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L.S.C. /1301

GENERAL ORDER N. 28

DEC. 1944. JULY 1945

AL ORDER N. 28

C, 1944. JULY 1945

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

LSC/1301

AC/4074/11/L

24 July 1945

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 CCAG 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

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

Incls.

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HEADQUARTERS ALLIED COMMISSION

APO 394
LABOR SUB-COMMISSION

DGS/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 AG/4074/11/L of 11 July.

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

W. H. BRAINE
Director
Labor Sub-Commission

1 Incl.

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 provided that certain rules and regulations would be issued for the operation of regional and provincial labor offices,

NOW THEREFORE, I, ELLERY WHEELER STONE, REAR ADMIRAL, 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:

ARTICLE I - 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 Offices 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.

ARTICLE II - 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 need Regional rather than Provincial intervention; and to refer to the Regional Commissioner such labor disputes as 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 AMG order or by Italian law.
- G. To furnish secretarial and other assistance and services to the Regional Italian Joint Advisory Committees or other committees of citizens acting in an advisory capacity on labor matters.
- H. To deal with such other matters relating to labor relations or labor problems in the said Region as the Regional Commissioner may direct.
- I. To collaborate with other agencies in planning work relief or other projects designed to furnish employment to workers who are surplus to their employer's requirements; to establish such procedures as may be necessary to execute the employment programs; and to establish rules and regulations for workers who are on a temporary waiting list as provided for by AMG order or applicable Italian law.

2. Provincial Labor Offices have the responsibility for directing the labor program throughout the provinces, and supervising and coordinat-

ing 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 principal 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 applicants for employment 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.
 - (5) To keep adequate records of workers on temporary waiting lists and to make the necessary arrangements for offering employment to such workers.
- 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.
- C. To make such investigations and determinations as may be required or authorized by any AMG Order.
- D. To furnish guidance and assistance to applicants for Social Security rights.
- E. To establish a list of persons engaged in agricultural work who are entitled to receive social assistance and insurance benefits.

- F. 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 Commissioner may direct.

ARTICLE III - ARBITRATION

All collective labor disputes, including those arising under decrees of the Italian Government concerning wages or conditions of work, shall, if they fail of settlement through mediation or conciliation, be finally adjudicated by arbitration boards operating under the supervision of a Regional or Provincial Labor Office. Each board shall consist of tripartite representation, with an equal number of representatives for the employers, employees and the general public.

Labor members shall be selected by the employees or their representatives; employer members shall be selected by the employers or their representatives; and public representatives shall be selected by the Director of the Labor Office having jurisdiction of the arbitration proceedings, provided, however, that public representatives, wherever possible, should be persons agreed upon by employers and employees, and provided further, that the Labor Office Director may also appoint employee or employer members if, after due notice, such members are not selected by the parties.

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 Office.

In the case of claims or labor disputes between individual employees and employers, the parties may voluntarily agree to submit to arbitration through the Provincial Labor Offices; or they may resort to courts of law.

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 IV - REPRESENTATIVES AND ELECTIONS

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 such cases he may also determine whether the unit appropriate for the purposes of the collective bargaining, shall be the industry unit, employee unit, craft unit, plant unit or sub-division 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 rate of pay, wages, hours of employment, or

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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.

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 of ascertaining such representatives.

ARTICLE 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) 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 VI - TAX EXEMPTIONS FOR LABOR PROCEEDINGS

All the acts relating to the arbitration procedures 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.

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ARTICLE VII - AGREEMENTS

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, AMG 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, arbitration awards, or new executed group contracts between employers and employees.

ARTICLE VIII - WAGE INCREASES

No wage increases shall be valid unless approved by Allied Military Government. Agreements providing for such increases and requests of employers to increase wages shall be submitted to the Regional Commissioner through the Provincial Labor Office.

ARTICLE IX - RECORDS OF DISSOLVED INSTITUTIONS

Records and files of the institutions dissolved by Art. I of General Order No. 28 shall be delivered to the Provincial Director of Labor or as he shall direct.

For the Supreme Allied Commander and Military Governor.

ELERY WHEELER STONE
Rear Admiral
United States Naval Reserve
Chief Civil Affairs Officer

1626

July 1945

HEADQUARTERS ALLIED COMMISSION
APO 394
LABOR SUB-COMMISSION

LCB/sb

17 July 1945

TEL : 416

REF : LSC/1301

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

TO : Legal Sub-Commission
Attn: Col. Bahrens

1. enclosed find draft of Rules and Regulations to General Order No. 28 corrected in accordance with the suggestions contained in your AC/4874/11/L of 11 July.
2. Your certificate in respect of the same will be awaited.

W. H. BRAINE
Director
Labor Sub-Commission

1 Incl.

1625

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 provided that certain rules and regulations would be issued for the operation of regional and provincial labor offices,

NOW THEREFORE, I, ELLENY W. STONE, Rear Admiral, 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:

ARTICLE I - 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 Offices may, subject to the approval of the Regional or Provincial Commissioner concerned, appoint an appropriate and adequate staff for their respective offices.

2. Consuel, 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.

ARTICLE II - 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. 624

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 need Regional rather than Provincial intervention; and to refer to the Regional Commissioner such labor disputes as 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 AIG Order or by Italian law.
- G. To furnish secretarial and other assistance and services to the regional Industrial Joint Advisory Committees or other committees of citizens acting in an advisory capacity on labor matters.
- H. To deal with such other matters relating to labor relations or labor problems in the said Region as the Regional Commissioner may direct.
- I. To collaborate with other agencies in planning work relief or other projects designed to furnish employment to workers who are surplus to their employer's requirements; to establish such procedures as may be necessary to execute the employment programs; and to establish rules and regulations for workers who are on a temporary waiting list as provided for by AIG Order or applicable Italian law.

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

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addition they will have the following special functions:

- A. To establish and develop a central Employment Service Office as one of the principal 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 applicants for employment 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.
 - (5) To keep adequate records of workers on temporary waiting lists and to make the necessary arrangements for offering employment to such workers.
- 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.
- C. To make such investigations and determinations as may be required or authorized by any AEC Order.
- D. To furnish guidance and assistance to applicants for Social Security rights.
- E. To establish a list of persons engaged in agricultural work who are entitled to receive social assistance and insurance benefits.

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7. 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 Commissioner may direct.

ARTICLE III - ARBITRATION

All collective labor disputes, including those arising under decrees of the Italian Government concerning wages or conditions of work, shall, if they fail of settlement through mediation or conciliation, be finally adjudicated by arbitration boards operating under the supervision of a Regional or Provincial Labor Office. Each board shall consist of tripartite representation, with an equal number of representatives for the employers, employees and the general public.

Labor members shall be selected by the employees or their representatives; employer members shall be selected by the employers or their representatives; and public representatives shall be selected by the Director of the Labor Office having jurisdiction of the arbitration proceedings, provided, however, that public representatives, wherever possible, should be persons agreed upon by employers and employees, and provided further, that the Labor Office Director may also appoint employee or employer members if, after due notice, such members are not selected by the parties.

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 Office.

In the case of claims or labor disputes between individual employees and employers, the parties may voluntarily agree to submit to arbitration through the Provincial Labor Offices; or they may resort to courts of law.

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 inequity.

ARTICLE IV - REPRESENTATIVES AND ELECTIONS

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 such cases he may also determine whether the unit appropriate for the purposes of the collective bargaining, shall be the industry unit, employee unit, craft unit, plant unit or sub-division 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 rate of pay, wages, hours of employment, or

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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.

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 of ascertaining such representatives.

ARTICLE 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) 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 VI - TAX EXEMPTIONS FOR
LABOR PROCEEDINGS

All the acts relating to the arbitration procedures 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.

ARTICLE VII - AGREEMENTS

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, AEC 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 ordinances 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, arbitration awards, or new executed group contracts between employers and employees.

ARTICLE VIII - WAGE INCREASES

No wage increases shall be valid unless approved by Allied Military Government. Agreements providing for such increases and requests of employers to increase wages shall be submitted to the Regional Commissioner through the Provincial Labor Office.

ARTICLE IX - RECORDS OF DISSOLVED INSTITUTIONS

Records and files of the institutions dissolved by Art. I of General Order No. 25 shall be delivered to the Provincial Director of Labor or as he shall direct.

For the Supreme Allied Commander and Military Governor.

(By) ELMER E. STONE
Rear Admiral, USNR
Chief Civil Affairs Officer.

July 1945

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LABOR SUB-MISSION
A.C.
Routing Slip

	Initials	Date
Mr. W.H. BRAINE		
Mr. SACHS		
Mr. HIRD		
Mr. SCOTT		
Mr. PROCTOR		
Miss. STEVENSON		
Miss. SANSEVERINO		
Chief Clerk		

REMARKS:

CSC/1301

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/4074/11/1.

/rlp.
11 July 1945.

SUBJECT : General Order No. 28.

TO : Labor S/C.

1. I have perused the attached rules and have the following ~~com-~~^{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. BEHRENS
W. E. BEHRENS,
Colonel,
Chief Legal Advisor.

Incl: Rules of GO 28.

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ADMINISTRATIVE COMPONENT OF ACQUIRED TERRITORY
RULES AND REGULATIONS WITH REGARD TO LABOR ISSUED PURSUANT TO
GENERAL ORDER NO. 28

WHEREAS, by General Order No. 28, it was provided that certain rules and regulations would be issued for the operation of regional and provincial labor offices,

NOW KNOWING, I, WILSON W. BROWN, Major General, USMC, 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:

ARTICLE I - GENERAL SCOPE
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 ^{offices} 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 yarm 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.

ARTICLE II - 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,

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for the purpose of negotiating the terms and conditions of their employment or other actual 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 need regional rather than provincial intervention; and to refer to the Regional Commissioner such labor disputes as 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 any 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~~ AMG or by Italian law.
- G. To furnish secretarial and other assistance and services to the Regional Industrial Joint Advisory Committees or other committees of citizens acting in an advisory capacity on labor matters.
- H. To deal with such other matters relating to labor relations or labor problems in the said Region as the Regional Commissioner may direct.
- I. To collaborate with other agencies in planning work relief or other projects designed to furnish employment to workers who are surplus to their employer's requirements; to establish such procedures as may be necessary to execute the employment program; and to establish rules and regulations for workers who are on a temporary waiting list as provided for ~~by~~ by AMG Order or applicable Italian law.

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

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In addition they will have the following special functions:

- A. To establish and develop a central Employment Service Office as one of the principal divisions within the Provincial Labor Office. To establish, supervise and direct such other employment offices (offices of collocamento) or offices throughout the provinces as may be necessary.
 - (1) To register applicants for employment 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.
 - (5) To keep up to date records of workers on temporary waiting lists and to make the necessary arrangements for offering employment to such workers.
- 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 harmony 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.
- C. To make such investigations and determinations as may be required or authorized by ~~any order~~ ~~any other~~ ^{AMG} ~~order~~.
- D. To furnish guidance and assistance to applicants for Social Security rights. 1615
- E. To establish a list of persons engaged in agricultural work who are entitled to receive social assistance and insurance benefits.

2. 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 Commissioner may direct.

ARTICLE III - ARBITRATION

All collective labor disputes, including those arising under decrees of the Indian Government concerning wages or conditions of work, shall, if they fail of settlement through mediation or conciliation, be finally adjudicated by arbitration boards operating under the supervision of a Regional or Provincial Labor Office. Each board shall consist of tripartite representation, with an equal number of representatives for the employers, employees and the general public.

Labor members shall be selected by the employees or their representatives; employer members shall be selected by the employers or their representatives; and public representatives shall be selected by the Director of the Labor Office having jurisdiction of the arbitration proceedings, provided, however, that public representatives, wherever possible, should be persons agreed upon by employers and employees, and provided further, that the Labor Office Director may also appoint employee or employer members if, after due notice, such members are not selected by the parties.

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 ~~Commissioner~~ OFFICE.

In the case of claims or labor disputes between individual employees and employers, the parties may voluntarily agree to submit to arbitration through the Provincial Labor Offices; or they may resort to courts of law.

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 IV - REPRESENTATIVES AND UNIONS

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 names or names of the representatives that have been designated or selected. In such cases he may also determine whether the unit appropriate for the purposes of the collective bargaining, shall be the industry unit, employer unit, craft unit, plant unit or sub-division 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 rate of pay, wages, hours of employment, or

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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.

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 of ascertaining such representatives.

ARTICLE V - UNFAIR LABOR PRACTICES

To 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 employment by reason of membership in any labor organization, or discourage such membership;
- (4) punish 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 VI - TAX EXEMPTION FOR LABOR PROCEEDINGS

All the acts relating to the arbitration procedures 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.

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ARTICLE VII - AGREEMENTS

1. No wage contract between employer and employee 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, All ~~Warrant~~ Orders, Circulars, Rules and Regulations, and existing 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 Magistrate, and in corporate ordinances in conformity with Art. I and Art. VIII of the Law of 11 February 1944 No. 161, and Art. IV and Art. V of the Royal Decree of 9 August 1943 No. 201 shall continue to be binding until otherwise revised or nullified by Allied military government, arbitration statute, or any executed group contracts between employer and employees.

ARTICLE VIII - WAGE INCREASES

No wage increases shall be valid unless approved by Allied military government. Agreements providing for wage increases and requests of employees to increase wages shall be submitted to the Regional Commissioner through the Provincial Labor Office X.

ARTICLE IX - RECORDS

Records and files of the institutions dissolved by Art. I of General Order No. 10 shall be delivered to the Provincial Director of Labor or as he shall direct.

For the Supreme Allied Commander and Military Governor.

(BY) HENRY W. STONE
Rear Admiral, USNR
Chief Civil Affairs Officer.

1612

July 1945

7.04/34/ES

LDD/es

23 January 1945

MEMORANDUM FOR DIRECTOR, LABOR SUB-COMMISSION: ✓

Subject: Rules and Regulations in Regard to
Labor, Issued Pursuant to General
Order No. 28.

1. Reference is made to the above subject and to
letter 391.467 of 26 December 44, same subject, from
Labor S/C to Economic Section - copy in Labor S/C file.

2. As an inclosure to above reference letter is
proposed rules and regulations which were submitted by
Labor S/C for approval and signature of the Chief
Commissioner.

3. No action has been taken by Economic Section
or the the Chief Commissioner with respect to such
approval or signature pending the arrival of Mr. Braine
as Director, Labor Sub-Commission.

4. It is requested that this matter be reviewed by
the Director of the Labor S/C and statement put for-
ward as to whether or not it is desired that the rules
and regulations be submitted to Chief Commissioner for
approval and signature.

L. D. Desmore
L. D. DESMORE
Colonel, F A
ACOS, E/S

Mr Sachs
This must wait until the
Italian Govt. have defined the functions
& scope of U. di L. in agreement with
C.A.L., employers, & A.C. Then we
will keep in step with what they have agreed *W. J. 13/2*

1611

ALLIED MILITARY COMMISSION
ART. 374
LABOR SUB-COMMISSION

JRS/ac

TEL : 478964

28 December 1944

REF : 091.487

SUBJECT: Rules and Regulations in regard to Labor
issued pursuant to General Order No. 28.

TO : Economic Section

1. General Order No. 28 on "Labor Relations" issued by the Allied Military Government in occupied territory states under 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."

2. Such Rules and Regulations have finally been evolved and both English and Italian versions have been completely vetted and approved by the Labor Sub-Commission as per attached certification.

3. It is requested that signature by Chief Civil Affairs Officer and promulgation be expedited.

James R. Smith
JAMES R. SMITH
Colonel, US
Acting Director,
Labor Sub-Commission.

4 inclosures

1610

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 provided that certain rules and regulations would be issued for the operation of regional and provincial labor offices,

NOW THEREFORE, I, ELLERY W. STONE, REAR ADMIRAL, 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:

ARTICLE I - 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.

ARTICLE II - 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:

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- 2 -

- ✓ 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 need Regional rather than Provincial intervention; and to refer to the Regional Commissioner such labor disputes as 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:

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- 3 -

✓ A. To establish and develop a central Employment Service Office as one of the principal 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 ^{supplement, for employment} 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 ~~and~~ 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.

C. To 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. 165

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 Commissioner may direct.

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ARTICLE III - ARBITRATION

All collective labor disputes, including those arising under decrees of the Italian Government concerning wages or conditions of work, shall, if they fail of settlement through mediation or conciliation, be finally adjudicated by arbitration boards operating under the supervision of a Regional or Provincial Labor Office. Each board shall consist of tripartite representation, with an equal number of representatives for the employers, employees and the general public.

Labor members shall be selected by the employees or their representatives; employer members shall be selected by the employers or their representatives; and public representatives shall be selected by the Director of the Labor Office having jurisdiction of the arbitration proceedings: provided, however, that public representatives, wherever possible, should be persons agreed upon by employers and employees, and provided further, that the Labor Office Director may also appoint employee or employer members if, after due notice, such members are not selected by the parties.

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 claims or labor disputes between individual employees and employers, the parties may voluntarily agree to submit to arbitration through the Provincial Labor Offices; or they may resort to courts of law.

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 IV - REPRESENTATIVES
AND ELECTIONS

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 such cases he may also determine whether the unit appropriate for the purposes of the collective bargaining, shall be the industry unit, employee unit, craft unit, plant unit or sub-division thereof. The representatives so designated or

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- 5 -

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 rate 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.

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 of ascertaining such representatives.

ARTICLE 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) 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 VI - TAX EXEMPTIONS FOR LABOR PROCEEDINGS

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

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- 6 -

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.

ARTICLE VII - RECORDS OF DISSOLVED INSTITUTIONS

Records and files of the institutions dissolved by Art. I of General Order No. 28 shall be delivered to the Provincial Director of Labor or as he shall direct.

ARTICLE VIII - 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, 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. 221 shall continue to be binding until otherwise revised or ordered by Allied Military Government, arbitration awards, or new executed group contracts between employers and employees.

For the Supreme Allied Commander and Military Governor.

(By) ELLERY W. STONE
Rear Admiral, USNR
Chief Civil Affairs Officer

29 December 1944

1684

HEADQUARTERS ALLIED COMMISSION
APC 594
LABOR SUB COMMISSION

MEMORANDUM

SUBJECT : Disposizioni per l'attuazione dell'Ordinanza
Generale No. 28, in materia di lavoro.

Considerato che, in virtù dell'ordine generale No. 28, era stato disposto che speciali disposizioni sarebbero state promulgate per assicurare il funzionamento degli Uffici del Lavoro regionali e provinciali,

Io, MILITARY W. STONE, Ammiraglio, USN, e 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-

l'anno, secondo le direttive del Comandante provinciale.

3. Tutte le designazioni di personale italiano per gli uffici del lavoro avranno un carattere apolitico.

ART. VI - 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 nella 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 possono 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 nel lavoro.

C. Assumere la cognizione di quelle controversie del lavoro che - a giudizio del Direttore regionale - richiedono un intervento regionale anziché provinciale, e sottoporre al Comandante 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 assai-riate 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, onde talvolta se ne presenti la opportunità e la necessità, ed effettuare quei controlli sulla mano d'opera che possono 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 lavori formatore una delle principali sezioni dell'Ufficio provinciale del Lavoro. Costituire, controllare e dirigere tutti gli altri Uffici di collocamento o collocatori nelle 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 disoccupati.

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.

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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 o 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 avuchi 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 sul 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 previsto 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 possono essere impartite al riguardo dal Commissario provinciale, dal Direttore regionale del lavoro o dal Commissario regionale.

ART. III - 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 o mezzo di mediazione o di conciliazione dovranno essere sottoposte al giudizio di Commissioni arbitrali, le quali fungeranno sotto la sorve-

gienza 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 al arbitrato; inteso, comunque, che i rappresentanti pubblici, quando è possibile, debbano 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 questione 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 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 pronunciate secondo equità.

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Art. IV - 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 intervenire se, ai fini della contrattazione collettiva, il soggetto contrattante debba essere o una intera industria, o una determinata categoria di lavoratori, o un mestiere, o un'azienda o un'altra sottodivisione.

I rappresentanti di ogni designati o scelti per una determinata unità saranno i rappresentanti esclusivi di tutti i lavoratori o 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'opportuna affettazione e potrà provocare una votazione segreta dei lavoratori od utilizzare ogni altro mezzo atto a stabilire quali siano gli effettivi rappresentanti.

Art. V - Proscritti 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 No. 28, o dal presente regolamento;

2) - di imporsi o interferire nella formazione o amministrazione di qualsiasi organizzazione di lavoratori, oppure finanziarla o comunque sostenerla; ma con queste non saranno usate le riunioni fra datori di lavoro e

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

3) - a plicare discriminazioni tra 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 usato abbia reclutato, formulato accuse o prestato testimonianza contro il datore di lavoro in qualsiasi controversia o questione di lavoro.

ART. VI - 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 indirettamente appartenga alla conciliazione, alla mediazione o all'arbitrato delle controversie di lavoro.

ART. VII - Registri delle associazioni dimostrate.

I registri e le carte delle istituzioni sciolte ai sensi dell'Art. 1 dell'Ordine No. 28 saranno consegnati al Direttore Provinciale del Lavoro, o a persona da lui designata.

ART. VIII - 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 1924, No. 163, e dagli Art. IV e V del R. Decreto 9 agosto 1943, No. 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:

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

29 dicembre 1944.

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Oct 1944