

Section 314d B.O. 12356 Section 3.3/NND No. 785016

ACC 10000/146/492 091.4421

COLLECTIVE BARGAINING

DEC 1943 - JUNE 1944

Q. M. C. Item #13 (Old No. 436)
Retired July 23, 1918

LIST OF PAPERS

Entered under No. 091.448

COLLECTIVE BARGAINING

File

HEADQUARTERS
ALLIED CONTROL COMMISSION
LABOR SUB-COMMISSION
APO 394

JOB/mv

LAB 091.443

21 June 1944

SUBJECT: General Order No. 28 - "Labor Relations"

TO: Executive Commissioner
(Through Economic Section)

1. Attached General Order No. 28 and copy; together with certificate of Deputy Chief Legal Officer, and statement by Major Mark J. Grossman.

2. The Labor Sub-Commission is in agreement with the provisions of this General Order, and presents it for the signature of the Executive Commissioner.

JAMES O. BABCOCK,
Major, Spec. Recd.,
A/B/Director,
Labor Sub-Commission.

5331

(C) *Copy*

HEADQUARTERS
ALLIED CONTROL COMMISSION
LABOR SUB-COMMISSION
AGO 394

Reading File

JRS/tew

LAB 091.448

22 June, 1944

SUBJECT: Drafts 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 "Pascist" between 'with the organization'.

Under Article I, substitute the word "Pascist" 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:

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:
(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."

And also (New) Article IX, containing a saving clause. ¹³³⁰ "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."

LAB 091.44B dated 22 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.I.C. authorities, in both Regions and Provinces.

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

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O P Y

C O P Y

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 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 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 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 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, 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 Occupied Territory;
- (b) A Provincial Labour Office for each Province in occupied territory.

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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 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 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.

FOR THE CHIEF COMMISSIONER,

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

Dated:

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I certify that General Order No. 28 is in proper form for the signature
of the Executive Commissioner.

Richard H. Oliver
R. H. OLIVER
Colonel, U.S.
Deputy Chief Legal Officer.

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Labour Econ Sec (Labour)
U 1301

DEPARTMENT OF
ALLIED CONTROL COMMISSION
Legal Subcommission
APO 594

WAC/gaf

P.C.J.

130/4474/1

15 June 1944

SUBJECT: General Order No. 28.

TO : Labour Subcommission.

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. 891.148) 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.

B. J. Cross
C. J. Cross
For Chief Legal O.
5324

16 JUN
12/1

Jahr

JRS/WB

HEADQUARTERS
ALLIED CONTROL COMMISSION
LABOR SUB-COMMISSION
APO 394

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 "accuse" between '(l) '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:

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:
(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."

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."

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

Article X, formerly Article VIII.

3. In regard to 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.C. authorities, in both Regions and Provinces.

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

5322

ALLIED MILITARY GOVERNMENT OF OCCUPIED TERRITORY

GENERAL ORDER NO.

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, MAJOR SPANISH LUSH, C.B.E., M.C., Brigadier, Executive Commissioner, Allied Control Commission, hereby order as follows:-

Article I

Abolition of Cartels in Fascist Institutions

The Fascist Corporate Syndicate System is hereby abolished. ALL ~~Co&RnC~~ corporations, syndicates, institutions, unions, and other bodies which are or at any time were

- (a) in any way dependent on the former Fascist party or the Fascist Corporate Syndicate System; and,
 - (b) concerned with the organization or regulation of labour in any form or aspect,
- and all branches, constituent bodies and other dependencies and successor organizations of the ~~(see notes)~~ ^{Fascist} corporations, syndicates, ~~Co&RnC~~, institutions, unions, and bodies are hereby dissolved.

Article II

Right of Organization

Employees shall have the right to organize, hold meetings, and

Now, therefore, I, MAURICE STANLEY LEE, C.B.D., 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 and other bodies which are or at any time were~~

- (a) in any way dependent on the former Fascist party or the Fascist Corporate Syndicate System; and,
 - (b) concerned with the organization or regulation of labour in any form or aspect,
- and all branches, constituent bodies and other dependencies and successor organizations of the (above-mentioned) ~~Fascist~~ ^{Fascist} corporations, syndicates, ~~unions and~~ ^{unions} institutions, unions and bodies are hereby dissolved.

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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, 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 Occupied Territory;

- (b) A Provincial Labour Office for each Province in occupied territory,
PROVISIONS FOR THE REGIONAL LABOUR OFFICES.

Article IV

Rules and Regulations

Rules and Regulations will be issued ^{FOR THE REGIONS AND WITHOUT DELAY} by the Allied Military Government
AS ESTABLISHED to enable the Regional and Provincial Labour Offices, 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:-

- For the first*
- (a) To consider the most practicable and expeditious method of establishing
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;

Rules and Regulations

Excluded And Without Draway
to enable the Regional and Provincial Labour Offices 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:-

- CONFIRMED*
- (a) To consider the most practicable and expeditious method of regulating and ensuring 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 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 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 Court or Court of Competent Jurisdiction, as aforesaid, be liable to imprisonment by imprisonment or fine or both, and such person, if he is the Commissioner, as the Court may determine, shall be liable to fine or maximum price of £100.

Article VIII → Article IX
Article X ← 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,
John C. S. D. G.

Brigadier,
Executive Commissioner,
Allied Control Commissions

Lavoro

CONFEDERAZIONE GENERALE DEL LAVORO

CAMERA PROVINCIALE DEL LAVORO ENNA

N..... di prot.

MAGGIORE DI SPERASSO

Ufficio Tutt'uno

Agenzia Correspondente
della C.I.T.

Agenzia della
Primavera Siciliana,

Cna. I gennaio 1944

Alle Commissioni Autistiche del Consiglio
Sotto Commissario del Lavoro

B A P O L I

Al Ministro del Lavoro e dell'Industria e Commercio

VISITRI SUL LAVORO

Opposizione Confederazione Generale del Lavoro

Via Garibaldi

D 4 R J

Il Consiglio Generale delle Leggi aderenti alla Camera del Lavoro
Provinciale di Enna, che comprende le organizzazioni appartenenti alle vecchie
Unioni, costituito in merito alla riorganizzazione dei Laboratori delle Province
Generalmente che è necessaria fare riprendere alle Organizzazioni
del Lavoro il proprio ordinamento associativo e tale che sia la vera espressione
degli interessi che i lavoratori abbiano ritenuto in un unico organismo naziona-
rale che possa provvedere alle diverse esigenze delle classi lavoratrici,
non tenendo i contatti con i lavoratori di tutti gli altri paesi, e questo ormai
riconosciuto spettante al diritto dei collegamenti e delle associazioni sovra-
stese che erano assenti dalle organizzazioni ex fiscole

D 4 L I D A R A

Domando al Governo di riconoscere la Camera del Lavoro Provinciale

i conditi di esistenza e collaudamento finora avuto dalle vecchie organizzazioni
sia cui la Camera del Lavoro si sostituisce, non perdendo questi compiti come per
tutti gli libere organizzazioni del lavoro, ma riconoscolandoli diritti di autonomia
tutte le attuali patrimoniali delle vecchie organizzazioni.

Il Segretario Generale

M. di prot.

ANCONA DITTA SPEDALE

Cina, 1 giugno 1944

Ufficio Turistico

Agenzia Corrispondente
della C.I.T.

Agenzia della
Primoversi Stellone,

Alte Commissione di gestione del Lavoro

Sotto Commissione del Lavoro
V.A.P.O.L.I.

Al Ministero del Lavoro, Industrie e Commercio
PISTRI cui ditt.

Proposta alla Conferenza Generale del Lavoro
Via Cairoli

D.A.R.I.

Il Consiglio Generale delle Lavoro ederenti alla Camera del Lavoro Provinciale di Ancona, che comprende le organizzazioni appartenenti alle vecchie Unità, discute da molto tempo alla risarcimento dei lavoratori della provincia. Considere che è necessario fare ripetere alle Organizzazioni dei Lavoratori il proprio sentimento concreto e tale che sia la vera espressione del Lavoratori organizzati;

ritenuto che i lavoratori debbano risultare in un unico organismo nazionale che possa provvedere alla difesa degli interessi delle classi lavoratrici, mantenendo i contatti con i lavoratori di tutti gli altri Paesi e queste Organizzazioni spettanti ai diritti i comitati dei collegamenti e dell'aggregazione associazionale che erano costituiti dalle organizzazioni ex fasciste.

D.E.L.I.B.E.R.A.

di adottare alla Conferenza Generale del Lavoro proposta che i comitati di associazioni e collegamenti finora costituite sulle vecchie organizzazioni cui la Camera del Lavoro si costituiva, non potranno più esistere se non tratti alle libere organizzazioni del Lavoro e si declara il diritto di sottrarsi a tutte le attività di trionfalisti delle vecchie organizzazioni.

Il Consiglio Generale

Spinozzi Giacomo
Baldassarre Cesare
Baccolo Giusto

Il Segretario Generale
(Pecorini Francesco)

G. Pecorini

785016

2675 REGIMENT ALLIED CONTROL COMMISSION
(U. S. Contingent) (Provisional)
APC 394

Cross Reference Sheet

File: 091.4312

Subject: General Order concerning Collective Bargaining

Date: 16 Jan 1944

To: Right of Organization

From: Col. Smith

Documents Filed: 091.448

5317

Secret

365

headquarters=peninsular-base-section
HEADQUARTERS PENINSULAR BASE SECTION

Mile 4th
GK

3 JANUARY 1944

SECRET

TO ACTION FARGO
FREEDOM SIGNED CINC
02 DEC.
031510A
22563
PHMGS

DECEMBER DIRECTIVE OF COMBINED CHIEFS OF STAFF PERMITS WORKMEN SPECIFICALLY TO ORGANIZE AND CHOOSE REPRESENTATIVES ORDER TO EFFECT COLLECTIVE BARGAINING. ORIGINAL ECONOMIC GUIDE ISSUED IN JUNE DIRECT THE ABOLISHMENT OF FASCIST CORPORATIONS AND THEIR COUNCILS WHILE PERMITTING PROVINCIAL AND INTERPROVINCIAL ASSOCIATIONS OF EMPLOYERS TO CONTINUE AFTER REMOVAL OF FASCIST OFFICERS AS A TEMPORARY MEASURE.

7646

This version

785016

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*3 Jan
22*

C O P Y

Labo

JGR 203

FARGO

RESTRICTED

ROUTINE

30 December 1943

15 Col. Spofford

TO: FREEDOM

WE ARE INFORMED THAT COMBINED CHIEFS OF STAFF ISSUED DIRECTIVE TO AFHQ IN SEPTEMBER THAT AMONG OTHER THINGS FASCIST CORPORATIVE SYNDICATE SYSTEM IN SICILY AND ITALY WHEN OCCUPIED BE ABOLISHED AND THAT COLLECTIVE BARGAINING BE PERMITTED PD FENCE PAREN FARGO PAREN TO FREEDOM CITE JGRTWOZERO THREE PD THIS HEADQUARTERS TOOK SUCH ACTION IN SEPTEMBER WITHOUT KNOWLEDGE OF DIRECTIVE PD COPY OR PARAPHRASE FOR INFORMATION THIS HEADQUARTERS WOULD BE APPRECIATED

J. R. NICKEL
Lt. Col., AGD
Adj't. General

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COPI

20 PX

File

U.S. CONFIDENTIAL
(Equal British CONFIDENTIAL)

MEMO 091.4-1

ALLIED FORCE HEADQUARTERS
Military Government Section

HP/SA/JW

27 December 1943

SUBJECT: Organization of Italian Labor.

TO : HQ, Allied Control Commission
HQ, Allied Military Government, GMF

1. Reference is made to a message originated by HQ AG, Sicily, number A-543 of 16 October, in which instructions were requested as to whether or not employees in Sicily should be granted the right ~~to~~ organize and select representatives for the purpose of collective bargaining.

2. It was considered that the matter was one which should be decided not as affecting Sicily alone, but as one requiring the definition of a policy which would extend throughout the Kingdom of Italy. This was felt to be desirable, particularly in view of the procedure approved by the Badoglio Government on 2 September.

3. Approval has now been given by the Combined Chiefs of Staff to permit, on a strictly voluntary and democratic basis,

a. The election of shop stewards, who are to be unpaid workshop representatives of non-Fascist Labor Unions, and

b. Employees to organize and to select representatives for the purpose of collective bargaining.

The foregoing will be subject at all times to the authority of the Deputy President, Allies Control Commission, to approve or disapprove any agreements which may be entered into.

4. Only in case of doubt need reference be made to this Headquarters, but it is desired to stress the importance of maintaining trade union responsibility in carrying out the above policy.

For the Chief of Section:

HENRY PARKMAN, JR.
Lt. Colonel, U.S.C.

Copy to:

HQ AG 15 Army Group
The Office of the American Minister
The Office of the British Resident Minister
PWB
VMO

(2)

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448

HEADQUARTERS
ALLIED MILITARY GOVERNMENT

GENERAL ORDER NO. 17

LABOR RELATIONS

Whereas in Sicily by General Order No. 8 and in Calabria, Lucania and the Province of Salerno by Regional Order No. 5, the Fascist Corporative Syndicate System was dissolved and a method provided for reestablishing and assuring freedom of labor organization;

Now, therefore, in furtherance of the objectives of said General and Regional Orders, I, CHARLES M. SPOFFORD, Colonel, G.S.C., Deputy Chief Civil Affairs Officer, hereby order as follows:

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 Sicily, Calabria, Lucania and the Province of Salerno on the date hereof.

Dated: 18 January, 1944.

CHARLES M. SPOFFORD,
Colonel, G.S.C.,
Deputy Chief Civil Affairs Officer.

313

Q. M. C. Form 353 (Old No. 429)
Revised July 26, 1919.

LIST OF PAPERS

File under No. _____

b-4785

| SERIAL NUMBER | FROM— | DATE | TO— | SYNOPSIS |
|---------------|-------|------|-----|----------|
| | | | | |

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