and more specifically in Article II - "Right of Organization";

c. The minimum machinery required to govern labor relations, and to enable the State to discharge all its responsibilities in the labor field have been provided for in Articles III, V and VI.

4. General Order No. 28 does not cover many important details and Article IV may be regarded as a "savings clause" that would enable ACO/MG to meet the situation as occasion demands. Article VII provides for enforcement of the fundamental principles and provisions contained in this General Order.

General Order No. 28 does not attempt to provide for:

a. The regulation of Trade Union constitution, registration, juridical recognition, in fact, all that pertains to the internal organization of the Trade Union movement and its relationship to the social life of the community.

b. The disposal of a number of para-syndical organizations, each of which would have to be dealt with independently on its respective merits with a view to re-institution in its existing or in a modified form;

c. The administrative detail pursuant to the institution of the ... Labor Offices - a matter which would be provided for under "Article IV - Rules and Regulations".

5. General Order No. 28 should be promulgated at the earliest possible time, NOT, however, before it is ascertained that all records and Estates belonging to the Syndical Corporative Offices have been placed at the responsibility of the Comissario Straordinario who should retain as much of the personnel of these offices as is considered necessary and trustworthy, and until such time as a proper hand-over to the newly created labor Offices can be effected.

6. No reference whatever has been made in the present General Order of such labor matters as are dealt with by separate legislation.

This "Labor Relations" General Order, however, must be interpreted in the light of Italian legislation that has a bearing on labor matters and has not been rescinded and of other legislation promulgated by Allied Military Government separately. Thus, Strike and Lock-out remain illegal instruments for the settlement of labor disputes, Collective Contracts remain in force, wages remain frozen and any readjustment of wages in any given industry or for any particular job would have to be claimed on a basis of comparison with similar industries and at a lower ceiling than wages of employees with the Armed Forces - such readjustments becoming operative only on the approval of A.C.G. Labor Sub-Commission.

7. General Order No. 28 may be regarded as a temporary measure. A Draft Decree "Abolishing the Fascist Syndical - Corporative System, reconstituting the freedom of Trade Union Organization, authorizing the institution of Labor Offices and governing Labor Relations" is now in the final stages of preparation by the Italian Government. It is proposed to make this Decree operative in Military Government territory, thus providing a uniform labor system for the whole of Italy.

MSJ

M. B. LUSH
Brigadier
Executive Commissioner

DISTRIBUTION:

"C"
plus GROUP 2 list "A"

LEGAL SUB-COMMISSION	
CLO	☒
DCLO	☒
Chief Counsel	☐
CJO	☐
Italian Section	☐
	☐
	☐

(104)

ALLIED MILITARY GOVERNMENT OF OCCUPIED TERRITORYGENERAL ORDER No. 28LABOUR RELATIONS

WHEREAS it is the policy of the United Nations to abolish the Fascist corporative syndicate system and to restore to labour the free right of collective bargaining;

Now, therefore, I, MAURICE STANLEY LUSH, C.B.E., M.C., Brigadier, Executive Commissioner, Allied Control Commission, hereby order as follows:-

Article IAbolition of Certain Fascist Institutions

The Fascist Corporate Syndicate System is hereby abolished. All corporations, syndicates, institutions, unions, councils and other bodies which are or at any time were

- (a) in any way dependent on the former Fascist party or the Fascist Corporative Syndicate System; and,
- (b) concerned with the Fascist organization or regulations of labour in any form or aspect,

and all branches, constituent bodies and other dependencies and successor organizations of the Fascist corporations, syndicates, institutions, unions councils and bodies are hereby dissolved.

Article IIRight of Organization

Employees shall have the right to organize, hold meetings, and select representatives of their own choosing for the purpose of collective bargaining with respect to all matters pertaining to or connected with their employment, including such matters as concern hours, wages, working conditions, grievances, disputes and mutual social and economic assistance.

29

Article IIICreation of Labour Offices

The following institutions are hereby created :

- (a) A Regional Labour Office for each of such Regions as may be established in Military Government Territory;
- (b) A Provincial Labour Office for each Province in Military Government Territory, subordinate to the Regional Labour Office.

Article IVRules and Regulations

Rules and Regulations will be issued by the Allied Military Government to enable the Regional and Provincial Labour Offices; so established to fulfill their objects and perform and carry out their powers, duties and functions.

Article VObjects of the Regional Labour Office

Subject to the Rules and Regulations to be issued as aforesaid, each Regional Labour Office will have the following powers, duties and functions, respectively:

- a. To consider the most practicable and expeditious method of reestablishing and assuring freedom of Labour organization and representation throughout the Region.
- b. The coordination of the work of and the information and statistics compiled by the Provincial Labour Offices;
- c. The compilation of similar Regional statistics and information;
- d. The issuing of periodical reports and bulletins on labour questions for issue to the public or otherwise;
- e. To act as conciliator, mediator, and arbitrator in labour cases which are of special economic significance or of interest to the entire Region;
- f. Generally to do all such other things in connection with labour matters within each Region as may be required.

Article VIObjects of Provincial Labour Offices

Subject to the Rules and Regulations to be issued as aforesaid, each Provincial Labour Office will have the following powers, duties and functions within the Province in which it is established, and may exercise such powers, duties and functions pending the establishment of a Regional Labour Office:

- a. Until the establishment of a Regional Labour Office with jurisdiction over the Province, to take steps for the reestablishment and guarantee of freedom of labour organization and representation throughout the Province;
- b. The compilation of information and statistics on labour;
- c. The establishment of offices for the registration and supply of labour;
- d. To act as conciliator, mediators or arbitrators in labour disputes;
- e. Generally to do all such other things in connection with labour matters within the Province as may be required.

ARTICLE VII

Penalties

Any person interfering or assisting or attempting to interfere with any right conferred by Article II of this Order or otherwise failing to observe any provisions of this order shall upon conviction by an Allied Military Court be liable to punishment by imprisonment or fine or both and such other lawful punishment as the Court may determine.

ARTICLE VIII

Repeal of Conflicting Laws

Any and all provisions of Italian Law inconsistent or in conflict with the provisions of this Order are hereby repealed.

ARTICLE IX

Effective Date

This Order shall become operative in each Province or part thereof within the occupied territory on the date of its first publication therein.

FOR THE CHIEF COMMISSIONER

M. S. LUSH
Brigadier
Executive Commissioner
Allied Control Commission

28

Dated:

HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Sub-Commission
APO 394

ART/ps

REFERENCE : ACC/4074/11/L. 13 Jul 44.
SUBJECT : General Order No.28-Labour Relations.
TO : A.C. & L.G. Section .

1. In accordance with your letter Ref.262/13/CA dated 7 July 1944 the Italian translation of General Order No.28 has been checked with the English version and both documents are returned herewith.

2. Whilst the Italian translation as submitted substantially represented the version in English, a number of retouches were necessary to give it a more exact technical rendering.

3. These have been embodied in a revised version of which two copies are attached herewith. ~~to~~ together with the appropriate form of certification.

1 27
RICHARD H. WILMER,
Colonel C.A.C.,
Acting Chief Legal Officer.

Note: The General Order should be dated before printing.

GOVERNO MILITARE ALGERIA TERRITOI OCCUPATI

ORDINE GENERALE No. 18

RAPPORTI DEL LAVORO.

Poichè è nelle direttive delle Nazioni Unite abolire il sistema dei sindacati corporativi fascisti e di ridare al lavoro il libero diritto alle contrattazioni collettive;

Pertanto, Io, MAURICE STANLEY LUSH, C.B.E., M.B. Generale di Brigata, Comandante Esecutivo, Commissione Alleata di Controllo, ordino quanto segue:

Articolo 1.Abolizione di alcune Istituzioni fasciste.

Il sistema dei Sindacati corporativi fascisti è col presente ordine abolito. Tutte le corporazioni, sindacati, istituzioni, unioni, consigli ed altri organi che sono o che in qualunque tempo furono:

(a) connesse alle dipendenze del cessato partito fascista o del sistema dei Sindacati Corporativi fascisti; ovvero,

(b) connesse all'organizzazione fascista o ad una qualsiasi disciplina di lavoro sotto ogni forma o aspetto,

nonchè tutte le diramazioni, organi costituenti e altre dipendenze ed organizzazioni che subentrarono alle corporazioni, ai sindacati, alle istituzioni, alle unioni, ai consigli ed organi fascisti, sono col presente ordine aboliti.

26

Articolo IIDiritto di Organizzazione.

I prestatori d'opera hanno il diritto di organizzarsi, tenere riunioni ed eleggere rappresentanti di loro scelta al fine di negoziare contratti collettivi riguardo a tutto quanto concerne e sia connesso con il loro impiego, ivi compreso tutto quanto si riferisce all'orario, paghe, condizioni di lavoro, reclami, dispute ed assistenza mutua, sociale ed economica.

ARTICOLO IIIIstituzione degli Uffici del lavoro.

I seguenti organi sono istituiti col presente ordine :

- (a) Un Ufficio Regionale del Lavoro per ciascuna di quelle Regioni che potranno essere costituite nel territorio del Governo Militare.
- (b) Un Ufficio Provinciale del Lavoro per ciascuna provincia nel territorio del Governo Militare dipendente dall'Ufficio Regionale del Lavoro.

Articolo IV.Regolamenti e disposizioni.

Regolamenti e disposizioni saranno emessi dal Governo Militare Alleato per mettere in grado gli Uffici Regionali e Provinciali del Lavoro come sopra istituiti, di conseguire i loro scopi nonchè adempiere alle loro mansioni ed esercitare i loro poteri, e le loro funzioni.

Articolo V.Compiti dell'Ufficio Regionale del Lavoro.

Subordinatamente ai regolamenti e disposizioni da essersi come sopra detto, ogni Ufficio Regionale del Lavoro avrà rispettivamente le attribuzioni, i doveri e le funzioni seguenti:

- (a) Studio del metodo più pratico e sollecito per ⁵bilire ed assicurare la libertà dell'organizzazione del lavoro e della sua rappresentanza in tutta la Regione.

Regolamenti e disposizioni.

Regolamenti e disposizioni saranno emessi dal Governo Militare Allogato per mettere in grado gli Uffici Regionali e Provinciali del Lavoro come sopra istituiti, di conseguire i loro scopi nonchè adempiere alle loro mansioni ed esercitare i loro poteri, e le loro funzioni.

Articolo V.Compiti dell'Ufficio Regionale del Lavoro.

Subordinatamente ai regolamenti e disposizioni da emanarsi come sopra detto, ogni Ufficio Regionale del Lavoro avrà rispettivamente le attribuzioni, i doveri e le funzioni seguenti:

- (a) Studio del metodo più pratico e sollecito per ⁵bilire ed assicurare la libertà dell'organizzazione del lavoro e della sua rappresentanza in tutta la regione.
- (b) Coordinamento dell'attività degli Uffici Provinciali del Lavoro nonché delle informazioni e delle statistiche da questi compilate.
- (c) Compilazione di analoghe statistiche ed informazioni regionali.
- (d) Emisione di relazioni periodiche e di bollettini su questioni di lavoro da distribuirsi al pubblico od altrimenti.

- (e) Agire come conciliatore, mediatore, ed arbitro nelle controversie di lavoro, che siano di particolare importanza economica o di interesse dell'intera Regione.
- (f) Pare in generale tutto quanto in materia di lavoro possa essere necessario nell'ambito di ogni Regione.

Articolo VI.

Compiti degli Uffici Provinciali del Lavoro.

Subordinatamente ai regolamenti e disposizioni da emettersi come sopra detti, ogni Ufficio Provinciale del lavoro avrà le seguenti attribuzioni, doveri e funzioni nell'ambito della Provincia dove risiede e può esercitare tali poteri, doveri e funzioni in attesa dell'istituzione di un Ufficio Regionale del Lavoro.

- (a) Provvedere fino all'istituzione di un Ufficio Regionale del Lavoro con giurisdizione nella provincia, al ristabilimento e garanzia della libertà dell'organizzazione e rappresentanza del lavoro in tutta la provincia.
- (b) Compilazione delle informazioni e statistiche sul lavoro.
- (c) ~~L'~~ Istituzione di uffici per l'iscrizione e la fornitura della mano d'opera. 24
- (d) Agire come conciliatori, mediatori o arbitri nelle controversie di lavoro.
- (e) Pare in generale tutto quanto in materia di lavoro possa essere necessario nell'ambito della provincia.

Articolo VII.

Penalità.

Chiunque impedisca ovvero aiuti nell'impedire o tenti di impedire l'esercizio di uno qualsiasi dei diritti conferiti dall'Art. II del presente Ordine o comunque venga meno all'osservanza di qualsiasi disposizione del presente Ordine, sarà, se riconosciuto colpevole da un Tribunale Militare Alleato, passibile di reclusione.

o multa o di entrambe nonché di ogni altra punizione legale,
secondo la decisione del Tribunale.

Articolo VIII.

Abrogazione di Leggi contrastanti.

Ogni e qualsiasi disposizione di Legge Italiana che sia
in contraddizione ed in contrasto con le disposizioni del presente
Ordine viene abrogata.

Articolo IX.

Data di entrata in vigore.

Il presente Ordine entrerà in vigore in ogni provincia
o nella parte di essa compresa nel territorio occupato dalla
data della sua prima pubblicazione nella stessa.

PER IL CAPO COMMISSARIO

M. S. LUSH
Generale di Brigata
Commissario Esecutivo
Commissione Alleata di Controllo

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4429/11

HEADQUARTERS
ALLIED CONTROL COMMISSION
R.C. & M.G. Section
APO 394

Legal 4361
8258

Ref/262/13/CA.

7 July 1944.

SUBJECT: General Order No.28 - Labour Relations.

TO : Admin Section. (For Legal Sub-Commission)

There is forwarded to you General Order No.28 and translation thereof. Please check and approve the translation and return it to us with the English version so that we may instruct the Printers.

Please Review May

W

NORMAN E. FISKE,
Colonel,
Deputy Executive
Commissioner.

REAR HEADQUARTERS
ARMED CONTROL COMMISSION
Legal Subcommittee
APO 394

WJC/gaf

ACC/1074/L

15 June 1944

SUBJECT: General Order No. 28.

TO : Labour Subcommittee.

1. Enclosed General Order No. 28 and copy together with Certificate of Deputy Chief Legal Officer. If you find the same satisfactory in form it may be presented to the Executive Commissioner for his signature.

2. The suggestions contained in your letter 12 June 1944 (Lab. 691.448) have been incorporated in so far as possible. Pursuant to conversation with Col. Smith Article VIII as proposed by you has not been included because the subject matter thereof is fully covered by the provisions of new Proclamation No. 2.

21
HARRY J. GROSSMAN, Major
for Chief Legal Officer.

ALLIED MILITARY GOVERNMENT OF OCCUPIED TERRITORYGENERAL ORDER No. 22LABOUR RELATIONS

WHEREAS it is the policy of the United Nations to abolish the Fascist corporative syndicate system and to restore to labour the free right of collective bargaining;

Now, therefore, I, MAURICE STANLEY LUSH, C.B.E., M.C., Brigadier, Executive Commissioner, Allied Control Commission, hereby order as follows:-

Article IAbolition of Certain Fascist Institutions

The Fascist Corporate Syndicate System is hereby abolished. All corporations, syndicates, institutions, unions, councils and other bodies which are or at any time were

- (a) in any way dependent on the former Fascist party or the Fascist Corporative Syndicate System; and,
- (b) concerned with the Fascist organization or regulation of labour in any form or aspect,

and all branches, constituent bodies and other dependencies and successor organizations of the Fascist corporations, syndicates, institutions, unions, councils and bodies are hereby dissolved.

Article IIRight of Organization

Employees shall have the right to organize, hold meetings, and select representatives of their own choosing for the purpose of collective bargaining with respect to all matters pertaining to or connected with their employment, including such matters as concern hours, wages, working conditions, grievances, disputes and mutual social and economic assistance.

Article IIICreation of Labour Offices

The following institutions are hereby created:-

- (a) A Regional Labour Office for each of such Regions as may be established in Occupied Territory;
- (b) A Provincial Labour Office for each Province in occupied territory,

- 2 -

subordinate to the Regional Labour Office.

Article IV

Rules and Regulations

Rules and Regulations will be issued by the Allied Military Government to enable the Regional and Provincial Labour Offices so established to fulfill their objects and perform and carry out their powers, duties and functions.

Article V

Objects of the Regional Labour Office

Subject to the Rules and Regulations to be issued as aforesaid, each Regional Labour Office will have the following powers, duties and functions, respectively:-

- (a) To consider the most practicable and expeditious method of reestablishing and assuring freedom of labour organisation and representation throughout the Region;
- (b) The coordination of the work of and the information and statistics compiled by the Provincial Labour Offices;
- (c) The compilation of similar Regional statistics and information;
- (d) The issuing of periodical reports and bulletins on labour questions for issue to the public or otherwise;
- (e) To act as conciliator, mediator, and arbitrator in labour cases which are of special economic significance or of interest to the entire Region;
- (f) Generally to do all such other things in connection with labour matters within each Region as may be required.

Article VI

Objects of Provincial Labour Offices

Subject to the Rules and Regulations to be issued as aforesaid, each Provincial Labour Office will have the following powers, duties and functions within the Province in which it is established, and may exercise such powers, duties and functions pending the establishment of a Regional Labour Office:-

- (a) Until the establishment of a Regional Labour Office with jurisdiction over the Province, to take steps for the reestablishment and guarantee of freedom of labour organisation and representation throughout the Province;
- (b) The compilation of information and statistics on labour;

- 3 -

- (c) The establishment of offices for the registration and supply of labour;
- (d) To act as conciliators, mediators or arbitrators in labour disputes;
- (e) Generally to do all such other things in connection with labour matters within the Province as may be required.

Article VII

Penalties

Any person interfering or assisting or attempting to interfere with any right conferred by Article II of this Order or otherwise failing to observe any provisions of this Order shall upon conviction by an Allied Military Court be liable to punishment by imprisonment or fine or both and such other lawful punishment as the Court may determine.

Article VIII

Repeal of Conflicting Laws

Any and all provisions of Italian law inconsistent or in conflict with the provisions of this Order are hereby repealed.

Article IX

Effective Date

This Order shall become operative in each Province or part thereof within the occupied territory on the date of its first publication therein.

18

FOR THE CHIEF COMMISSIONER.

M. S. DASH
Brigadier,
Executive Commissioner,
Allied Control Commission.

Dated:

4074

HEADQUARTERS
ALLIED CONTROL COMMISSION
LABOR SUB-COMMISSION
APO 394

JRS/tbw

60

LAB 091.448

12 June, 1944

SUBJECT: Draft of General Orders

TO : Legal Sub-Commission

1. There is returned herewith your draft copy of the General Order. This office recommends the following:

Under Article I, include the word "councils" between (1) 'unions, ... and other', and 'unions, ... and bodies'.

Under Article I (b), add the word "Fascist" between 'with the organization'.

Under Article I, substitute the word "Fascist" for the words "above mentioned" between 'of the corporations'.

Under Article III (b), add the words "subordinate to the Regional Labor Office" after 'occupied territory, ...'.

Under Article IV, add the words "forthwith and without delay" between 'be issued by the Allied'; also add the words "so established" between 'offices to fulfill'.

Under Article V (a), add the word "forthwith" between 'consider the most'.

2. This office recommends the inclusion of the following:

17

No Under Article VII, immediately after 'Allied Military Court', add "or a Court of Competent Jurisdiction, as appointed by the Chief Legal Officer of the Regional Office"; also add "and such other punishment" between 'both as the Court'.

In place of your Article VIII, we wish to insert the following:

NO? (New) Article VIII, Limitations on Wages and Maximum Prices. "No person shall demand, receive or pay any sum for labor or purchases in excess of the rates of wages for labor and the maximum prices for food-stuffs and goods which are fixed by order of the Allied Military Government."

may also And also (New) Article IX, containing a saving clause, i.e., "This order revokes and rescinds only such law as may be in conflict herewith and does not revoke, amend, or modify any provisions of Italian law relating thereto."

- 1 - *any and all provisions of Italian Law inconsistent or in conflict with the provisions of this order are hereby repealed.*

*These Complete The
will be back tomorrow*

LAB 091.448 dated 12 June, 44 (Cont'd)

Article X, formerly Article VIII.

3. In regards Article IV, in the preparation of Rules and Regulations, it is of paramount importance that the appointment of the civilian director, better known as the Director of Labor (as stated in Rules and Regulations, Regional Order No. 5, Region IV, dated 16 January, 1944, Paragraph 5) be made solely by A.M.G. authorities, in both Regions and Provinces.

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

*Look all 7
Sub IV in
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Internal Order
to be covered by
some directive*

4074 file
REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
LSC L SUB-COMMISSION
APO 394

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11 June 1944

REFERENCE : AGC/4074/1.
SUBJECT : Consolidated General Order concerning Labour Relations.
TO : Col.Bain, Labour Sub-Commission.

1. In reference to the draft General Order left with you yesterday, I today telephoned Col.Smith to say it was Col. Upjohn's intention that our General Order should parallel as closely as possible the Italian legislation which we understand they are preparing?

2. Would you kindly make any amendments which you consider necessary in the draft to ensure that this object is achieved?

RICHARD H. WILKINSON,
Colonel,
Deputy Chief Legal Officer.

15

HEADQUARTERS
ALLIED CONTROL COMMISSION
R.C. & M.G. SECTION
APO 394

Ref/285/102/CA

6 May 1944

SUBJECT: General Order No. 17.

TO : Admin. Section (for Legal Sub-Commission)

1. Reference telephone conversation (Col. Wilmer - Major Reakes) speaking, it is desired to have General Order No. 17 made applicable to Regions IV and V. Region III have a Regional Order No. 15 (copy of which is attached for your perusal) which is in the same terms as General Order No. 17.

2. Will you prepare the necessary documents to have General Order No. 17 promulgated in Regions IV and V?

Norman E. Fiske
NORMAN E. FISKE
Colonel
Deputy Executive
Commissioner

14

Copy to:

Economic Section (for Labor Sub-Commission. Your 091,4312 of 18 May 44 refers.)

NEF/JR

*Will be brought
in revised G.O.s
Labor Section
GO 28*

HEADQUARTERS
REGION 3, ALLIED MILITARY GOVERNMENT
APO 394, U.S. ARMY

16B

REGIONAL ORDER:
No. 15:

25 February 1944

Whereas in the Region of Campania and Naples by Regional Order No. 1, the Fascist Corporative Syndicate System was dissolved and a method provided for reestablishing and assuring freedom of labor organization;

In virtue of power conferred on me, I, CHARLES POLETTI, Lt. Colonel, Regional Commissioner, Region III

ORDER

ARTICLE I -

Right of Organization

Employees shall have the right to organize, hold meetings, and select representatives of their own choosing for the purpose of collective bargaining with respect to all matters pertaining to or connected with their employment, including such matters as concern hours, wages, working conditions, grievances, disputes and mutual social and economic assistance.

ARTICLE II

Effective Date

This order shall become operative in the Region of Campania and Naples on the date hereof.

13

CHARLES POLETTI
Lt. Colonel
Regional Commissioner

Copy for
~~SECRET~~
 HEADQUARTERS
 ALLIED CONTROL COMMISSION
 LABOR SUB-COMMISSION
 APO 394

Copy shown to

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LABOR 091.471

28 April 1944

SUBJECT: Wage Adjustment - Public Utilities

TO: Captain Moore, Legal Sub-Commission, Fatima (Rear)

1. The following material, in substance, should be drafted into an authorizing letter addressed to the Regional Commissioner, Region III for the signature of M. S. LUSH, Brigadier, Executive Commissioner.

a. The General Order freezing wages is to be further amended so as to permit wage negotiation between employees and employers in all public utilities subject to the following provisions:

- (1) All such proposals which provide for an upward adjustment in wages and salaries must be submitted to A.M.C. before being adopted.
- (2) Any agreement providing for an upward adjustment of wages and salaries must not result in the receipt of a net wage or salary which will be higher than L. 5 or its equivalent per ordinary working day less than the maximum wage or salary received for comparable or equivalent skills as set by the Allied Local Resources Board, Hq., A.M.I., Naples Basic Rate, Administrative Instruction No. 24, dated 24 January, 1944, and amendments thereto.
- (3) Any finally approved upward adjustment in wages or salaries will become effective as of 1 April, 1944."

2. For your information the following definitions and items of information are submitted:

a. The term "Public Utilities" for purposes of this letter should refer only to electric power, gas, water, and telephone and telegraph companies.

b. The phrase "ordinary working day" in 1 (a) (2) above is to be based on the provisions of the collective contract covering any one of the specific industries. In the case of the gas companies, it is known to be six hours, whereas, in the case of the telephone company, the "ordinary working day" is eight hours.

c. "Net wage" is composed as follows: the contractual base wage, adjustments to the base wage, indemnities ordinary and extraordinary and "assegni familiari" or family allowances all added together to form the "gross wage" from which is to be subtracted employees' payments for social insurances. Deductions for taxes are not to be considered in arriving at the "net wage".

d. The regular base wage shall be the remuneration a worker receives for his labors, based upon the legal collective rate, pertinent A.C.C. wage increase orders and in accordance with percentages and computations.

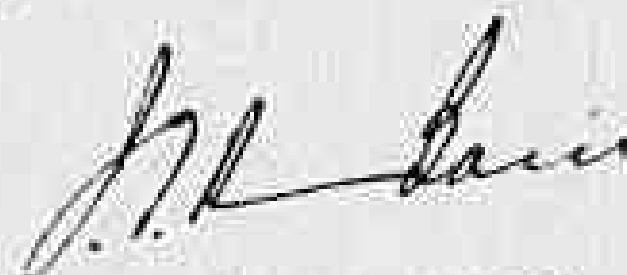
Where no such rate is available, a deemed comparable rate may be used, upon A.C.C. approval.

e. "Assegni familiari" is variable, but all wage calculations in the Armed Forces are based on the allowance for a worker, his wife, and three dependents. The payment for this "standard family" of five is usually 11.50 lire per day.

f. "Comparable or equivalent skills" as used in para. 1 (a) (2) above is so used because the Armed Forces have not set wages for all occupations found in the industries concerned, but they have set a sufficiently large number of wages for various occupations so as to permit of reasonable and workable definitions on a comparable or equivalent basis.

g. "Maximum wage or salary" as used in para. 1 (a) (2) refers to the upper limits of the range of wage permitted for direct employees of the Armed Forces. All Armed Force wages provide for both a minimum and a maximum.

4. The proposed authorizing letter should instruct the Regional Commissioner of Region III to submit plans for upward adjustment of wages to A.C.C. Labor Sub-Commission for final approval.



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

HEAD HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Subcommittee
APO 394

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12/3

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ACC/4027/2/L

1 March 1944

SUBJECT: Labor Matters.

TO : Executive Commissioner.

May I summarize what I understood to be the result of conference on the above mentioned matter on 26 February.

1. General Order No. 17 was published in Region II but was not actually published in Region I as the freedom of labor to organize had already been granted sometime before and that on 27th February 1944 it was published in Region III.
2. SIO, 5th Army stated General Order No. 5 of the same general import as General Order No. 8 for Sicily was published in 15th Army Group Area, but it is still not clear in exactly what portions of such area it was published.
3. Proclamation No. 8 has not been enforced in presently occupied territory as the basic date used in Art II made it impracticable to do so. In future printings of this proclamation the date can be amended by substituting the words "one week prior to the posting hereof" and the Labor Subcommittee wanted the policy of this proclamation to be continued.
4. The Labor Subcommittee has received a draft of a decree which the Italian Government is expected to promulgate in unoccupied territory combining in effect General Orders Nos. 5 and 17 and that either in that decree or a following one there will be an added list of Fascist institutions to be abolished. After the Labor Subcommittee has examined the proposed decree, it will be transmitted to the Legal Subcommittee before final approval, insofar as ACC is concerned, is given. In the meantime, General Orders Nos. 5 and 17 will no longer be published, but the decree will be made part of the law of occupied territory.
5. Labor Subcommittee have no objection to the Italian Courts continuing their complete jurisdiction in labor disputes.
6. You will consider with the V.P., Economic Section, the question of the revision of General Orders 3, 4 and 5 with a view to bringing them up to date to assist in preventing black market offences. This Subcommittee has already had some correspondence on this matter (our ACC/4027/L of 17 Feb. 44) with the Economics Section and would be happy to attend any conference.

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Copy to: Labor Subcommittee
SIO 5th Army.

G. R. UFFIN, Colonel
Chief Legal Officer.

FILE

REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Subcommittee
APO 394

GRU/gmf

1A

ACC/4074/L

21 February 1944

SUBJECT: Labor Matters.

TO : Executive Commissioner.

1. The chaotic state of proclamations, orders, proposed orders and proposed amendments relating to labor matters (mentioned in detail below) make it desirable in my opinion for the calling of a conference to consider and dispose of various controversial matters and to define policy so that proclamations and orders may be reduced to an up to date and simple statement of Allied Instructions.

2. The Labor Subcommittee has before it, at the present time the question of syndicate payments, disposition of labor dispute by judicial means, publication of general order no. 5 and the issuance of a new general order no. 17 in territory still occupied, all relating to labor matters.

3. It has also been suggested by SCAO 5th Army that Proclamation No. 8 is now meaningless as far as the freezing of wages is concerned.

4. The SLO 5th Army has just sent to this Legal Subcommittee certain proposed changes in general order no. 5.

5. In connection with orders dissolving fascist organizations which is one of the features involved consideration will have to be given to the Royal Decree Law of 2 Aug. 1943, No. 704, promulgated by the present Italian Government abolishing the Fascist Party etc.

6. The matter is somewhat urgent and I shall be glad if you will call a conference of the interested parties so that the present unsatisfactory position with regard to proclamations and orders may be clarified.

Gerald R. Upjohn

GERALD R. UPJOHN
Colonel
Chief Legal Officer

Copy to: Admin. V.P.
Labor Subcommittee
SLO 5th Army

When reply received to above see "Hole's File"

HEADQUARTERS ALLIED COMMISSION
APO 394
LABOR SUB-COMMISSION

MEMORANDUM

19 Ottobre 1944

OGGETTO : Disposizioni per l'attuazione dell'Ordine Generale N° 28, in materia di lavoro.

Considerato che, in virtù dell'ordine generale N°28, era stato disposto che speciali disposizioni sarebbero state promulgate per assicurare il funzionamento degli Uffici del Lavoro regionali e provinciali,

Io, I. ELLERY W. STONE, Commodoro, USNR, a nome del Comandante Supremo Alleato e Governatore Militare, promulgo il seguente regolamento e dispongo in conseguenza:

ART. 1 - Costituzione degli Uffici del Lavoro

1. In ogni provincia e regione verrà costituito, nei luoghi indicati dal competente Commissario provinciale o regionale, un Ufficio provinciale o regionale del Lavoro, a seconda del caso.

Il suddetto Ufficio sarà diretto da un funzionario civile italiano, che avrà il titolo di Direttore Regionale o Provinciale del Lavoro, e sarà nominato, a seconda dei casi, dal Commissario regionale o provinciale.

I Direttori del Lavoro avranno la facoltà - subordinatamente all'approvazione del competente Commissario regionale o provinciale - di nominare un adeguato numero di impiegati per provvedere al buon

funzionamento dei rispettivi uffici.

2. Uffici del Lavoro comunali e speciali Uffici del Lavoro portuali e agricoli saranno costituiti in determinate località e con un personale civile italiano, secondo le direttive del Commissario provinciale.

3. Tutte le designazioni di personale italiano per gli Uffici del Lavoro avranno un carattere apolitico. le provvisorio.

ART. II - Competenze e compiti degli
Uffici del Lavoro

1. Gli Uffici Regionali del Lavoro avranno in primo luogo il compito di controllare e coordinare le funzioni e le attività degli Uffici provinciali del Lavoro. Inoltre essi esplicheranno le seguenti speciali funzioni:

A. Promuovere la prassi e la procedura della contrattazione collettiva e tutelare i lavoratori nell'esercizio della piena libertà di associazione, di organizzazione autonoma, nonché di designazione di rappresentanti di loro scelta allo scopo di negoziare i termini e le condizioni del loro impiego o di altre forme di mutua assistenza o tutela. Promuovere la prassi fondamentale della soluzione amichevole delle controversie di lavoro che possano sorgere da divergenze circa i salari, gli orari e le altre condizioni di lavoro.

B. Dirigere e controllare l'attività del 7
l'Ispettorato del Lavoro, che sarà limitata al solo servizio di ispezione del lavoro.

C. Assumere la cognizione di quelle controversie del lavoro che = a giudizio del Di-
rettore regionale = richiedano un intervento re-
gionale anziché provinciale, e sottoporre al Commissario regionale quelle controversie del lavoro, per le quali un intervento nazionale anziché regionale appare necessario.

D. Compilare regolari e speciali relazioni e rapporti in base alle informazioni fornite dagli Uffici provinciali del Lavoro e integrate dai dati provenienti da altre fonti e da studi indipendenti.

E. Promuovere il benessere delle donne salariate e dei fanciulli, migliorare le loro condizioni di lavoro, aumentare la loro efficienza lavorativa e aumentare le possibilità del loro vantaggioso impiego.

F. Sorvegliare ed assistere le migrazioni e altri movimenti della mano d'opera, ogni qual volta se ne presenti la opportunità e la necessità, ed esercitare quei controlli sulla mano d'opera che possano essere disposti da un Ordine Generale o da una legge italiana.

G. Occuparsi di qualunque altra pratica riguardante le relazioni o i problemi del lavoro della regione, secondo quanto potrà essere disposto dal Commissario regionale.

2. Gli Uffici provinciali del Lavoro hanno il compito di attuare nelle provincie il programma loro assegnato nel campo del lavoro, nonché di controllare e coordinare tutti gli uffici comunali e speciali, posti sotto la loro giurisdizione. Inoltre essi esprimeranno le seguenti funzioni:

A. Costituire e potenziare un Ufficio Centrale di collocamento, che dovrà formare una delle principali sezioni dell'Ufficio provinciale del Lavoro. Costituire, controllare e dirigere tutti gli altri Uffici di collocamento o collocatori delle provincie, a seconda delle specifiche necessità.

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1) Registrare i prestatori d'opera in cerca di occupazione e tenere aggiornati i dati e le notizie sui lavoratori disponibili.

2) Reclutare e fornire la mano d'opera civile alle Forze Armate Alleate, secondo le richieste, dando un'assoluta precedenza alle richieste delle autorità militari.

3) Reclutare e fornire la mano d'opera civile ai datori di lavoro civili.

4) Fornire le necessarie informazioni e provvedere ai servizi relativi al pagamento delle indennità di disoccupazione.

B. Costituire e potenziare una sezione di conciliazione e mediazione nell'ambito dell'Ufficio Provinciale del Lavoro. Il direttore provinciale del Lavoro sarà anche autorizzato a fungere da mediatore o da conciliatore e a designare speciali commissari/conciliatori ogni qual volta, a suo giudizio, ciò si renda necessario nell'interesse della pace industriale e sociale. La giurisdizione dell'Ufficio Provinciale del Lavoro è estesa a tutte le controversie del lavoro che interessino l'attività lavorativa nell'ambito della provincia, salvo che, tuttavia, l'Ufficio Regionale del Lavoro non le avochi alla sua giurisdizione, a discrezione del Direttore regionale.

C. Rilevare e compilare informazioni statistiche sul collocamento del personale negli impieghi pubblici o privati, nonché sulla disoccupazione, sulle controversie del lavoro, sui movimenti della mano d'opera, sul costo della vita, sulla sicurezza e sugli infortuni del lavoro, sulle mercedi, sugli orari di lavoro e sulle condizioni d'impiego. A nessuno sarà lecito rifiutare informazioni e dati su queste materie, dietro richiesta di un Ufficio Provinciale del Lavoro. 5
Sarà inoltre proibito di rendere nota la fonte delle informazioni così ottenute.

D. Trattare tutte le altre questioni riguardanti i rapporti di lavoro o i problemi del lavoro della provincia, secondo le istruzioni che possano essere impartite al riguardo dal Commissario provinciale, dal Direttore regiona-

le del Lavoro o dal Commissario regionale.

ART. IV - Arbitrato

Tutte le controversie collettive in materia di lavoro, comprese quelle che potranno sorgere in base a decreti del Governo italiano sulle mercedi o sulle condizioni di lavoro, in caso di mancato regolamento a mezzo di mediazione o di conciliazione, dovranno essere sottoposte al giudizio di Commissioni arbitrali, le quali fungeranno sotto la sorveglianza di un Ufficio regionale o provinciale del Lavoro. Ogni commissione sarà costituita da una rappresentanza tripartita, costituita da un egual numero di rappresentanti dei datori di Lavoro, dei prestatori d'opera e del pubblico.

I membri in rappresentanza dei prestatori d'opera saranno scelti dai lavoratori o dai loro rappresentanti; i membri dei datori di lavoro saranno scelti dai datori di lavoro o dai loro rappresentanti; i rappresentanti del pubblico saranno scelti dal Direttore dell'Ufficio del lavoro avente giurisdizione sul procedimento di arbitrato: inteso, comunque, che i rappresentanti pubblici, quando possibile, debbono essere persone di gradimento sia ai datori di lavoro che ai lavoratori; ed inteso inoltre che il direttore dell'Ufficio del Lavoro può nominare i membri rappresentanti i lavoratori o il datore di lavoro, se - dopo debito avviso - tali membri non fossero scelti dalle parti interessate.

Prima che una controversia sia dal Direttore provinciale del Lavoro sottoposta a decisione arbitrale, sarà portata a conoscenza del Direttore regionale, il quale determinerà se la decisione arbitrale concerna la giurisdizione dell'ufficio provinciale o regionale del lavoro. 4

L'arbitrato sarà obbligatorio e le decisioni delle suddette commissioni arbitrali saranno definitive per i lavoratori ed i datori di lavoro interessati qualora siano ratificate dal Commissario Regionale.

Nel caso di ricorsi o controversie individuali di lavoro tra i singoli datori di lavoro e lavoratori, le parti interessate possono volontariamente convenire per sottoporli a giudizio arbitrale presso gli uffici provinciali del lavoro; o possono ricorrere alle autorità giudiziarie, ~~secondo il codice di procedura civile.~~

Nell'arbitrato di controversie individuali o collettive, le commissioni arbitrali non saranno vincolate da qualsiasi speciale formalità procedurale o limitazione, e tutte le decisioni arbitrali saranno pronunziate secondo equità.

ART. V - Rappresentanti ed Elezioni

Allorquando sorgano divergenze in merito alle rappresentanze dei lavoratori, il Direttore Regionale del lavoro, o persona da lui designata, potrà indagare al riguardo e certificare alle parti, per iscritto, il nome o i nomi dei rappresentanti che sono stati designati o scelti. ~~In tali casi ogni unità determinerà se la unità adatta per la finalità della contrattazione collettiva debba essere quella di una industria, di una categoria di impiegati, di un mestiere, di una azienda o di altra sottodivisione.~~ ^①
I rappresentanti così designati o scelti per una determinata unità saranno i rappresentanti esclusivi di tutti i prestatori d'opera di tale unità per quanto riguarda la contrattazione collettiva in materia di tariffe, salari, durata ed altre condizioni di lavoro, salvo sempre il diritto di ogni singolo lavoratore o gruppo di lavoratori di presentare reclami in qualsiasi momento al proprio datore di lavoro.

In tali indagini il Direttore Regionale del Lavoro, o la persona da lui designata, provvederà ad un opportuno esame delle informazioni raccolte e potrà provocare una votazione segreta dei lavoratori od utilizzare ogni altro mezzo atto a stabilire quali siano gli effettivi rappresentanti.

ART. VI - Procedimenti illeciti in materia di rapporti di lavoro

A nessun datore di lavoro sarà consentito:

1) di intervenire, esercitare coazioni o restrizioni sui lavoratori nell'esercizio dei diritti loro garantiti nell'Ordine generale N°28, o nel presente regolamento;

2) di assumere il patrocinio o interferire nella formazione o amministrazione di qualsiasi organizzazione di lavoratori, oppure finanziarle o comunque sostenerle; ma con questo non saranno escluse le riunioni fra datori di lavoro e prestatori d'opera durante le ore del lavoro, senza perdita di paga;

3) applicare discriminazioni fra i lavoratori, relativamente alla loro assunzione, o mantenimento in servizio, alla durata del lavoro o a qualsiasi termine o condizione di lavoro in dipendenza dell'appartenenza del lavoratore a una organizzazione sindacale; oppure scoraggiare l'adesione del lavoratore a quest'ultima;

4) infliggere provvedimenti disciplinari oppure effettuare discriminazioni sotto altre forme ai danni di qualsiasi prestatore d'opera, perché questo abbia reclamato, formulato accuse o prestato testimonianza contro il datore di lavoro in qualsiasi controversia o questione di lavoro.

ART.VII - Esenzione dalle tasse nei procedimenti in materia di lavoro

Tutti gli atti relativi ai procedimenti arbitrali sono esenti da tasse di bollo e di registrazione.

Ogni altra esenzione da tasse o altre agevolazioni accordate dalle vigenti leggi in favore dei procedimenti di lavoro, saranno concesse e si applicheranno anche a qualsiasi atto o documento che direttamente o incidentalmente connesso alla conciliazione, alla mediazione o all'arbitrato delle controversie di lavoro.

ART. VIII

I registri e le carte delle istituzioni sciolte a' sensi dell'Art. 1 dell'Ordine N° 28 saranno consegnati al Direttore provinciale del Lavoro, o a persona

da lui designata.

ART. IX - Validità
dei contratti

1. Nessun contratto collettivo fra datore di lavoro e prestatori d'opera sarà valido, a meno che:
 - (A) sia redatto per iscritto;
 - (B) una copia del medesimo sia depositata presso l'Ufficio Regionale del Lavoro nella cui giurisdizione trovasi il territorio in cui in suddetto contratto venne stipulato;
 - (C) sia conforme alle direttive di stabilizzazione delle mercedi, agli ordini generali, Norme e Regolamenti dell'A.M.G. e alle leggi italiane non in contrasto con quanto sopra stabilito.
2. Le condizioni, i regolamenti e le tariffe salariali contemplati dai contratti collettivi, dagli accordi economici e dalle sentenze pronunciate dalla speciale Magistratura del Lavoro, come pure dalle Ordinanze corporative di cui agli Art. X e XIII della legge del 5 febbraio 1934 N°163 e dagli Art. IV e V del Regio Decreto 9 Agosto 1943, N°821, continueranno ad avere effetto obbligatorio fino a quando non saranno revisionati o finché non sarà disposto altrimenti dal Governo Militare Alleato, oppure non saranno modificati da sentenze arbitrali o da nuovi contratti collettivi conclusi fra i datori di lavoro e i lavoratori.

Per il Supremo Comandante Alleato e per il
Governatore Militare

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ELLERY W. STONE

Ufficiale Capo per gli
affari civili

30. November 1944

Ammiraglio USNR

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