

ACC 10000/146/501

091. 4476

SYNDICATES + UNIONS

Apr. - Dec. 1944

IES + UNIONS

Dec. 1944

WBS/fg

HEADQUARTERS ALLIED COMMISSION
APO 394
LABOR SUB-COMMISSION

Tel. 489051

REF. : 091.447

4 December 1944

SUBJECT : Internal Commissions

TO : Lt. Commander J. Schlee, Hemp Control Officer
Attn: Capt. Bradbury

1. Attached is summary on above subject, copy of which you requested to-day.

2. Miss Riva Sanseverino, who prepared this summary as an internal administrative memorandum, will be able to discuss with a representative of the Hemp Control Office, any particular points in which you may be interested.

For the Acting Director, Labor S/C

W. B. BOLMBERGER
Captain S.R.
Social Insurance Officer

CONFIDENTIAL

HEADQUARTERS
PENINSULAR BASE SECTION
FORWARD ECHELON
APO 732

156/091.447

AG 080 RFBPA

24 November 1944

SUBJECT: Policy Respecting Labor Unions.

TO : See Distribution.

1. To implement General Order n° 28, Headquarters AGO, 16 September 1944, Section and unit Labor officers and any other persons of this command who may have occasion to deal with civilian labor will observe the following principles in respect of labor unions.

a. Freedom of Labor Organization - Off The Job: Civilians employed by Allied Units may belong to any labor union, or to none; and may be as much as little active in union matters as they choose. No discrimination will be founded upon an employee's relation to labor unions, except when and if that relation affects his performance of his duties as noted below.

b. Prohibited Activities - On The Job: No labor union or other labor organization will hold meetings, solicit members or conduct other union business during working hours, or on premises occupied by the Allied Forces. No labor union or other labor organization will organize or conduct a strike or work stoppage. Any employee participating in such activities may be dismissed or made subject to other penalties as may be prescribed.

c. Absence of Collective Bargaining: The conditions of employment are fixed by authority higher than the employing unit, or by consideration of the mission of the unit. No unit will have occasion to bargain collectively or negotiate terms of employment with a labor union or other labor organization.

d. Hearing of Complaints: Any employee, any group of employees, representatives of any group of employees, and any labor union or other labor organization representing employees can present complaints or requests for information to autho-

vised representatives of employing units. All employing units will establish a means by which dispense information regarding conditions of employment. They will also find it expedient, to the limited extent that lies in their power, to remove grievances and improve working conditions; and will be alert that their employees receive all benefits to which they be entitled.

By order of Colonel HAHN:

D. W. MASTIN
Major, AGD,
Asst Adj Gen

DISTRIBUTION:

Chiefs of Sections, PBS Fwd
Each Employing Unit, PBS Fwd

HPA, PBS Main

FILE COPY

HEADQUARTERS ALLIED COMMISSION

APO 394

LABOR SUB-COMMISSION

JRS/ras

TEL : 478904

15 November 1944

REF : 091.447 /2

SUBJECT: Request for Authorization to form a Union of Magistrates.

TO : Legal Sub-Commission

1. Reference is made to the request from the First Presidency of Court of Appeal of Naples, dated 26 October, for authorization to form a union of magistrates.

2. There are no restrictions set up which would prevent any group from forming a union for moral and economic welfare. Objection is raised, however, to the intention of this group to join the Confederazione Gen. del Lavoro, the request stating that the latter organization has no "political scope". This is only a pious hope as, unfortunately, the CGIL is definitely in the field of politics and it is our view that a group such as magistrates, who are presumed to maintain at all times a completely disinterested and non-political attitude, should avoid such an alliance at any cost. Certain it is that such a movement might ultimately lead to an unhealthy lack of confidence in this group of public employees.

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

Translation: LATORRACA

FIRST PRESIDENCY OF COURT
OF APPEAL OF NAPLES

Naples, 26 Oct. 1944

SUBJECT: Request for Authorization to form a Union of
Magistrates.

TO : Allied Military Command (Legal Office)

N A P L E S

Councillor ZBULI Domenico of this court has, even in name of his colleagues, manifested the desire of forming a union of magistrates for the moral and economic welfare of the class.

The union, which will belong to the Confederazione Gen. del Lavoro, has no political scope.

I therefore inform and beg the Allied Command to grant its approval.

THE FIRST PRESIDENT
Signed illegible

HEADQUARTERS ALLIED COMMISSION

LABOR SUB COMMISSION

APO 394

76
WES/tr

2 November 1944

SUBJECT: Internal Commissions in Italy

TO : Colonel Smith

1. Attached is English translation of memorandum on above subject prepared, at my request, by Miss Riva Sanseverino, on the basis of information from the Rome Camera del Lavoro and a review of pertinent legislation.

2. I assume you will wish to transmit a copy of this to Mr. Braine of the British Embassy, in view of his inquiry on the subject.

John

W. E. Solenberger
W. E. SOLEMBERGER
Captain S.R.

Attachments : 3 copies of memorandum.

HEADQUARTERS ALLIED COMMISSION
LABOR SUB-COMMISSION
APO 394

MEMORANDUM

2 November 1944

SUBJECT: Internal Commissions in Italy.

BACKGROUND.

The first internal Commissions were instituted in Italy during the war of 1915-1918: they were particularly numerous in Northern Italy, especially in Torino, and had the purpose of protecting the workers' interests against the employer. The existence of internal Commissions was officially acknowledged by some legal provisions of the first years after the war, as the R.D.L. of October 19, 1923, n. 2311.

During the fascist period the internal Commissions were gradually abolished, generally for political considerations. The fascist corporative organisation, which concerned itself solely with professional categories, ignored the problems of protecting and organising the personnel of individual firms. This was the situation until the collective contract of October 12, 1939, providing for the appointment of so-called "fiduciari di azienda" and "corrispondenti di reparto", who were syndical directors having protective and supervisory functions. In practice these "fiduciari" and "corrispondenti" achieved some good result, although their selection was not the result of election, and although fascist policy frequently entered the picture. This collective contract of October 12, 1939 is still in force.

After the fall of fascism (July 24, 1943), the activity of internal Commissions in industrial firms was regulated by the collective contract Buoizzi-Mazzini, which provides for constitution of the Commissions on an elective basis, and establishes the conditions for electing and for being elected, as well as the duties of the Commissions. This collective contract also refers to the fascist collective contract of 1939.

During the nazi-fascist occupation, the republican government promulgated a general provision regulating the internal Commissions, which would have been a means for the workers to have exercised a substantial control in the management of the firm employing them.

PRESENT SITUATION.

At present, in the absence of any new general regulation on this subject, internal Commissions are still governed by the provisions of the above-mentioned collective contracts, whose dispositions have been summarized in a circular of the Camera del Lavoro of Rome in August 1944.

The general rule is that internal Commissions must not be considered as adjuncts of the trade-unions, but as the representatives of all the workers of a particular firm, without any consideration to the parties or to the trade-unions to which the workers may belong.

INTERNAL COMMISSIONS' ORGANISATION.

The appointment of a "fiduciario" is provided for firms employing less than 20 workers. In the other firms internal Commissions will be composed as follows:

Number of workers				Number of members of the Commissions	
From 20	to less than	100		3	
" 100	" " "	1.500		6	
" 1.501	" " "	5.000		9	

Members of internal Commissions and "fiduciari" must be elected by a secret and direct vote, in which all the workers employed in the firm may participate, except those in directive positions. The members of the Commissions will be in office for a period of one year, and they may be re-elected.

The lists of candidates must conform to the following conditions: 1) they must represent the most important categories of permanent and non-permanent workers employed in the firm concerned; 2) they must represent the trade-union tendencies most pronounced in the firm concerned, giving also a certain consideration to minority tendencies and to independent workers.

INTERNAL COMMISSIONS' FUNCTIONS.

Internal Commissions have the following functions:

- 1) to maintain continuous liaison with trade-unions concerned, as well as with the firm's directors;
- 2) to render an opinion on collective contracts and at times to take part in their stipulation, as well as to supervise their application in the firm concerned;
- 3) to render an opinion on the firm's internal regulations;
- 4) to conciliate individual and collective disputes, prior to intervention by trade-unions;

5) to formulate proposals on work systems and factory procedures, as well as on possible improvements in production methods;

6) to take part in the control or in the administration of social security undertakings in the firm concerned, where these involve contributions from the workers;

7) to make proposals for the development of professional instruction and social assistance, and for the improvement of labor conditions;

8) in case "epuration" and "defascistation" Commissions have not been constituted, collaborate with the directors of the firm in this matter, taking part in inquiries and in proposals for sanctions.

Translation Baldezzi

7.6
/jsTHE CONGRESS OF THE GENERAL CONFEDERATION OF LABOR

(Naples, 10-11-12-13 December.)

The Secretariat of the Italian General Confederation of Labor announces:

In compliance with the decision taken on the occasion of the Confederal Meeting of September last, the congress of the Italian General Confederation of Labor, is being irrevocably fixed at the 10,11,12,13 December 1944, to be held in Naples, for discussing the following

AGENDA

1. Verification of powers and appointment of the president;
2. Report on the activity carried out in the South of Italy and financial accounting (Reporter: R. Pastore);
3. Results of the unitarian agreement of Rome and approval of the confederal statute (Reporter: G. Di Vittorio);
4. The problem of the land in the Italian reconstruction (Reporter: A. Grandi).
5. Social legislation in the new democratic regime of Italy (Reporter: O. Lizzadri).
6. Struggle against unemployment in connection with the problem of the economic reconstruction of the country;
7. Renewal of providence and of social insurances; their adjustment to the new exigencies of the workers (Reporter: E. Laricchiuta);
8. Suppression of fascist labor agreements and stipulation of new agreements approved by the workers (Reporter: A. Sassi);
9. National and international trade-union unity (Reporter: Colasanti);
10. Election of the Confederal Board of Directors.

HEADQUARTERS
ALLIED CONTROL COMMISSION
CIVIL AFFAIRS SECTION
APO 394

Ref: 9/5.E/CA

21 Oct '44

SUBJECT:- Treatment of Comitato di Liberazione

TO:- (See Distribution below).

1. Recent events have made it desirable to clarify the position and standing of local Comitato di Liberazione, and to lay down the policy to be adopted by AAG officers in their dealings with these bodies.

2. In Allied Military Government territory the Provincial Commissioner who is the local representative of the Military Governor is supreme in his province and he is responsible for the conduct of affairs there.

3. In carrying out his functions the Provincial Commissioner uses the local civil administration; where a Prefect has been appointed he is head of and represents the local civilian administration and is the person to whom the Provincial Commissioner gives his orders. The Prefect on his part is responsible to the Provincial Commissioner for seeing that the orders given by the latter are fully and properly carried out.

4. It follows therefore that the Provincial Commissioner must on his part give his full support and weight of authority to the Prefect in the discharge of his duties. If the Provincial Commissioner no longer has confidence in the Prefect, it is his duty to ask his Regional Commissioner or the SCAG, his duty to have him removed, in consultation with HQ AGC, but while the Prefect continues to enjoy such confidence the Provincial Commissioner must as stated above give him his full support and authority.

5. The Local Comitato di Liberazione has no official standing in the conduct of affairs within the Province. Its members must not be permitted to assume any executive functions, to appoint Commissioners or managers, or to set up any Commissions of Enquiry, or to do any executive acts within the Province. If it becomes desirable to appoint Commissioners or Commissions of Enquiry into any matter, it is the duty of the Provincial Commissioner to give the proper instructions to the Prefect.

6. At the same time the Comitato di Liberazione must be treated with courtesy and their advice and views may be sought by the Provincial Commissioner or the Prefect. It is entirely a matter for the Provincial Commissioner, after consultation with the Prefect, to consider whether in any particular case the advice of the Comitato is to be followed or rejected. If the Comitato attempt to exercise executive functions and to usurp the

File Labor

447

AMC 447

1. Recent events have made it desirable to clarify the position and standing of local *Comitato di Liberazione*, and to lay down the policy to be adopted by AMG officers in their dealings with these bodies.
2. In Allied Military Government territory the Provincial Commissioner who is the local representative of the Military Governor is supreme in his province and he is responsible for the conduct of affairs there.
3. In carrying out his functions the Provincial Commissioner uses the local civil administration; where a Prefect has been appointed he is head of and represents the local civilian administration and in the person to whom the Provincial Commissioner gives his orders. The Prefect on his part is responsible to the Provincial Commissioner for seeing that the orders given by the latter are fully and properly carried out.
4. It follows therefore that the Provincial Commissioner must on his part give his full support and aid of authority to the Prefect in the discharge of his duties. If the Provincial Commissioner no longer has confidence in the Prefect, it is his duty to ask his Regional Commissioner or the SCAG, AMG Army to have him removed, in consultation with HQ AGC, but while the Prefect continues to enjoy such confidence the Provincial Commissioner must not state above him his full support and authority.
5. The local *Comitato di Liberazione* has no official standing in the conduct of affairs within the Province. Its members must not be permitted to assume any executive functions, to appoint Commissioners or members, or to set up any Commissions of Inquiry, or to do any executive acts within the Province. If it becomes desirable to appoint Commissions or Commissions of Inquiry into any matter, it is the duty of the Provincial Commissioner to give the proper instructions to the Prefect.
6. At the same time the *Comitato di Liberazione* must be treated with courtesy and their advice and views may be sought by the Provincial Commissioner or the Prefect. It is entirely a matter for the Provincial Commissioner, after consultation with the Prefect, to consider whether in any particular case the advice of the *Comitato* is to be followed or rejected. If the *Comitato* attempt to exercise executive functions and to usurp the authority of the Prefect they must be stopped at once. If instructions to that effect are not followed by the *Comitato* then the Provincial Commissioner will take steps to ensure that his orders are carried out, and as a last resort, dissolve the *Comitato*. If necessary the Provincial Commissioner, subject to the concurrence of the Regional Commissioner or SCAG Army concerned will ask the local Military Commander to assist him for this purpose.

R. E. UJOHN. *Provincial*
 W. CA. 300.
 Gen. C of S.

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DISTRIBUTION: - Group I B (less series I, 33-50).
 Group II A
 Group III A (less series 30 & 36).

Associazione Generale delle Unioni Libere del Lavoro
NAPOLI - Via De Pretis, 102 - NAPOLI

N. 1835 di prot.

Napoli, 17/10/944

A S.E. IL CAPO DEL GOVERNO

R O M A

A S.E. IL MINISTRO DELL'AGRICOLTURA E FORESTE

R O M A

A S.E. IL MINISTRO DEGLI INTERNI

R O M A

AL CAPO DELLA COMMISSIONE ALLEATA DI CONTROLLO

R O M A

AL COLONNELLO SIMPSON

AL MAGGIORE HERSHENSON

AL MAGGIORE LUCKMAN

AL PREFETTO

AL COMMISSARIO PREFETTIZIO

ALL'UFFICIO REGIONALE DEL LAVORO

N A P O L I

Per opportuna conoscenza questa Associazione Generale delle Unioni Libere del Lavoro ha il piacere di rimettere all'E.V. il proprio Statuto approvato dal Congresso Nazionale svoltosi in data 2 luglio 1944 in Napoli con la partecipazione proporzionale di rappresentanti di tutte le Associazioni costituite.

Con deferenti ossequi.

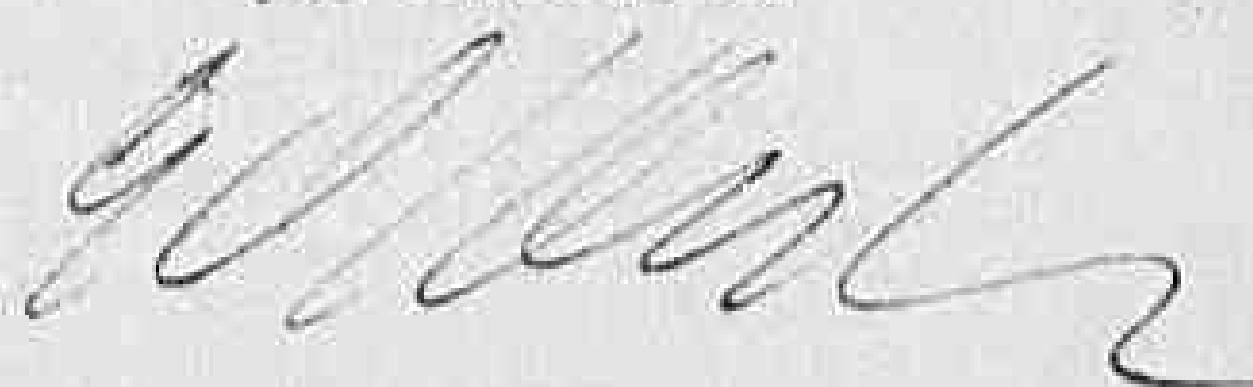
IL SEGRETARIO GENERALE

(L. Gallina)



IL PRESIDENTE

(R. Cardillo)



Labor s/c

To RCL

sender: Associazione Generale delle Unioni Libere del Lavoro - Via de Pietri 102 - NAPOLI

subject: information

General Association of free union of workers send a copy of his statement for knowledge.

Associazione Generale delle Unioni Libere del Lavoro

STATUTO

TITOLO I.

SCOPI DELL'ASSOCIAZIONE

Art. 1. — Considerata la necessità di sviluppare l'Organizzazione delle Unioni Libere del Lavoro nel campo nazionale, e di adeguare il suo funzionamento alle nuove esigenze del programma di cui all'art. 2 del presente atto, lo Statuto del Centro della Ricostruzione delle Unioni e delle Cooperative approvato in data 5 marzo 1944 è dichiarato abrogato.

Art. 2. — Con l'approvazione del presente Statuto, il Centro della Ricostruzione delle Unioni Libere del Lavoro e Cooperative cambia la sua denominazione in "Associazione Generale delle Unioni Libere del Lavoro" col proponimento di attuare i seguenti principi generali:

1. - affermare il nostro secolo come superamento della politica assoluta, in una forma di politica più umana: quella del lavoro;
2. - agire in un clima di libertà e di democrazia, postulati fondamentali del nostro movimento per innalzare il lavoratore alla capacità di attuare le più ardite riforme sociali;
3. - attuazione di un Parlamento del Lavoro anche col fine di raggiungere un accordo tra tutti i paesi, affinché le forze del lavoro prevalgano sulle manovre politiche.

Art. 3. — I componenti delle Unioni Libere e Cooperative già costituite in seno al Centro della Ricostruzione entrano, di diritto, a far parte dell'Associazione Generale delle Unioni Libere del Lavoro.

Art. 4. — E' considerato come appartenente all'Associazione Generale delle Unioni Libere del Lavoro ogni altro lavoratore del braccio e della mente che ne condivida i principi e la sovvenga con le sue forze.

Art. 5. — Ogni iscritto deve partecipare efficacemente alla vita dell'Associazione, in quanto le forze individuali formano la forza necessaria per miglioramento economico-sociale dei singoli e della collettività.

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TITOLO II. ORGANIZZAZIONE

Art. 6. — L'Associazione Generale delle Unioni Libere del Lavoro comprende Organi Centrali e Periferici. E' organo centrale deliberativo il Congresso Nazionale da convocarsi a cura della Direzione dell'Associazione Generale ogni 3 anni con la partecipazione dei rappresentanti di tutte le Province sedi di Associazioni, all'uopo designati dal Congresso Provinciale in numero di 3 per ogni mille iscritti.

Art. 7. — Organo Centrale esecutivo è la Direzione Generale dell'Associazione con sede in Roma ed è composta da un Presidente, da un Vice Presidente, da un Segretario Generale, da un Vice Segretario Generale, da un Amministratore e da 4 membri eletti ogni 3 anni dal Congresso Nazionale. Di essa inoltre fanno parte di diritto con voto consultivo il Segretario Internazionale di cui all'art. 27, e il Direttore del giornale ufficiale dell'Associazione. La Direzione Generale si avvale, ogni qualvolta lo ritiene opportuno, dell'opera e dell'esperienza del Consiglio Nazionale costituito dai Presidenti e dai Segretari di tutte le Direzioni Provinciali.

Art. 8. — Le Direzioni Provinciali dell'Associazione sono costituite da un Presidente, da un Segretario, da un Amministratore e da 4 membri nominati dal Congresso Provinciale. Le Direzioni Provinciali coordinano e controllano l'attività delle Associazioni Comunali e mantengono i rapporti tra la Direzione Generale e le Associazioni stesse per tutto ciò che riguarda la vita politica, economica, amministrativa, sindacale e assistenziale.

Art. 9. — Il Congresso Provinciale è formato dai Presidenti delle Unioni e Cooperative costituite nella Provincia e si riunisce ogni due anni per il rinnovo delle cariche ed ogni qualvolta la Direzione Provinciale lo ritiene necessario, previa autorizzazione della Direzione Generale.

Art. 10. — Le Associazioni Comunali sono rette da un Comitato Direttivo composto da un Presidente, da un Segretario e da un Cassiere eletti dai Presidenti delle Unioni e delle Cooperative costituite, i quali fanno parte del Comitato stesso quali membri integranti.

L'Assemblea comunale, costituita da tutti gli iscritti alle singole Unioni, si riunisce almeno una volta l'anno per l'approvazione dei bilanci e di quanto forma oggetto della vita dell'Associazione.

Art. 11. — Le Associazioni comunali sono composte dai membri delle seguenti attività alle quali fanno capo le rispettive Unioni di datori di lavoro e prestatori d'opera:

Piccola Industria — Commercio — Agricoltura — Artigianato — Professionisti e Artisti — Credito ed Assicurazione.

SCHEMA DI VERBALE

per la costituzione delle Associazioni Comunali

L'anno 1944, il _____ presso _____ in _____
alle ore _____ si sono riuniti i Presidenti delle
seguenti Unioni e Cooperative aderenti all'Associazione Generale delle Unioni
Libere del Lavoro (*nome dei Presidenti e denominazioni delle Unioni e Coope-
rative rappresentate*) i quali — ritenuto sufficiente il numero delle Unioni e
Cooperative già esistenti sul posto e da loro rappresentate, a norma dell'art. 10
dello Statuto — deliberano la costituzione dell'Associazione Comunale delle Unioni
Libere del Lavoro di _____ ed eleggono quali componenti il
Comitato Direttivo della stessa i segg. :

Presidente _____

Segretario _____

Cassiere _____

*Del presente verbale una copia va rimessa alla Direzione Provinciale,
un'altra all'Associazione Generale e la terza va trattenuta negli atti dell'As-
sociazione Comunale.*

Letto, approvato e sottoscritto.

Addi, _____ 194 _____

Firme

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Art. 12. — Le Unioni possono essere costituite con l'adesione di un numero minimo di 10 persone che esercitano la stessa attività e sono rette da un Comitato elettivo composto da: un Presidente, un Segretario, un Cassiere e 3 membri.

DEL CONGRESSO

Art. 13. — Il Congresso Nazionale si riunisce ogni 3 anni e delibera:

- 1) l'approvazione e le modifiche dello Statuto;
- 2) la nomina e la conferma dei membri della Direzione Generale;
- 3) sulla gestione triennale della Direzione;
- 4) sull'indirizzo politico, economico, organizzativo e amministrativo dell'Associazione Generale.

DEL CONSIGLIO NAZIONALE

Art. 14. — Il Consiglio Nazionale assiste la Direzione con la esperienza dei suoi membri in tutto ciò che si riferisce al funzionamento dell'Associazione, su richiesta della Direzione stessa.

Il Consiglio Nazionale è presieduto dal Presidente dell'Associazione Generale e viene convocato ogni qualvolta la Direzione lo ritiene necessario.

DELLA DIREZIONE GENERALE

Art. 15. — La Direzione Generale mantiene i contatti con gli Enti pubblici centrali e con i rappresentanti di tutti i partiti, dà le direttive per il funzionamento delle Direzioni Provinciali e delle Associazioni comunali, rispondendo del suo operato al Congresso.

Dalla Direzione Generale dell'Associazione dipendono il Centro Studi e l'Ufficio Stampa, Propaganda e Statistica.

Art. 16. — Tre membri effettivi della Direzione Generale, esclusi il Presidente e il Segretario Generale, formano il Comitato Amministrativo dell'Associazione.

DEL PRESIDENTE

Art. 17. — Il Presidente ha la legale rappresentanza dell'Associazione; interviene o delega un proprio rappresentante in tutti i Congressi Provinciali, presiede tutte le riunioni della Direzione, firma gli atti e la corrispondenza dell'Associazione, assume gli impiegati ed i funzionari dell'Associazione, ne determina gli stipendi e gli emolumenti, compresi quelli dei componenti la Direzione. Il Presidente compie tutti gli atti ai quali sia stato delegato dal Congresso Nazionale di cui fissa la data di convocazione. Da il nulla osta per la convocazione dei Congressi Provinciali. In assenza del Presidente, le funzioni relative vengono espletate dal Vice Presidente.

SCHEMA DI VERBALE per la Costituzione delle Unioni

L'anno _____ addì _____ del mese
di _____ i sottoscritti, su invito del Signor _____
_____ si sono riuniti nei locali _____
_____ siti in Via _____
alle ore _____ allo scopo di costituire l'Unione Libera
_____ affiliata alla Associazione Generale delle Unioni Li-
bere del Lavoro.

Il Signor _____ assume la Presi-
denza della riunione e dà lettura dello Statuto dell'Associazione Generale delle
Unioni Libere del Lavoro, illustrandone le idealità, i fini e gli organi di funzio-
namento.

Gli intervenuti, all'unanimità, dichiarano di trovare conforme alle loro idee
lo Statuto della predetta Associazione e liberamente decidono di volerne fare
parte, impegnandosi di potenziarne lo sviluppo entro i limiti statutari.

Dopo di che, gli intervenuti si costituiscono in Assemblea e procedono alle
elezioni delle cariche sociali.

A scrutinio segreto ed a maggioranza di voti vengono eletti:

- 1) Presidente _____
- 2) Consigliere con funzioni di Segretario _____
- 3) " " " " Cassiere _____
- 4) Consigliere _____
- 5) " _____

Del che si è redatto il presente verbale che viene letto, approvato e sotto-
scritto da tutti gli intervenuti.

La Seduta viene dichiarata sciolta alle ore _____

Firme

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DEL SEGRETARIO GENERALE

Art. 18. — Il Segretario Generale collabora col Presidente in tutto ciò che si riferisce al funzionamento dell'Associazione; studia e sottopone all'approvazione della Direzione i problemi assistenziali, sindacali, economici, organizzativi ed amministrativi riguardanti le singole Associazioni aderenti; interviene a tutti i Congressi Provinciali, firma col Presidente tutti gli atti ufficiali e la corrispondenza; sorveglia il personale addetto agli uffici ed è responsabile dell'attuazione di tutte le deliberazioni del Congresso Nazionale, della Direzione, del Consiglio Nazionale e del Presidente. Il Vice Segretario Generale collabora col Segretario Generale e lo sostituisce nelle sue funzioni durante le assenze ovvero in settori di attività che saranno dallo stesso Segretario Generale stabiliti con l'approvazione del Presidente; interviene, se delegato, ai Congressi Provinciali in sostituzione del Segretario.

DELL'AMMINISTRATORE

Art. 19. — L'Amministratore si incarica di controllare i vari Uffici amministrativi dell'Associazione Generale. Prepara lo schema del bilancio preventivo e consuntivo da sottoporre alla Direzione Generale, la quale lo presenta al Congresso Nazionale per la sua approvazione.

Cura la buona e scrupolosa gestione dei fondi ed il corretto esito dei capitali.

Provvede, se del caso, alle necessità economiche delle relative organizzazioni, controlla e coordina amministrativamente le singole Unioni.

TITOLO III**DEI SOCI**

Art. 20. — Possono far parte dell'Associazione Generale delle Unioni Libere del Lavoro, iscritti nelle rispettive Associazioni Comunali, tutti coloro, uomini e donne, che accettando i principi di cui all'art. 2 del presente Statuto, abbiano i seguenti requisiti: età superiore ai 16 anni; che non siano stati condannati per reati infamanti; che esercitino una o più delle attività professionali comprese nell'art. 11 del presente Statuto.

Art. 21. — Non sono ammesse adesioni personali dirette alla Direzione Generale o Provinciale provenienti da località dove esistono Associazioni Comunali dell'Organizzazione.

Art. 22. — La qualità di iscritto risulta da tessera personale. Essa si perde:

- a) per dimissioni;
- b) per espulsione;

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c) per mancato pagamento di 3 rate della contribuzione obbligatoria di cui agli art. 24 e 25 del presente Statuto.

Le dimissioni potranno essere respinte qualora si debba far luogo all'espulsione.

L'espulsione dovrà essere decisa dalla Direzione Provinciale, su proposta dell'Associazione Comunale.

L'espulsione di membri dei Comitati Comunali deve essere decisa dalla Direzione Provinciale e ratificata dalla Direzione Generale. L'espulsione di membri delle Direzioni Provinciali, dovrà essere decisa dalla Direzione Generale, e quella dei membri della Direzione Generale dal Congresso Nazionale. La Direzione Generale può, in caso urgente e di massima gravità, sospendere dalla funzione uno o più dei suoi componenti, in attesa che il Congresso Nazionale decida in maniera definitiva. In ogni caso l'interessato può chiedere di essere ascoltato.

Art. 23. — Le dimissioni da cariche devono essere accettate, meno che per la Direzione Generale, dagli stessi organi immediatamente superiori i quali possono stabilire che esse vengano rese pubbliche e divengono effettive dopo 15 giorni dalla loro presentazione. Le dimissioni da cariche in seno alla Direzione Generale devono essere accettate dal Congresso Nazionale.

TITOLO IV

CONTRIBUTI

Art. 24. — Ogni iscritto dovrà versare annualmente la somma di L. 25 alla Direzione Generale che rilascerà la tessera attestante l'appartenenza all'Associazione.

Art. 25. — Un contributo annuale obbligatorio sarà stabilito dalle Direzioni Provinciali. Esso sarà diviso in parti uguali tra l'Associazione Comunale, la Direzione Provinciale e la Direzione Generale. Uguale destinazione avranno gli incassi realizzati con la denominazione "Diritti di Segreteria".

TITOLO V

DEL SEGRETARIO INTERNAZIONALE

Art. 26. — I Comitati Comunali possono consentire ai soci erogazioni straordinarie o periodiche in misura superiore a quella obbligatoria stabilita.

Art. 27. — L'Associazione Generale delle Unioni Libere del Lavoro, per mezzo della Direzione Generale e di un Segretario internazionale da questa nominato, si terrà in permanente rapporto con le Associazioni del Lavoro estere. Egli fa parte di diritto della Direzione Generale.

Translation Baldazzi

/ja

GENERAL ASS.N OF FREE LABOR UNIONS
Via de Pretis, 102-Naples-

N° 1835

17/10/1944

TO HIS EX. THE PREMIER

RomeTO HIS EX. THE MINISTER FOR AGRICULTURE
AND FORESTSRomeTO THE HEAD OF THE ALLIED CONTROL
COMMISSIONRome

TO COLONEL SIMPSON
TO MAJOR HERSHENSON
TO MAJOR LUEKMAN
TO THE PREFECT
TO THE PREFECT' COMMISSARY
TO THE REGIONAL LABOR OFFICE

Naples

As a matter of information, this General Ass.n
of Free Labor Unions has the pleasure of submitting
to Your Excellency the Draft-Statute approved by
its National Congress, which took place on July 2nd,
1944, in Naples, with a proportional attendance of
all organized Unions.

Yours very respectfully,

L. GALLINA
Secretary General

R. CARDILLO
President

GENERAL ASSOCIATION OF FREE

LABOR UNIONS

° ° °

S T A T U T E

I

- Aims of the Association -

Art. 1 = Considering that it is necessary to expand the Organization of Free Labor Unions in the national field, as well as to bring its functioning in line with the new exigencies of the programme, as per Art. 2 of this Statute, the Statute of the Centre for Reconstruction of Unions and Cooperatives, which was approved on the 5th of March 1944, is declared abrogated.

Art. 2 = Upon the approval of this Statute, the Centre for Reconstruction of Free Labor Unions and Cooperatives, is changing its denomination in that of "General Association of Free Labor Unions", with the purpose of bringing into realization the following general principles:

- I - to assert that our century has overcome political absolutism and that it has adopted a more humane polity: that of Labor;
- II - to act in a climate of liberty and democracy which are the fundamental principles of our movement and this with the purpose of enabling the worker to carry out the most daring social reforms;
- III - setting up of a Labor Parliament, even with the end in view of reaching an agreement among all the countries, to the effect that political manoeuvres may be superseded by the forces of Labor.

Art. 3 = The members of the Free Unions and Cooperatives, formerly organized in the Centre for Reconstruction, are becoming members, by right, of the General Association of Free Labor Unions.

Art. 4 = Are considered as belonging to the General Association of Free Labor Unions all manual and intellectual workers, who are sharing its principles and supporting it with all their forces.

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Art. 5 - Each member is actively to take part in the life of the Association, because individual forces are making such power as it is needed to attain an improvement in the economic social conditions of individuals and of the common-wealth.

- 2 -

II

- Organization -

Art. 6 - The General Association of Free Labor Unions includes central and peripheral (local) agencies. National Congress is the central deliberative agency; its sittings are to be called once every three years by the Board of Directors, with the participation of the representatives of all provinces, in which free unions have been established. The said representatives are appointed by the Provincial Congress in number of three for each thousand of members.

Art. 7 - The General Board of Directors of the Association, with head office in Rome, is composed of a President, a Vice-President, a Secretary-General, a Vice-Secretary-General, a Manager, as well as of 4 members appointed once every three years by the National Congress. There are also entitled to membership, with a right of discussion without deciding, the International Secretary as per Art. 27, and the Editor of the official newspaper of the Association. The General Board of Directors avail itself, whenever it is deemed convenient, of the work and experience of the National Council, which is formed by Presidents and Secretaries of all Provincial Boards of Directors.

Art. 8 - Provincial Boards of Directors of the Association are formed by a President, a Secretary, a Manager and 4 members appointed by the Provincial Congress. The Provincial Boards of Directors are coordinating and controlling the activity of Communal Associations and maintaining a "liaison" between the General Board of Directors and the same Association in everything concerning the political, economic, administrative, syndical life, as well as social assistance of the General Association.

Art. 9 - The Provincial Congress is composed of the Presidents of Unions and Cooperatives organized in each province, and it meets once every two years for the renewal of charges, as well as whenever the Provincial Board of Directors deems it convenient to do so, by authority received from the General Board of Directors.

Art. 10 - Communal Associations are governed by

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Art. 10 - Communal Associations are governed by a Board of Directors formed by a President, a Secretary, a Treasurer appointed by the Presidents of organized Unions and Cooperatives, who are taking part in the Board itself with full membership. The communal Assembly, formed by all members belonging to the various Unions, meets at least once every year, for the approval of budgets and of all other matters connected with the life of the Association.

Art. 11 - Communal Associations are composed of members performing the following activities, which form the object of the respective Unions of employers and employees:

Little industry (Piccola industria), trade, agriculture,

- 3 -

manual arts (Artigianato), professional men and artists, credit and insurance.

Art. 12 - Unions may be organized with a membership of at least 10 persons provided that they are performing the same activity. Unions are governed by an elective committee composed of a President, a Secretary, a Treasurer and three members.

- C o n g r e s s -

Art. 13 - The National Congress meets once every three years and decides upon:

- I - the approval and changes of the Statute;
- II - the appointment and confirmation or renewal of members of the General Board of Directors;
- III - the triennial management of the Board of Directors;
- IV - the political, economic, organizing and administrative leading principles of the General Association.

- National Council -

Art. 14 - The National Council is assisting the Board of Directors by the experience of its members, in everything pertaining the functioning of the Association, on request of the Board itself.

National Council is presided over by the President of the General Association and its sittings are called every time the General Board of Directors deems it necessary.

- General Board of Directors -

Art. 15 - The General Board of Directors maintains a "liaison" with the central public offices and the representatives of all the parties; it imparts directions concerning the operation of Provincial Boards of Directors and of Commercial Associations, and is to answer for its work to the Congress. The Centre of Studies, the Press, Propaganda and Statistics Office are depending upon the General Board of Directors.

Art. 16 - Three effective members of the General Board of Directors, with exclusion of the President and the Secretary General, are composing the Administrative Committee of the Association.

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Art. 16 - Three effective members of the General Board of Directors, with exclusion of the President and the Secretary General, are composing the Administrative Committee of the Association.

- The President -

Art. 17 - The President holds the legal representation of the Association, he attends all provincial congresses either personally or through a representative appointed by himself, he presides over all meetings of the Board of Directors, subscribes the correspondence and deeds of the Association, engages the personnel of the Association and he fixes their salaries and wages, including those of the members of Board of Directors. The President is performing all actions for which he has been authorized by the National Congress and is fixing the date of convocation of the same.

- The Secretary General -

- The Manager -

III

- The member -

Art. 20 = Are entitled to become members of the General Association of Free Labor Unions all those, either men or women, who belong to the respective Communal Asso-

all Provincial Congresses and signs jointly with the President all correspondence and official deeds; he watches over the personnel attached to the offices and he is held responsible for the carrying out of all the decisions taken by the National Congress, the Board of Directors, the National Council and the President himself. The Vice-Secretary General is assisting the Secretary General; he is replacing him during the absences of the latter and he has to relieve his functions in such sections of activity as will be fixed by the same Secretary General, with the approval of the President; furthermore he attends the Provincial Congresses in place of the Secretary General, whenever he is authorized to do so.

- The Manager -

Art. 19 = The Manager is entrusted with the supervising of the various administrative offices of the General Association. He prepares the budget of the Association to be submitted to the General Board of Directors, which, in turn, submits it to the National Congress for its approval. He takes care of the good and scrupulous management of the funds and of the good employ of capitals. He provides, where necessary, to the economic needs of the respective organizations; he controls and co-ordinates the administrative activities of the different Unions.

III

- The members -

Art. 20 = Are entitled to become members of the General Association of Free Labor Unions all those, either men or women, who belong to the respective Communal Associations and are accepting the principles embodied in Art. 2 of this Statute, and who are possessing at the same time the following requisites: age above 16 years, never to have been condemned for dishonourable offences, to perform one or more of the professional activities contemplated in Art. 11 of this Statute.

Art. 21 = Personal applications for membership

forwarded to the General or Provincial Boards of Directors are not accepted, unless they come from places in which Communal Associations are already organized.

Art. 22 = Personal membership is attested by a personal card. Membership is lost in consequence of:

- a) resignation of membership;
- b) expulsion;
- c) failure to pay three instalments of the obligatory fee as per art. 24 and 25 of the Statute.

Resignation may not be accepted, whenever expulsion is to be applied.

Expulsion is to be decided upon by the Provincial Board of Directors, on proposal of the Communal Association.

The expulsion of members belonging to Communal Committee must be decided upon by the General Board of Directors, and that of members of the General Board of Directors by the National Congress. The General Board of Directors is empowered, in cases of an urgent and utmost gravity, to suspend one or more of its members from their functions, pending a definite decision on the matter by National Congress. In any way, the interested members may ask to be heard on the issue.

Art. 23 = Dismissals from charges must be accepted, not only by the General Board of Directors, but even by the agencies immediately above the member. These agencies are entitled to decide upon the publication of the dismissals, as well as to render them effective within 15 days after the date of presentation of the dismissal itself. The dismissals from offices within the General Board of Directors itself, are to be ratified by National Congress.

IV

- Fees -

Art. 24 = All members are to pay every year a 25 lire fee to the General Board of Directors, which, in turn, shall deliver to each one of them a card testifying their membership in the Association.

Art. 25 = An obligatory annual fee shall be assessed by the Provincial Board of Directors. It shall be shared equally between the Communal Association, the Provincial and General Board of Directors. A live destination shall have the sums

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V

- International Secretariat -

Art. 26 = Communal Committee are allowed to levy extraordinary or periodical duties from their members, to an extent above the fixed obligatory fees.

Art. 27 - The General Association of Free Labor Unions shall keep itself permanently in touch with the Labor Unions in foreign countries, through its own General Board of Directors and its International Secretary. The latter shall form part, by right, of the General Board of Directors.

DRAFT PROCEEDINGS OF A MEETING FOR THE ORGANIZATION OF THE UNIONS

In the year On the day of the month of the undersigned, on invitation of Mr. have met together in the premises at o'clock with the object of establishing a Free Union affiliated to the General Association of Free Labor Unions.

Mr. assumes the presidency of the meeting, he reads the Statute of the General Association of Free Labor Unions and explains the ideals, the ends and the functioning of the same.

Those attending the meeting have declared, by unanimous vote, that the Statute of the said Association is in accordance with their own ideas and they therefore decide, of their own free will, to join it, and are engaging themselves to further its development within the limits of the Statute.

Thereafter the attendants are forming in assembly and they are passing at once at the election of the charges of the Union.

By a secret election and majority vote, are chosen the following:

1) President

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Thereafter the attendants are forming in assembly and they are passing at once at the election of the charges of the Union.

By a secret election and majority vote, are chosen the following:

- 1) President
- 2) Counsellor in a capacity as Secretary
- 3) Counsellor in a capacity as Treasurer
- 4) Counsellor
- 5) Counsellor

The above proceedings are read, approved and subscribed by all attending members.

The meeting is declared dissolved at o'clock.

Signatures

DRAFT PROCEEDINGS FOR THE ESTABLISHMENT
OF COMMUNAL ASSOCIATIONS.

In the year 1944, on the day
at in at o'clock
..... have met together the presidents of the under-
mentioned Unions and Cooperatives affiliated to the General
Association of Free Labor Unions (names of the Presidents
and denomination of the represented Unions and Cooperatives)
who, considering as sufficient the number of Unions and Coope-
ratives established in the Commune and represented by themselves,
are deciding to establish the Communal Association of Free Labor
Unions in according to Art. 10 of the
Statute.

Thereupon they are electing, as members of Board of
Directors of the same, the following:

President
Secretary
Treasurer

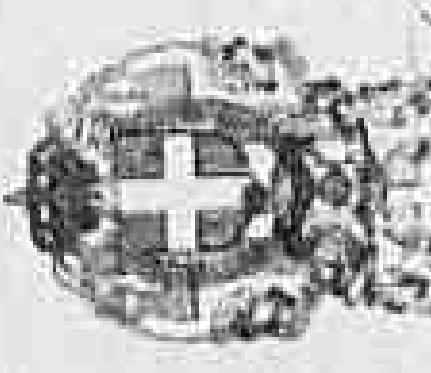
A copy of these proceedings is to be forwarded to the
Provincial Board of Directors, another to the General Association
and the third is to be filed in the records of the Communal Asso-
ciation.

Read, approved and undersigned

.....194....

Signatures

547
Roma 18-9. 1944



Ministro delle Corporazioni
Ministero dell'Industria, del Commercio e del Lavoro

ALLA COMMISSIONE ALIATA DI
CONTROLLO - SOCCORSO E ASSISTENZA

DEL LAVORO
R O M A

DIREZIONE GEN. DEL LAVORO
Prot. N. 65
Allegato
Proposta n. 40
del 15/8/44
AIO/394

Oggetto Sistema sindacale corporativo in Sardegna e Puglia.

In relazione a quanto è stato richiesto col foglio sopradistinto in merito alle misure adottate nelle provincie della Puglia e della Sardegna per la soppressione delle associazioni sindacali e la tutela esistenti ai sensi della legge 3 aprile 1926 n. 563, si comunica che questo Ministero ha ripetutamente impartito direttive alle locali Prefetture allo scopo di agevolare il libero movimento delle categorie interessate tendenti alla costituzione di libere associazioni.

Per quanto concerne il provvedimento legislativo con il quale verrà riordinata, in modo definitivo, l'intera materia del lavoro, si assicura che questo Ministero, come è già stato verbalmente affermato all'ufficiale di collegamento, sta conducendo con la massima alacrità gli studi relativi, che devono superare notevoli difficoltà derivanti dal laborioso processo di riorganizzazione politica e amministrativa del Paese.

Questo Ministero, perciò, presenterà quanto prima a codesta Commissione di controllo, per una definitiva intesa, una concreta soluzione.

IL MINISTRO
Indy
51

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In relazione a quanto è stato richiesto col foglio sopradistinto in merito alle misure adottate nelle provincie della Puglia e della Sardegna per la soppressione delle associazioni sindacali così tutta l'esistenza ai sensi della legge 3 aprile 1926 n° 563, si comunica che questo Ministero ha ripetutamente impartito direttive alle locali Prefetture allo scopo di agevolare il libero movimento delle categorie interessate tendenti alla costituzione di libere associazioni.

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Il Ministro
[Signature]

51

D/A

Translation Benazzi

/js

MINISTRY OF INDUSTRY, COMMERCE AND LABOR

Reply to note N° APC/394
of the 15/8/44.

18 September 1944

To the A.C.C.
Labor Sub-Commission
R O M E

SUBJECT: Syndical Corporative System in Sardinia and Puglia.

With regard to the request of information contained in the above quoted note, concerning the measures adopted in the Puglia, and Sardinia provinces for the suppression of syndical associations actually in existence according to the law 3 April 1926 N° 563, we inform you that our Ministry has given instructions again and again, to local Prefectures, with the purpose of facilitating a free movement of the interested categories toward the establishment of free associations.

With regard to the legislative provision, by virtue of which the entire labor situation is to be settled in a definite way, we are in a position to assure you, as we have already declared to the liaison officer, that this Ministry is carrying on the relative studies with the greatest alacrity. There are, in fact, great difficulties to overcome, due to the hard task of the political and administrative reorganization of the country.

Therefore our Ministry, will submit as soon as possible to your Control Commission, a positive solution for a definite agreement, on the matter.

THE MINISTER
GRONCHI

HEADQUARTERS
ALLIED CONTROL COMMISSION
LABOR SUB-COMMISSION
APO 394

447
RMA/trCopy.

Note on the Organisation of Syndicates
in Italy.

(Memorandum of Sig. Piccardi, first Minister of Industry, Commerce and Labor, November 1943, indicating the position of the Italian Government from the time of the Armistice until December 7, 1943 when a new Minister, Corbino, agreed to the abolition of the Syndicates and the creation of Labor Offices.)

SECRET

It does seem useful to expose to the Allied authorities the following points concerning the question of syndicates, as to make them better aware of it in view of the problems arising from the labour situation.

1°

The present organization of syndicates in Italy is a creation of the fascist government. Nevertheless, one mustn't forget that syndicalism preceded, as a movement, fascism, that it remained completely independent from the latter, and that it is bound to go on even after the fall of fascism, in Italy as in other countries.

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II°

The Italian organization of syndicates, as it results in the terms of the fundamental law of 1926,

- 2 -

seems satisfactorily conceived from the social, as well as from the political and the judicial point of view. If in practice this system has not corresponded to its aims, one has to blame the deformation that the syndical institutions, as all other Italian institutions, have suffered in the oppressive political climate of fascism. The exclusion of the free election of the syndical representatives and the principle of the single political party have been foremost in depriving the syndical organizations of all meaning, transforming them into a heavy, costly and inefficient bureaucracy.

III°

Notwithstanding the grave misgivings notable in the functioning of syndical institutions during the fascist period, their organization has assumed a function in the social and economic life of Italy that couldn't any more be profitably substituted by something different. The syndical organization, duly modified and renewed in accordance with the new spirit of Italian life, will be able to render to our country outstanding services.

IV°

If one has to maintain a syndical organization, to start from the basis of the present institutions and to make them more efficient through a profound reform, would seem much more convenient than to erase completely the past experience and create a perfectly new organization.

V°

The fundamental principle that has to inspire the organization of syndicates in Italy in its new phase, must be the free election of the syndical representatives, in whom must rest the full confidence of the categories of persons they represent.

VI°

The principle of one single syndicate ought, in our opinion

- 3 -

to be maintained. The plurality of syndicates creates some very grave technical problems, especially in the field of the collective labour contracts, and also presents very grave dangers of a political nature. The various political parties are naturally prompted, through the different syndicates to a form of mutual competition, developing, in relation to the masses, a demagogic policy of enhancement of their social requests. The struggle among the different party-syndicates is better substituted by the struggle among the different parties for the control of the one and only syndicate. This principle, which must be tempered by a convenient safeguard of minority rights, will confer to the syndical representatives that sense of responsibility lacking the which a social policy may easily show dangerous trends.

VIII°

The above principles have already been put into action during the brief period of activity of the present Government, in Rome. As it was, for the time being, impossible to resort to free elections for the syndical representatives, the Government had nominated at the head of the different associations persons in whom the workers' and the employers' categories could have confidence, choosing them on the basis of the collaboration among the parties. This new settling of the syndical organisation had met with the fullest satisfaction of the masses and had offered the Government a fruitful collaboration, in the social and economic field, of the different party tendencies. The far greater majority of the representatives of the parties and of the ancient organizers of syndicates had shown the fullest acceptance of the principles in question.

VIII°

The considerations here exposed point to the opportunity of avoiding, on the part of the Allied Authorities, all disposition aiming at the abolition of the present syndical organization or at a profound alteration

- 4 -

of its functioning. The Italian Government, on their part, will give the amplest assurance that they will develop an apposite action to abolish, also in the syndical field, all traces of fascism and to give to the Syndicates a character in harmony with the new political spirit of Italy and with the wishes of the Italian people.

HEADQUARTERS
ALLIED CONTROL COMMISSION
LABOR SUB-COMMISSION
APO 394

JMA/sc

4 September 1944

LAB 091.447

SUBJECT : Draft Law on Suppression and Liquidation of Syndical Organizations.

TO : Legal Sub-Commission, A.C.C.

1. Attached is letter of 30 August 1944 from the Italian Ministry, together with an English translation. This letter is in response to Labor Sub-Commission letter of 28 August 1944 copy of which is also attached.

2. Is the Italian Ministry correct in stating that the provisions of Italian law on liquidation of State properties do not apply to the liquidation of Syndical Associations as previously stated by the Legal Sub-Commission?

3. Is the Italian Ministry correct in stating that sufficient legal provision is made to properly determine the different dates of termination of contributions to Syndical Associations?

J. T. H. Rader
J. T. H. RADER,
Colonel
Director Labor Sub-Commission

45

Copy to:

Economic Sub-Commission

447

TRANSLATION: Baldaszi

ADHESION OF THE LABOR CHAMBER OF NAPLES TO THE GENERAL ITALIAN

CONFEDERATION OF LABOR

On a meeting held the 13th of last month, the Executive Commission of the Labor Chamber of Naples has decided, by unanimous vote, to join the General Italian Confederation of Labor. In a statement made on the subject of this adhesion, which has removed the danger of a secession threatening the syndical unity, honorable Di Vittorio, General Secretary of the Confederation, has expressed, also on behalf of the other two secretaries, his great satisfaction for this event. He has reminded too that the three secretaries of the Confederation, Grandi, Lizzadri and himself, in a message sent about a month ago to the workers of Naples, expressed their confidence that the workers would favour in no way secessionist manoeuvring, and that they would at the same time succeed to get rid themselves of all harmful elements, so as to bring about a united syndical front with all the workers of Italy.

CONFEDERATION OF LABOR

On a meeting held the 13th of last month, the Executive Commission of the Labor Chamber of Naples has decided, by unanimous vote, to join the General Italian Confederation of Labor. In a statement made on the subject of this adhesion, which has removed the danger of a secession threatening the syndical unity, honourable Di Vittorio, General Secretary of the Confederation, has expressed, also on behalf of the other two secretaries, his great satisfaction for this event. He has reminded too that the three secretaries of the Confederation, Grandi, Lizzadri and himself, in a message sent about a month ago to the workers of Naples, expressed their confidence that the workers would favour in no way secessionist manoeuvring, and that they would at the same time succeed to get rid themselves of all harmful elements, so as to bring about a united syndical front with all the workers of Italy.

HEADQUARTERS
ALLIED MILITARY GOVERNMENT
REGION VIII

Aug. 31, 1944

SUBJECT: General Order No. 28

TO : Labor Subcommission, ACC HQ, Rome

1. Receipt is acknowledged of your letter of August 23 giving me the information requested in my letters of August 2, 3, and 8. This information is very much appreciated.

2. I have had no reply to my letter of August 18 requesting information about "General Order No. 29" which Col. Kirkwood, the RG, told me was being prepared to supersede General Order No. 28. However, in view of your letter of August 23, I shall proceed to use General Order No. 28.

3. Grosseto is the only province in the region in which we have full administrative authority at this time but military permission has been requested to proceed with the labor program in Siena province and in the others as soon as possible.

4. My monthly report for August gave the status of the wage increase in Grosseto and Siena provinces.

Robert Frazer
ROBERT FRAZER, Captain
Labor Officer,
Region VIII

43





PRESIDENZA DEL CONSIGLIO DEI MINISTRI

Roma, 25 agosto 1944

APPUNTO

E' stato designato l'Avv. Ercole GRAZIADEI
come Commissario Straordinario dell'Istituto Na-
zionale di Credito per il Lavoro Italiano all'E-
stero in sostituzione di S.E. l'Ambasciatore Ro-
berto CANTALUPO.

*As Extraordinary Commissioner
of the "Istituto Nazionale di Credito
per il Lavoro Italiano all'estero" (Na-
tional Institute of Credit for Italian
Labor abroad) has been designated
Avv. Ercole Graziadei in lieu of H. E.
the Ambassador Roberto Cantalupo.*



PRESIDENZA DEL CONSIGLIO DEI MINISTRI

Roma, 25 agosto 1944

APPUNTO

E' stato designato come Commissario della
"Gioventù Italiana" il Prof. Giorgio CANDELORO.

Note

as Commissioner of the
"Gioventù Italiana" (Italian Youth)
has been Designated Prof.
Giorgio Candeloro.

1/7

HEADQUARTERS
ALLIED CONTROL COMMISSION
LABOR SUB-COMMISSION
APO 394

JTRG/lc

23 August 1944

SUBJECT: Regional Order No.28

TO : Regional Commissioner, Region VIII (Att: Capt. Fraser
Labor Officer), through Economic Sect., R.C. & M.G.
Section.

1. This is in reply to letters of 2, 3 and 3 August.

2. Attached is an official translation of General Order N.28,
as requested.

3. The following is a transcript of Article 1, Draft Labor
Act, describing what institutions are abolished, also a specific list:

" Article 1

The Law of 30 April, 1926, n.563, and the Royal Decree of 20 July,
1926 n.1130, dealing with the juridical code governing collective la-
bor relations and all regulations subsequently issued for the execution
and enforcement of the above mentioned laws are hereby repealed.

Consequently, all Syndical Associations of Employees, Workmen, Profes-
sional Men and Artists, Syndical Cooperative Societies, as well as the
Confederations and Federations resulting from the amalgamation of sever-
al syndical Associations juridically recognized in conformity with
the two above-mentioned laws are, therefore, dissolved. The special La-
bor Magistracy is also abolished."

- a) - Unione Prov.Fascista Lavoratori dell'Industria
- b) - " " " " " Agricoltura
- c) - " " " " " Commercio
- d) - " " " " " Credito ed Assicurazioni
- e) - " Fascista degli Industriali
- f) - " " " Agricoltori
- g) - " " dei Commercianti
- h) - " " del Credito
- i) - " Prov.Fascista Professionisti ed Artisti

4. The Italian Government, in conjunction with the Commerce Sub-
Commission, is reorganizing the Consigli Provinciali delle Corporazioni,
as "Chambers of Commerce". Action in the interim is the responsibility
of the Commerce Sub-Commission, whose representative in Region VIII is
Lt.Col.S.A. Grumo.

./.

40

5. Publish General Order E.28 and a wage increase order as quickly as possible.

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

~~Copies to:~~

~~Exchange Section~~

~~File:~~

✓

HEADQUARTERS
ALLIED MILITARY GOVERNMENT
REGION VIII

Aug. 3, 1944

SUBJECT: General Order No. 28 .

TO : The Labor subcommission AGO (Attention Major Babcock)

1. I should like to inquire about the consiglio provinciale delle corporazioni in connection with General Order No. 28. In Region II this was one of the institutions which was abolished. The Italian Government later reestablished it to a certain extent and it is now functioning in Region II. I should like to know if this organization is to be abolished under General Order No. 28, or if the Italian Government has made other arrangements about it.

✓ 2. I will say, frankly, that there is going to be considerable confusion when General Order No. 28 is published without listing the institutions which are thereby abolished. It is very necessary that I have a list of such institutions for my personal use, otherwise I am going to be in an awkward position when I receive inquiries as to what institutions are abolished.

mainly under Committee on Conf C
abolished and reestablished
H 81 S.A. Camp Reg VII

ROBERT FRAZER, Captain
Labor Officer, Region VIII

HEADQUARTERS
ALLIED MILITARY GOVERNMENT
REGION VIII

Aug. 8, 1944

SUBJECT: General Order No. 28

TO : Labor Subcommittee ACC

1. The Eighth Army has given permission for me to operate only in the province of Siena at present. When I discussed the publication of General Order No. 28 with the regional Legal Officer, he called my attention to the following paragraph of a memo over the signature of Brigadier Lush, Ref 278/208/OA dated 6 July, 1944, which I quote,

"4. In the future, SCAO's with AMG, 5 and 8 Armies, will publish proclamations Nos. 1, 2 and 3, General Order No. 1 (renumbered) and Notices 1 and 2. Proclamations No. 4 (Closing of banks) and General Order No. 2 (renumbered) (Reopening of banks) will be published only upon order of R.C. & M.G. section at the request of Finance Subcommittee. Other general orders will only be published by the SCAO's with Armies when specifically requested to do so by the subcommittees concerned through R.C. and M.G. section."

In view of the last sentence of the above paragraph, I respectfully request that I be advised whether it is necessary for the Labor Subcommittee to take any action before we publish General Order No. 28 in Siena province.

Robert Frazer
ROBERT FRAZER, Captain
Labor Officer.

HEADQUARTERS
ALLIED MILITARY GOVERNMENT
REGION VIII

Aug. 2, 1944

SUBJECT: Italian translation of general order No. 28
TO : The Labor subcommission, ACC, (Attention Mr. LaLoggia)

1. It is requested that the Italian translation of general order No. 28 be sent to the regional labor officer of Region VIII as soon as possible. permission has been requested from the Fifth Army and the Eighth Army to proceed with the ACC/AMG labor program by abolishing syndicates and establishing provincial labor offices. It is hoped this permission will be received in the next day or two and we therefore will need the Italian translation promptly. In view of the importance of the publication of this order and the need to have the translation uniform in all regions, it is felt the translation should be prepared by the Labor subcommission. This matter was discussed by the Labor Officer with Mr. LaLoggia who is working on it.

Robert G. Kirkwood
ROBERT G. KIRKWOOD
Regional Commissioner,
Region VIII

To Capt. [unclear]

HEADQUARTERS
ALLIED MILITARY GOVERNMENT
REGION VIII

Aug. 18, 1944

SUBJECT: general orders No. 28 and 29

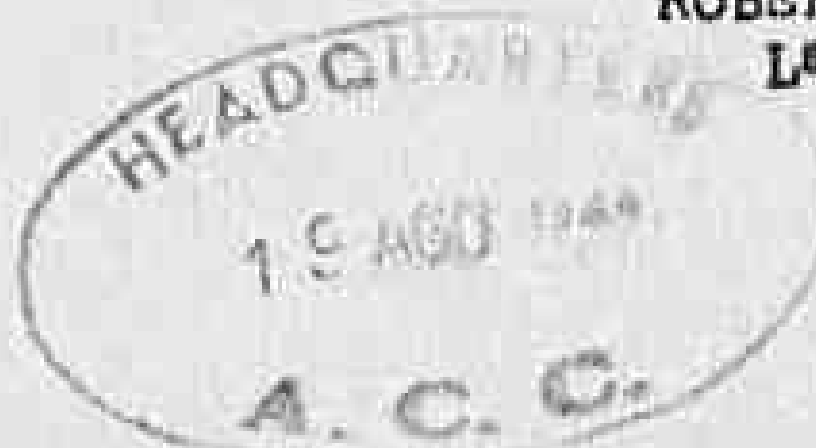
TO : The Labor subcommission, ACC, Rome

1. Just as I am about to publish general order No. 28 in the provinces of Grosseto and Siena I am told by the Regional Commissioner that there is now a new general order No. 29 relative to labor matters which is to supersede general order No. 28. I had already made arrangements for general order No. 28 to be published. Not receiving any answer from the subcommission to my request for an Italian translation of general order No. 28 I made a translation myself and it was being printed when I was told today by the RO that general order No. 29 is to be used. I had no previous information as to this from the subcommission. I have not seen a copy of general order No. 29 and there is none available here.

2. In view of the fact there is already a movement to organize labor in these two provinces, I respectfully request that I be sent a copy of general order No. 29 together with information relative thereto, as soon as possible. I attach a copy of a circular relative to labor organization in Grosseto province.

3. I also respectfully request that the subcommission reply to my official letters requesting decisions on policy matters, which letters are dated Aug. 8, Aug. 2, and Aug. 3, 1944.

Robert Frazer
ROBERT FRAZER, Captain
Labor Officer, region VIII



SINDACATO OPERAI DELL'INDUSTRIA EDILE DI GROSSETO

Via IV Novembre - Palazzo Rocelli - tel. 77

Facciamo del nostro Sindacato un'Arma possente per la difesa dei nostri interessi

Compagni Lavoratori dell'industria Edile !

Con la caduta del fascismo anche l'impalcatura dei sindacati fascisti è crollata. I Sindacati fascisti erano stati creati come strumento di oppressione delle masse operaie ed a totale salvaguardia degli interessi delle oligarchie capitalistiche imperialistiche. Malgrado le spudorate menzogne demagogiche sul sindacalismo fascista, gli operai non hanno mai riconosciuto come una loro organizzazione questo strumento oppressivo, che hanno subito come tutto il resto del regime stesso. Oggi la dittatura fascista è morta; i sindacati fascisti sono morti con lei.

Con la riconquistata libertà politica, il libero spirito organizzativo e unitario degli operai rivive e con esso è risorta la Confederazione Generale Italiana del Lavoro, vera espressione della volontà sindacale operaio, per la sicura tutela degli interessi del proletariato stesso. Questa nuova organizzazione è di classe, perché volta, sentita, creata e diretta dagli operai stessi; è **unitaria**, perché solo con l'unità e la compattezza si può lo strumento capace di difendere gli interessi della classe operaia; è nazionale, perché gli interessi degli operai sono gli interessi del popolo di cui essi sono parte integrante e perché urge la ricostruzione del nostro paese distrutto dal fascismo e dalla guerra.

Anche a Grosseto la Camera del Lavoro è stata aperta e già vi sono stati creati e vi aderiscono numerosi sindacati di categoria compreso il nostro. Già si sono ottenuti dei risultati nell'interesse della nostra categoria e cioè un aumento delle tariffe salariali.

Compagni Lavoratori dell'industria Edile !

Questo non è che l'inizio dipende da noi che questi primi vantaggi siano mantenuti, altri ne siano ottenuti.

Bisogna perciò rafforzare il nostro Sindacato aderendovi uniti ed in massa sia a Grosseto, che nella Provincia. In ogni Comune bisogna creare immediatamente la sezione del nostro sindacato ed assicurare che nuove tariffe salariali siano applicate e rispettate da tutte le imprese. Nella misura che sapremo potenziare il nostro Sindacato difenderemo gli interessi della nostra categoria ed i risultati già ottenuti.

Bisogna che tutti i compagni lavoratori edili frequentino assiduamente la Camera del Lavoro e stiano in contatto con la Segreteria provvisoria del nostro Sindacato, affinché dall'apporto individuale di tutti escano gli elementi atti a conoscere e trattare i problemi inerenti al nostro lavoro.

Bisogna difendere l'unità della C.G.I.L., perché solo attraverso l'Unione di tutte le categorie di mestiere si creano le condizioni di forza necessarie per conoscere e risolvere i problemi generali del lavoro sul piano nazionale, nell'interesse dei lavoratori stessi.

degli interessi delle categorie operaie, gli operai non hanno mai riconosciuto come una loro organizzazione sindacale fascista e mor-
strumento oppressivo, che hanno subito come tutto il resto del regime stesso. Oggi la dittatura fascista e mor-
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goria e cioè: un aumento delle tariffe salariali.

Compagni Lavoratori dell'Industria Edile!

Questo non è che l'inizio; dipende da noi che questi primi vantaggi siano mantenuti, altrimenti siamo ottenuti.

Bisogna perciò rafforzare il nostro Sindacato aderendovi uniti ed in massa sia a Grosseto, che nelle Pro-
vincia. In ogni Comune bisogna creare immediatamente la sezione del nostro sindacato ed assicurare che
nuove tariffe salariali siano applicate e rispettate da tutte le imprese. Nella misura che supremo potenzi-
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si creano le condizioni di forza necessarie per conoscere e risolvere i problemi generali del lavoro sul piano
nazionale, nell'interesse dei lavoratori stessi.

Bisogna rafforzare la C.G.I.L. perché questa nostra libera organizzazione partecipi con efficacia alla rie-
costruzione del paese devastato dalla guerra.

Bisogna infine inquadrare i nostri compiti nel piano generale della guerra che continua per l'abbati-
mento totale del nazi-fascismo nemico numero uno della classe operaia e portare un valido aiuto ai nostri
compagni lavoratori dell'Italia ancora occupata che si battono eroicamente contro i fascisti ed i tedeschi.

Compagni Lavoratori dell'Industria Edile di Grosseto e della Provincia il Vostro Sindacato è costituito, aderitevi in massa!

La Segreteria del nostro Sindacato è aperta tutti i giorni dalle ore 18 alle ore 20 per ricevere tutti i com-
pagni che hanno bisogno di schiarimenti, porre i loro problemi e iscriversi al Sindacato.

Nelle altre ore del giorno si può ricorrere alla Segreteria Generale della Camera Confederale del Lavoro.

Viva l'Unità Sindacale!

Viva la C. G. I. L.!

447

MINISTERO DELL'INDUSTRIA, COMMERCIO E LAVORO

SERVIZI DEL LAVORO E DELLA PREVIDENZA E ASSISTENZA

ELENCO DEGLI IPIRIZZI IN ROMA DI ENTI ISTITUTI E CONFEDERAZIONI CONTROLLATI
DAL MINISTERO DELL'INDUSTRIA DEL COMMERCIO E DEL LAVORO

- 1) - CONFEDERAZIONE DEGLI AGRICOLTORI - Via Vittorio Veneto-PalMargherita
Unione Provinciale Agricoltori - Via Tritone 169
- 2) - CONFEDERAZIONE DEI LAVORATORI DELL'AGRICOLTURA - Corso Italia no 25
Unione Provinciale Lavoratori agricoli-Via A.De Pretis 45 A
- 3) - CONFEDERAZIONE DELLA INDUSTRIALI - Piazza Venezia no 11
Unione Provinciale industriali - Via Regina Elena no 29
- 4) - CONFEDERAZIONE DEI LAVORATORI DELL'INDUSTRIA -Via Bencomagni no 19
Via Nazionale
Unione Provinciale lavoratori dell'Industria-Piazza Esquilina no 1
- 5) - CONFEDERAZIONE DEI COMMERCianti - Piazza Sennio no 2
Unione Provinciale dei Commercianti-Lugotevere in Augusta no 3
- 6) - CONFEDERAZIONE DEI LAVORATORI DEL COMMERCIO - Via Luculla
Unione Provinciale dei Lavoratori del Commercio - Piazza Caprettari, 70
- 7) - CONFEDERAZIONE AZIENDE DEL CREDITO E ASSICURAZIONE - Piazza del Cosu 49 -
Palazzo Altieri
- 8) - CONFEDERAZIONE DEI LAVORATORI DEL CREDITO E ASSICURAZIONE - Piazza S.
Silvestro no 92
Unione Lavoratori aziende del credito e assio.- Piazza Madonna no 6
- 9) - CONFEDERAZIONE DEI PROFESSIONISTI ED ARTISTI - Via Toscana no 5
Unione Provinciale dei professionisti e artisti - Via Sacchi 66
- 10) - ENTE NAZIONALE DELLA COOPERAZIONE - Via Dei Sabinì no 4
- 11) - ISTITUTO NAZIONALE DELLA PREVIDENZA SOCIALE - Via Minghetti 17 - Palazzo Sciarra
idem sede di Roma - Piazza Adriana no 12
- 12) - ISTITUTO NAZIONALE INFORTUNI SUL LAVORO - Via IV Novembre 144
- 13) - ENTE NAZIONALE PROPAGANDA PER LA PREVENZIONE INFORTUNI SUL LAVORO - Via S. 33
Nicolo de Telentine no 22

12

- 14) - ISTITUTO NAZIONALE ASSISTENZA MALATTIA - Via Cesare Beccaria
- | | |
|---------------------|---|
| Settore Industria | - Via Cesare Beccaria |
| Settore Commercio | - Via Regina Elena no 50 |
| Settore Agricoltura | - Piazza S. Bernardo n. 101 |
| Settore Credite | - Via Regina Elena II - Palazzo Corsini |
- 15) - ENTE NAZIONALE PROV. E ASSISTENZA DIPENDENTI ENTI PARASTATALI ED ASSOCIATI -
Via F.R. Mergagni no 13
- 16) - ISTITUTO NAZIONALE DI PREVIDENZA DIPENDENTI STATALI

HEADQUARTERS
ALLIED CONTROL COMMISSION
LABOR SUB-COMMISSION

ES/AM

APC 394

LAE. 091.447

21 August 1944

SUBJECT: Memorandum presented by F.I.D.A. to Agriculture Sub-Commission.

TO : Director Agriculture Sub-Commission.

THROUGH: Director Labor Sub-Commission.

FROM : Capt. M. Seicluna, Labor Relations Officer.

Ref. your AGR/30000 dated 12 Aug. 1944, the memorandum of the "Federazione Italiana degli Agricoltori" applies.

1. It is not clear whether the Federation in question is an Association of "Landowners" and therefore of Employers or an Association of "Landowners and tenants" and therefore of Employers and Employees. If the latter is the case, I would consider this form of Association not in the best national interests. To my mind Employers' and Employees' Associations should be distinct and autonomous, however desirable it may be that the two organizations should cooperate and foster the most cordial relationship. There is no definite prohibition against the creation of "Mixed Associations" either in AMG Ordinances or in Italian Legislation. In Great Britain the definition of "Trade Union" includes this form of "Mixed Association" but in practice it never comes into being. In Germany this form of "Mixed Association" has been imposed from above with rather poor results. In Italy even under Fascism the Associations of Employers and Employees were kept separate and on the whole - notwithstanding the many injustices resulting from a system imposed from above - this form of organization proved more logical, less confused and, in practice the solution of problems in the labor relations field presented less difficulty than under the "Mixed Association" form of organization.

2. The four "Commissari" (c.f. I para 2), who assumed the direction of the "F.I.D.A.", prior to the fusion with the ~~German~~ ^{Italian} appear to be all "Landowners". There is no indication of who was subsequently appointed to the Committee that was later set up.

Ref. your AGR/30000 dated 12 Aug. 1944, the memorandum of the "Federazione Italiana degli Agricoltori" applies.

1. It is not clear whether the Federation in question is an Association of "landowners" and therefore of Employers or an Association of "landowners and tenants" and therefore of Employers and Employees. If the latter is the case, I would consider this form of Association not in the best national interests. To my mind an Association of Employers' Associations should be distinct and autonomous, however desirable it may be that the two organizations should cooperate and foster the most cordial relationship. There is no definite prohibition against the creation of "Mixed Associations" either in AMG Ordinances or in Italian Legislation. In Great Britain the definition of "Trade Union" includes this form of "Mixed Association" but in practice it never comes into being. In Germany this form of "Mixed Association" has been imposed from above with rather poor results. In Italy even under Fascism the Associations of Employers and Employees were kept separate and on the whole - notwithstanding the many inequities resulting from a system imposed from above - this form of organization proved more logical, less confused and, in practice the solution of problems in the labor relations field presented less difficulty than under the "Mixed Association" form of organization.

2. The four "Commissari" (cfr. I para 2), who assumed the direction of the "S.I.P.A.", prior to the fusion with the Taranto ³¹ ~~Gross~~ appear to be all "landowners". There is no indication of who was subsequently appointed to the Committee that was later set up on a broader base.

It stands to reason that under present conditions the formation of any organization must start with the initiative of self-appointed organizers but every effort should be made to expedite the election by majority vote of the permanent representative or Executive Committee both in the provinces and at the national level. The future election of Committees from below is mentioned specifically in the memo but no indication is given of "how" and "when" it is proposed to proceed with that form of organization.

If F.I.D.A. is a mixed Association it is desirable that, even at this interim stage, the members of the "Central Committee" should be recruited from both Employers and Employees, the latter being in a majority in consideration of the fact that this category is far more numerous than that of the landowner.

3. Reference is made to the question of giving F.I.D.A. a legal status (cif. I para 3). And legislation specifically sanctions the right of free organization of Employees but makes no mention of "Employers Associations". This situation does not to my mind preclude the organization of Employers on a "de facto" basis but it certainly does not give any legal status to such organizations.

4. Mention is made of the intention to conclude agreements with representatives of other newly formed agricultural associations in liberated provinces (cif. I para 3). This is of course quite desirable in order to ensure a co-ordination of activities and a uniformity of policy. The difficulty, however, crops up of how the "representatives" in question can prove their claim of legitimate representation. This is undoubtedly the most urgent practical reason why a democratic form of election of representatives should be adopted at the earliest time.

5. A meeting of the fused Committee was scheduled for August 12th. (cif. para 5). The Labor Relations Division of Labor Sub-commission would appreciate

(a) a copy of the minutes of this meeting; and
(b) a copy of the Draft Constitution "or of the adopted Constitution" of F.I.D.A.

6. The clear and straight forward enumeration of objectives of F.I.D.A. in III is commendable even though certain points are controversial if not altogether partisan. In this particular connection the plan put forward in defence of the latifondo system is the most crucial item (III para 3). It is questionable whether it should be possible to eliminate the injustices deriving on the former proper by allowing the natural process of gradual evolution to prevail. The solution of this urgent and ever present problem of Italian Agriculture. Equally questionable is the statement that legislative measures in this field are "destined to an avoidable failure". (cif. III para 2). From a point of view of Union organization, the solution can only in fact be sought in an effective settlement that would do justice to the far-reaching

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6. The clear and straight forward enumeration of objectives of P.I.D.A. in III is commendable even though certain points are controversial if not altogether pertinent. In this particular connection the plan put forward in defence of the latifundio system is the most crucial item (III para 3). It is questionable whether it should be possible to eliminate the injustices devolving on the farmer proper by allowing the natural process of gradual evolution to prevail. The solution of this urgent and ever present problem of Italian Agriculture. Equally questionable is the statement that legislative measures in this field are "destined to avoidable failures". (cif. III para 2). From a point of view of Union organization, the solution can only in fact be sought in an equitable legislative settlement that would do justice to the farmers and to the farm labourer without unduly prejudicing the right of ownership.

7. The enumeration of actual and urgent problems in Agriculture (cif. IV) have a definite bearing on the labor field from a point of view of the problem of "unemployment" and of "displacement of population" but as this report only covers the question of Trade Union organization, no further comment is therefore submitted.

Copy to: Economic Section.

S. S. S. S.
A. C. C. Labor Sub-Commission
Labor Relations Officer,
A. C. C. Labor Sub-Commission

HEADQUARTERS
ALLIED CONTROL COMMISSION
LABOR SUB-COMMISSION
APO 394

15 August 1944

SUBJECT: Corporative Syndical System in Sardinia and Apulia.
TO : Ministry of Industry, Commerce and Labor.

Pending final action on the Labor Legislation abolishing the Corporative Syndical System and establishing Regional and Provincial Labor Offices, information is requested on action taken by the Italian Government in Sardinia and the four Apulian provinces to suppress or to change the agencies under the Corporative Syndical System.

J. T. R. Rain

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

Enlightened Corporative Syndical System in Sardania and Capulet.

Dr. Ministry of Industry, Commerce and Labor

4. Pending final action on the Labor Legislation abolishing the Corporative Syndical System and establishing Regional and Provincial Labor Offices, information is requested on action taken by the Italian government in Sardania and the four Apulian provinces to suppress or to ~~revise~~ change the agencies under the Corporative Syndical System.

J R Barin-Cal
Director - Labor Administration

2
Legislation abolishing the Corporative
Syndical System and establishing Regional
and Provincial Labor Offices, Information
is requested on action taken by the

Italian Government in Dardania and
the four Agitation provinces to suppress
or to ~~revise~~ change the agencies under
the Corporative Syndical System.

J R Boni-Cal
Director - Labor Information

1 and 5

Memorandum for 1st Lt. Solenberger.

ALLIED CONTROL COMMISSION
Labor Sub-Commission

SUBJECT: Situation of the "Opera Nazionale Dopolavoro" and sundries.

On June 24, 1944, I was called to act as regent of the Presidency of the "Opera Nazionale Dopolavoro" and of the Provincial "Dopolavoro" of Rome.

This appointment was conferred on me by the Presidency of the Cabinet Council on whom this institution depends.

1st-Character of the Institution: This institution was formed about the year 1919, without any political character. It became a political institution only after wards. Its object is to provide assistance, recreation and to foster art and sports among the working classes. Its ends are, therefore, socially beneficent.

2nd - Situation of the personnel - Of the National Presidency has been left only a winding-up office (Ufficio Stralcio) consisting of 11 employees, only 3 of these being regular employees; the others are employed by the day, 11 other employees have been discharged by me for political and other reasons.

On July 25, 1943, the employees were 443; on September 8, 1943, 337 and subsequently were reduced to 273. About 200 people are now awaiting that their position be definitely settled.

The personnel was engaged indiscriminately and always in a larger number than was necessary both by the Presidency and by the Provincial Management.

3rd - Premises and furniture of the Presidency Office - Upon the transfer to the North, the premises in Via Capo D'Africa which formerly were the property of the Labor Chamber (Camera del Lavoro) were abandoned. They are now occupied by refugees.

The furniture was partly sold, partly conveyed to the North, and partly deposited in a storeroom belonging to the institution and located near San Paolo.

We are now undertaking the inventory.

4th - Patrimonial consistency - The information which I shall give with, will not be a definite one, they shall have to be completed by those of other parts of Italy.

a) Furniture - In Rome the Presidency possesses various (Kind of furniture; 5 itinerant theaters (Carry di Tespi) of which seem yet good for use 2 wood, mechanical and electrical work shops connected to such theaters. The electric transformer cabin of the theaters, weighing several tons and of great

value, seems to have been left at Terni, in view of being conveyed to the north of Italy. It possesses, further more, some electrical sanitary and sporting material; a telephone cabin, a library, a car for transportation, a trailer and spare parts. All this is estimated approximately, at 5,000,000.

b) Property - The Presidency controls the premises of the headquarters of the Institute in Via Capo d'Africa in Rome (formerly belonging to the Labor Chamber) as well as some rooms in via Atiengo, requisitioned by the Allies, the establishments of San Paul and some houses in the province of Rome, estimated at about 25,000,000. The sum in cash amounts to L.698,856,30 of which 376,174 in money, deposited at the National Bank of Labor. This sum is all blocked now by the A.C.C.

On accounting Inspector obtained from the Presidency of the Council is now providing to the revision of the bookkeeping and to the completion of the movable and immovable patrimony (real estate and furniture) of the Institution of Rome.

The same thing will be done for the rest of Italy.

5th - Varies - We have been unable to establish connections with the other parts of Italy for lack of transportation means and also because Italian Authorities (the Presidency of the Council), have not yet appointed a Commissary.

In relation to the above it would be necessary to provide with rapidity:

- a) to settle the situation of the personnel.
- b) drawing up again the laws establishing and controlling the "Opera Nazionale del Lavoro".
- c) to foster new life in the Institution which, especially in the field of alimentation, might be of great advantage.
- d) to foster the efficiency of the Institution from the economical and financial point of view.
- e) to appoint the Commissary, because only through the power conferred on him and his wide possibility of action as well as, thanks to the inspection which he will be able to make etc., he will be able to provide as above to the improvement of the Institution.

I believe that the Institution can be maintained in life but the laws and relation, non existing must be renewed, keeping in mind the ends for which the Institution has been established and its apolitical principles.

I don't believe that the task is easy, since it is question to adopt principles and criterium completely new, be it in the innovations of laws or the administration, in the carrying out the ends of the Institution.

I took some steps in this direction without great hope of an immediate success because, in the charge intrusted to me, the necessary powers are lacking.

THE REGENT OF O. N. D.
(Opera Nazionale del Dopolavoro)
Avv. G. Berlingieri

Rome, August 8, 1944

4477

REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
LEGAL SUB-COMMISSION
APO 394

400/4104/4/L.

/rlp.
26 April 1944

SUBJECT: Draft Decree Instituting Labor Offices, etc.

TO : Director, Labor Sub-Commission

Reference your L43 091.4351 dated 15 April 1944. I have seen the Chief Commissioner on this matter and he informs me that he will shortly be convening a meeting to consider the Draft Decree before submitting it to the Ministry of Labor and Commerce. In the meeting I enclose for your consideration a memorandum on the Draft Decree as it stands at present.

G. R. UPJOHN,
Colonel,
Chief Legal Officer.

Copy to : Secretary General.

REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
LEGAL SUB-COMMISSION
APO 394

400/4104/4/L.

26 April 1944

SUBJECT: Draft Decree Establishing Trade Unions and Labor Offices.

The Legal Sub-Commission has considered the Draft Decree attached to letter dated 15 April 1944 (L43 091.4351) relating to the above matter and has prepared the following memorandum for consideration before the meeting to consider the decree which, it is understood, will be convened by the Chief Commissioner at the beginning of next week.

1. The Draft Decree as it stands at present is neither a short declaration of policy on the one hand, nor a declaration of policy coupled with the machinery for carrying that policy into execution on the other hand, but falls midway between the two. It seems to this Sub-Commission that the Decree should either be a short two or three article decree setting out merely the policy and leaving it to a further decree to work the matter out in detail or the whole policy and machinery should be set up in this Decree.

2. This Sub-Commission has the following comments in detail:

ARTICLE I

Copy to : Secretary General.

G. R. UPTON,
Colonel,
Chief Legal Officer.

REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
LEGAL SUB-COMMISSION
APO 394

26 April 1944

ACC/4104/L.

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2. This Sub-Commission has the following comments in detail:

ARTICLE I

We think that the societies, associations, confederations and federations should be set out in detail especially in view of the vagueness of Article II. Further, although it is a small point, we think that the labor magistracy should be further defined by reference to the statute setting it up.

ARTICLE II

It will be a matter of policy for the Chief Commissioner to decide whether the draft decree should include employers as well as employees in Article II. With regard to the last sentence, if trade unions are to be mentioned they should be defined and set up in the decree.

ARTICLE III

So far as is known the only professional association set up by AAO was the Bar Association which must be expressly excluded from this decree as it is subject

matter of another pending decree. If there have been any other professional organizations set up locally by or with the approval of the local AMG Administration, it would seem desirable to investigate the basis and nature of these organizations before giving them juridical recognition.

ARTICLE IV

This again supports our observations in paragraph I.

ARTICLE V

A purely drafting comment. Instead of "turn over by the AMG" read "formerly occupied by the Allied Forces".

ARTICLE VI

This is a very important and difficult article providing for wage scales, etc. during the interim period and the views of the Italian Government therefore will be extremely important. It is suggested that after the phrase "shall continue to be binding" the words "between employers and employees" should be inserted and that the retention of the word "collective" after the words "newly executed" will require much consideration.

ARTICLE VII

The principle of this article is unexceptionable but it is a matter for the Italian Government to work out the mechanism for the preservation and care of the properties and estates, pending final disposal. It must be made clear that the Italian State is liable for payment of the discharge indemnity.

ARTICLE VIII

No comments.

ARTICLE IX-XII INCLUSIVE

The definition of the respective jurisdictions and ambit of regional and provincial labor offices appear to be obscure in the extreme. It would seem that these provisions should be made unmistakably clear to the Italian lay mind since important consequences follow upon a correct determination by the disputants of which of the two labor offices has jurisdiction of any particular controversy disputants. Further the "regolamento" referred to in Article IX has not yet been prepared and it seems that on any footing these articles are therefore incomplete. It may be that the further definition required can be made by reference to the Code of Civil Procedure or preferably by forming a clearer picture of what is intended to be the respective jurisdictions of regional and provincial labor offices and stating this in clear and unambiguous language in the draft decree.

In Article XI some further definition of what is a competent labor office is required, and in the second paragraph of that article surely machinery should be set up providing for the place of delivery of notices.

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ARTICLE VIII

No comments.

ARTICLE IX INDUSTRY

The definition of the respective jurisdictions and ambit of regional and provincial labor offices appear to be obscure in the extreme. It would seem that these provisions should be made unmistakably clear to the Italian lay mind since important consequences follow upon a correct determination by the disputants of which of the two labor offices has jurisdiction of any particular controversy disputants. Further the "regolamento" referred to in Article IX has not yet been prepared and it seems that on any footing these articles are therefore incomplete. It may be that the further definition required can be made by reference to the Code of Civil Procedure or preferably by forming a clearer picture of what is intended to be the respective jurisdictions of regional and provincial labor offices and stating this in clear and unambiguous language in the Draft Decree.

In Article XI some further definition of what is a competent labor office is required, and in the second paragraph of that article surely machinery should be set up providing for the place of delivery of notices.

It also seems that in Article XII the phrase "collective labor disputes" should receive some further definition.

ARTICLE XIII

It should be made clear that the reference to arbitration in individual labor disputes is under Titolo 4, Capo 2, especially Articles 455-458 of the Code of Civil Procedure. With regard to collective labor disputes it is by no means clear under Article XIII and Article XI exactly how arbitration is to be carried out as the arbitration provisions in the laws of 1926 have been repealed. This matter requires clarification.

ARTICLES XIV, XV and XVI

The recommendation of the existing corporative inspectors under a new name appears to raise a question of policy. We are preparing a short statement of its powers.

ARTICLES XVIII and XIX

No comments.

ARTICLE XX

This supports our original observation of paragraph I.

3. In conclusion, this is a highly contentious and intricate piece of legislation and quite apart from large questions of policy involved, it would be extremely unwise to endeavour to force intricate provisions on the Italian Government unless they agree that its provisions form a workable machinery.

GERALD R. UPJOHN,
Colonel,
Chief Legal Officer.

This supports our original observation of paragraph 2.

3. In conclusion, this is a highly contentious and intricate piece of legislation and quite apart from large questions of policy involved, it would be extremely unwise to endeavour to force intricate provisions on the Italian Government unless they agree that its provisions form a workable machinery.

GERALD R. UPJOHN.
Colonel,
Chief Legal Officer.

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LJS/tbw

HEADQUARTERS
ALLIED CONTROL COMMISSION
LABOR SUB-COMMISSION
APO 394

LAB 091.4353

25 April, 1944

SUBJECT: Draft Decree Instituting Labor Offices, Regulating
Labor Relations, etc.

TO : Director, Legal Sub-Commission

FROM : Capt. E. Scicluna, Labor Relations Officer, Labor
Sub-Commission.

Reference above:

1. Herewith attached Draft Decree as finally altered on 25 April, 1944 in conjunction with Major Grossman and Major Hannaford of the Legal Sub-Commission.
2. The Italian Text, which must be regarded as the fundamental document for presentation to the Ministry of Industry, Commerce and Labor, has been duly changed in conformity with the amendments introduced in the English Text.
3. Any arrangements please be made to inform this Sub-Commission at the earliest possible time whether this text may now be considered as approved by the Legal Sub-Commission.

E. SCICLUNA
Captain,
Labor Relations Officer
Labor Sub-Commission

TO : Director, Legal Sub-Commission

FROM : Capt. E. Seiceluna, Labor Relations Officer, Labor Sub-Commission.

Reference above:

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2. The Italian Text, which must be regarded as the fundamental document for presentation to the Ministry of Industry, Commerce and Labor, has been duly changed in conformity with the amendments introduced in the English Text.
3. May arrangements please be made to inform this Sub-Commission at the earliest possible time whether this text may now be considered as approved by the Legal Sub-Commission.

E. SEICELUNA
Captain,
Labor Relations Officer
Labor Sub-Commission

LABOR SUB-COMMISSION
April 25, 1944

DRAFT ROYAL DECREE ABOLISHING THE FASCIST SYNDICAL CORPORATIVE SYSTEM
AUTHORIZING THE ESTABLISHMENT OF TRADE UNIONS AND OF LABOR OFFICES, AND
GOVERNING LABOR RELATIONS

.....

Whereas the Law of 3rd April, 1926, No. 563, and regulations issued pursuant thereto; and

Whereas the Royal Decree of 1st July, 1926, No. 1130, and regulations issued pursuant thereto; and

Whereas Book II, Title IV of the Code of Civil Procedure approved by the Royal Decree of 23rd October, 1940, n. 1443; and

Whereas Article 13 of the Law of 19th January, 1939, n. 129; and

Whereas the Royal Decree of 30th October, 1943, n. 2/B; and

Whereas it is considered necessary owing to the existing state of war;

Having heard the Council of Ministers on the proposal of the 'Head of the Government, Prime Minister Secretary of State' and of the 'Minister for Industry, Commerce and Labor';

We hereby decree as follows: -

ARTICLE I

The Law of 3rd April, 1926, n. 563, and the Royal Decree of 1st July, 1926, n. 1130, dealing with the juridical code governing collective labor relations and all regulations subsequently issued for the execution and enforcement of the aforementioned laws are hereby repealed.

Consequently, all Syndical Associations of Employers, Workmen, Professional Men and Artists, Syndical Cooperative Societies, as well as the Confederations and Federations resulting from the amalgamation of several Syndical Associations juridically recognized in conformity with the two aforementioned laws are, therefore, dissolved. The special Labor Magistracy is also abolished.

ARTICLE II

Employees and employers and persons who engage independent trades or professions shall have the right to organize, hold meetings, to select representatives of their choosing for any or all of the purposes set out below, and, in the interest of members or of a whole industry or craft

- a) To engage in collective bargaining with respect to all matters pertaining to or connected with employment, including such matters as concern hours, wages, working conditions, grievances;

- b) To further mutual social and economic assistance.

Whereas the Royal Decree of 30th October, 1943, n. 2/B; and

Whereas it is considered necessary owing to the existing state of war;

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a) To engage in collective bargaining with respect to all matters pertaining to or connected with employment, including such matters as concern hours, wages, working conditions, grievances;

b) To further mutual social and economic assistance.

The registration and juridical recognition of the trade unions and their representative bodies shall be regulated by separate legislation.

ARTICLE III

Pending publication of special regulations governing the re-institution of the "Ordini e Collegi di liberi Professionisti", juridical recognition is hereby given to those organizations that have been established or approved by competent authority during Allied Occupation. Wherever these have not been instituted, Commissioners shall take over the respective archives of the dissolved Fascist Syndicates of professional men and artists

ARTICLE IV

Membership in any Trade Union and the right of exercising a vote shall not be denied to any person because of race, religion, nationality or political affiliation.

ARTICLE V

The obligation to pay syndical contributions (in conformity with Article 5 of the Law of 2nd April, 1926, n. 563, and regulations issued pursuant thereto) is hereby rescinded as from the publication of this Decree, or in territories turned over by the A.M.O. as from the date on which the Allied Military Government abolished Syndical Contributions or Fascist Syndical Organization, whichever was the earlier.

ARTICLE VI

In collective and Individual Labor Relations, the conditions, regulations, wage scales contained in collective contracts, in economic agreements, in sentences delivered by the Special Labor Magistracy, and in corporative ordinances, in conformity with Article 10 and Article 13 of the Law of 5th February, 1924, n. 163, and of Article 4 and Article 5 of the Royal Decree of 9th August, 1943, n. 821, shall continue to be binding until revised further by Decree, Arbitration awards, or newly executed collective agreements and contracts.

ARTICLE VII

The Ministry of Finance shall be responsible, in every Province and through the "Intendenza di Finanza", to provide for the administration and preservation of the estates belonging to the Associations, Federations and Confederations as referred to in Article I above, pending further decisions respecting their final allocation. Through a Royal Decree, on the proposal of the Minister for Industry, Commerce and Labor in concert with the Minister of Finance, regulations shall be issued for the definite disposal of the aforementioned estates, provisions being made in the case of estates belonging to workmen's organizations for their disposal to the advantage of the working classes.

Regarding the payment of "Discharge Indemnity" (Indennita' di quiescenza) due to personnel employed by the Syndical Associations, Federations and Confederations mentioned above, this shall be defrayed in conformity with existing regulations for the personnel of each organization, except for such liquidations as are due by other institutions as a result of special insurance contracts.

ARTICLE VIII

The Ministry for Industry, Commerce and Labor, through an appropriate National Office, shall exercise the following functions:

a) Control and coordination of the services of the registration and placement of labor, of the immigration, migration and emigration of labor;

b) Mediation, conciliation, and reference to arbitration of labor

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- a) Control and coordination of the services of the registration and placement of labor, of the immigration, migration and emigration of labor;
- b) Mediation, conciliation, and reference to arbitration of labor disputes;
- c) Promotion, development, coordination and control of the services concerned with Social Insurance, Old Age pensions, unemployment and health insurance and related labor services as well as supervision of Trade instruction and training of work people;
- d) Compilation and publication of reports and statistics on employment, unemployment, labor disputes, wages and salaries, hours of work, conditions of employment and related matters;

- e) provision for the registration, maintenance and publication of lists of Trade Unions;
- f) registration and publication of collective contracts;
- g) Discharge of such other functions as may be entrusted to it by decree and legislation.

ARTICLE IX

In every Region, which will be defined by the "Reglamento" of the present Act, there shall be instituted within the Ministry of Industry, Commerce and Labor, a Regional Labor Office which shall exercise, within the limits of the Region, the following functions:

- a) Supervision of the Provincial Labor Office, with a view to coordinating their activities;
- b) Coordination of placement of labor and provision for the migration of labor from one Province to another;
- c) Publication of Collective Contracts which are only of interest to the Region as required by the Minister of Industry, Commerce and Labor;
- d) Mediation, conciliation and reference to arbitration of labor disputes of special importance or as would affect more than one Province;
- e) Promotion and development of Social Insurance, Old Age pensions, unemployment and health insurance and related labor services as well as supervision of Trade instructions and training of work people;
- f) Compilation of information and statistics on labor;
- g) Study and investigation (of Labor matters) and discharge of any other labor duties as may be devolved upon it.

ARTICLE X

In every Province there shall be instituted within the Ministry of Industry, Commerce and Labor, a Provincial Labor Office which shall exercise, within the limits of the Province, the following functions:

- a) Provision of registration and placement of labor;
- b) Mediation, Conciliation, and reference to arbitration of labor disputes;
- c) Promotion and development of Social Insurance, and related labor services as well as supervision of Trade Instruction and training of work people;
- d) Study and investigation (of labor matters) and discharge of any other labor duties as may be devolved upon it.

- a) Supervision of the Provincial Labor Office in originating their activities;
- b) Coordination of placement of labor and provision for the migration of labor from one Province to another;
- c) Publication of Collective Contracts which are only of interest to the Region as required by the Minister of Industry, Commerce and Labor;
- d) Mediation, conciliation and reference to arbitration of labor Disputes of special importance or as would effect more than one Province;
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- d) Study and investigation (of labor matters) and discharge of any other labor duties as may be devolved upon it.

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ARTICLE XI

Whenever a labor Dispute has been notified to the competent Labor Office by an interested party, it shall be the responsibility of that office to attempt conciliation.

In addition to such other circumstances in which they are prohibited, strikes and lock-outs shall be prohibited in the event of failure to report the labor dispute or when resorted to before twenty-one days from the notification of the dispute.

For individual labor disputes the appropriate provisions of Article 431 et sequentia of the Code of Civil Procedure remain in force.

Such cases as are not settled by conciliation -- on the joint request of the interested parties -- shall be referred by the Labor Office to an Arbitration Board, which shall be set up for the occasion by the Labor Office, the individual members being selected from the appropriate panels of arbitrators.

ARTICLE XII

Collective Labor Disputes shall fall under the jurisdiction of the Provincial Labor Office within the ambit of which the Collective Contract in question is in force or the adjustment of Labor Relationship is under consideration.

Whenever the Collective Contract or Labor Relationship affects more than one Province within a Region, then Collective Labor Disputes shall fall under the jurisdiction of the Regional Labor Office, and under the Minister of Industry, Commerce and Labor if they affect either two or more Regions, or Provinces of different Regions.

Individual Labor Disputes shall fall under the jurisdiction of the Provincial Labor Office within the ambit of which is to be found the competent judicial authority to decide such Disputes.

The Minister of Industry, Commerce and Labor and the Director of any Regional Labor Office concerned shall be empowered, on the request of one of his office any case of conciliation or of reference to arbitration in any labor dispute of an office at a lower level.

ARTICLE XIII

Whenever an individual labor dispute has not been submitted for arbitration, either of the interested parties shall be free to refer their controversy to the competent Magistracy, in accordance with existing legislation on the matter.

In collective labor disputes, however, arbitration through the Labor Offices shall be compulsory in such cases as only involve the interpretation of a collective contract and in such cases and at such times as strike and lock-out are prohibited by law.

ARTICLE XIV

Arbitration awards in labor matters shall be made in equity, and shall be final.

These awards shall have the binding force of a judicial sentence, and may be issued in executive form subject to previous registration with the judicial authorities in accordance with existing regulations contained in the "Code of Civil Procedure".

Arbitration awards in respect of disputes dealt with by Provincial Labor Offices shall be filed in the "Tribunals" of the Provincial Capital, those dealt with by the Regional Offices in the Court of Appeal of the area in which the seat of the Office is located, those in respect of National disputes in the Court of Appeal of the National Capital.

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Arbitration awards shall not be subject to the provisions contained in Article 825 of the Code of Civil Procedure.

The Labor Offices shall forward to the Minister of Industry, Commerce and Labor a copy of the arbitration awards in respect of labor disputes, except for such types of individual labor disputes as the Minister for Industry, Commerce and Labor may direct.

All acts and documents pursuant to arbitration awards in respect of labor questions shall be exempt from Stamp Tax and Registration Tax, except those awards that are liable to a fixed registration fee.

ARTICLE XV

On the formal request of a Labor Office to attempt conciliation in a labor dispute, whoever refuses or fails to present himself, without showing just cause, shall be liable to fine of not more than Lire 10.000.

ARTICLE XVI

The Corporative Inspectorate shall be known as the "Inspectorate of Labor" and shall be under the jurisdiction of the Minister of Industry, Commerce and Labor. The Inspectorate shall locally exercise its functions under the direction of the Regional Labor Offices, of which it shall be the specific organization for the supervision and enforcement of regulations governing labor, social services and the application of Collective Contracts. The Inspectorate shall continue to enjoy the powers conferred upon it by the Royal Decree of 30 December, 1923, N. 3245, of 28th December, 1931, n. 1634, of 4th October, 1935, n. 2827, and by Royal Decree of 17th August, 1935, n. 1765.

ARTICLE XVII

All appointments to posts in the aforementioned labor agencies shall be made in accordance with civil service procedure.

ARTICLE XIX

The expenditure involved in the running of the National, Regional and Provincial Labor Offices and in defraying the salaries of personnel attached thereto, shall be the responsibility of the State.

The Ministry of Finance is authorized, therefore, to meet this expenditure.

ARTICLE XX

All legislation contrary to the present law is hereby rescinded. The King's Government shall have the authority to enact, by Royal Decree, the complementary and integrating provisions and regulations for the execution of the present decree, for its coordination to the Civil and Penal Codes, to the Code of Civil Procedure and any other legislation of the State.

ARTICLE XXI

The present decree shall enter into force on the date of publication in the Official State Gazette -- Special Series. This decree shall be presented to the legislative Assembly for conversion into law.

The Head of the Government, Prime Minister Secretary of State, and the Minister for Industry, Commerce and Labor, joint sponsors, are authorized to submit the relevant Draft Law.

We order, all concerned, to obey the present decree and to enforce the same as State legislation.

social services and the application of Collective Contracts. The law shall continue to enjoy the powers conferred upon it by the Royal Decree of 30 December, 1923, N. 3245, of 28th December, 1931, n. 1684, of 4th October, 1935, n. 1827, and by Royal Decree of 17th August, 1935, n. 1765.

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The Ministry of Finance is authorized, therefore, to meet this expenditure.

ARTICLE XX

All legislation contrary to the present law is hereby rescinded. The King's Government shall have the authority to enact, by Royal Decree, the complementary and integrating provisions and regulations for the execution of the present decree, for its coordination to the Civil and Penal Codes, to the Code of Civil Procedure and any other legislation of the State.

ARTICLE XXI

The present decree shall enter into force on the date of publication in the Official State Gazette -- Special Series. This decree shall be presented to the legislative Assembly for conversion into law.

The Head of the Government, Prime Minister Secretary of State, and the Minister for Industry, Commerce and Labor, joint sponsors, are authorized to submit the relevant Draft Law.

We order, all concerned, to obey the present decree and to enforce the same as State Legislation.

Given in Salerno

April, 1944

HEADQUARTERS
ALLIED CONTROL COMMISSION
LABOR SUB-COMMISSION
APO 394

File 447

SUBJECT: Commissioni Interne.
TO : Regional Commissioner, Rome Region.
FROM : Director Labor Sub-Commission.

Ref. above subject.

1. The "Camera del Lavoro" has issued press notices inviting the "Commissioni Interne di Fabbrica" to report to the Secretariat with a view to withdrawing directives on the procedure to be followed in the democratic election of "Commissioni Interne". This Sub-Commission considers that the creation of "Commissioni Interne" may be regarded as legitimate machinery through which the working classes may organize freely in conformity with A.M. legislation, provided, however, that the functions of these "Commissioni Interne" do not overstep the terms of reference of the said legislation.

2. It is requested that arrangements be made to inquire into the constitution and activities of these "Commissioni Interne", in order to inform this Sub-Commission of

- (a) the procedure which is being followed in their creation;
- (b) the "terms of reference" which they have set themselves; and
- (c) the activities which in fact they are exercising in the more important firms.

3. For your guidance the following facts are submitted for your attention:

- (a) In most cases the existing "Commissioni Interne" were set up, in the initial period of the allied occupation, on a political basis and through a procedure of nomination and not of election from below; and
- (b) There have been cases in which these "Commissioni Interne" have taken into their own hands, in varying degrees, the administration of the Firm, arbitrarily discharging personnel on political grounds, and summarily re-shuffling administrative appointments, etc. From information received, it would appear that in some instances this state of affairs

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still exists and it is suggested that the cooperation of the "Camera del Lavoro" might be enlisted in endeavouring to rectify at the earliest possible time, this chaotic situation.

h. It is, finally, requested that this Sub-Commission be informed if any specific directives have ever been issued in respect of the "Commissioni Interne" either to the "Camera del lavoro" or to any other workmen's organization.

16
J. T. R. BAIN,
Colonel,
Director Labor Sub-Commission.

Copy to:

Economic Section
RC and MS Section.

Maj. Babcock

HEADQUARTERS
ALLIED CONTROL COMMISSION
LABOR SUB-COMMISSION
APO 394

4 August, 1944

TO: Col. O'Dwyer

Herewith, as promised, are copies of the decree proposed by the Italian Government for the abolition of Syndicates and liquidation of their estates, together with answers prepared by Capt. Scicluna.

Copies of the documents have been passed to Finance and Legal Sub-Commissions.

J.T.B. Baine

J.T.B. BAINE
Colonel,
Director, Labor Sub-Commission.

(7)

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Maj Babcock

HEADQUARTERS
ALLIED CONTROL COMMISSION
LABOR SUB-COMMISSION
APO 394

4 August, 1944

SUBJECT: Submission of Draft Decree - Labor

TO : Legal Finance, Property Control, Subcommissions, ACC

1. Attached are Italian and English Copies of a Decree presented by the Ministry of Industry, Commerce and Labor to the Council of Ministers on 27 July 1944, without the Approval of the ACC, together with copy of observations by Capt. Scicluna, Labour Relations Officer. Copies of the Decree were received by the Labor Sub-Commission on the same day of the Council Meeting.

2. The Ministry has been advised that copies have been sent to Legal, Finance, (and Property Control) Subcommission, and that ACC approval could not be given until comments have been received.

3. Your views would be appreciated.



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

ALLIED CONTROL COMMISSION
LABOR SUB-COMMISSIONOFFICE MEMO

4 August 1944

.447

SUBJECT: Opera Nazionale DOPOLAVORO

TO: Col. Smith

1. In accordance instructions, I talked with Maj. Shriver, Property Control Officer, Rome AMG, and also Maj. Hamilton, AMG Finance, regarding DOPOLAVORO properties in Rome and the Commissario situation. Subsequently, I located and called to my office for an interview, yesterday, Avv. Giuseppe Berlingieri, acting head of both the national and provincial offices of Dopolavoro in Rome. Findings follow.

2. Dopolavoro is an old movement in Italy, antedating Fascism by some years. When it was taken over by the Fascists, it became, along with the newly created GIL, Ballila and similar organizations, an instrumentality of the Party and, with respect to national and provincial offices, a roosting place for Party bureaucrats. The local workers' clubs, theaters and recreation facilities, however, have an important function in the after-work lives of workers, have been considerably expanded under Fascism, and with no alteration except management should most certainly be encouraged and continued, as a movement.

3. In recognition of above, the Dopolavoro properties in Rome have not been disturbed nor requisitioned, with the exception of one local club which is occupied by a Partisan unit and which Major Shriver took nominal control of when an effort was made to evict the Partisan unit (Jugo-Slav) from the offices. All Dopolavoro funds were initially blocked under Proclamation No. 4 and remain so, except small amounts allowed local clubs by Maj. Hamilton to meet salaries. Rome Region Administrative Order No. 32 provided for taking over, as State property, all buildings and assets of dissolved Fascist syndicates, but Maj. Shriver says the order is now considered as not applicable to Dopolavoro.

4. It was Maj. Shriver's belief that a Commissario had been appointed for Dopolavoro by the Badoglio Government before 8 September 1943 and was now in Rome attempting, ~~not~~ too successfully, to take charge; and that he should either be confirmed or replaced by a new National Commissario. Apparently the Major was misinformed, however, since I was informed by Avv. Berlingieri (see para. 5) that the Commissario referred to

Dopolavoro--continued

-2-

4 August 1944

was ousted by the puppet Republican Government and has not since been heard from in Rome. His name was Limongelli.

5. Avvocato Giuseppe BERLINGIERI, as attested by a letter he showed me, was nominated Regente (acting director) of both the Rome Provincial Office and the National Office on 23 June, 1944, by authority of the Presidency of the Council of Ministers at the request of the Minister of the Interior. There is no Commissario at present, but Avv. Berlingieri told me that the Minister of the Interior plans to nominate one in the very near future. I gather that Berlingieri, who says he was an active anti-Fascist before fall of Mussolini, is a candidate for the Commissario post. He has been an attorney in private practice, still maintains his law office at Corso del Rinascimento, No. 24, and was picked for the temporary regency of Dopolavoro simply as an anti-Fascist professional man. He has no special experience for the job, but struck me as being interested, intelligent and probably capable.

6. The Dopolavoro offices under Berlingieri are located as follows:

Sede Nazionale--Via Capo d'Africa (CLOSED--no staff)

Sede Provinciale--Via Piemonte, 68; telephone 43782

The provincial office has a staff of about 20 workers and is carrying on whatever work is being done from national standpoint, which currently consists of compiling inventories and making reports for the Ministry of the Interior.

7. Avv. Berlingieri had one brief interview with Lt. Col. LANE about three weeks ago; has had no other contact with allied officers. Col. Lane asked him for a summary report which he submitted. He has not been in touch with Minister GRONCHI, since the Industry, Commerce and Labor Ministry is apparently not concerned with Dopolavoro activities.

8. Regarding national office, Berlingieri stated:

a. All funds and good share of furniture, plus an electric transformer, were transferred north in April or May.

b. A lot of other movable property was transferred to warehouses and sold cheaply and illegally. A list of sales exists and Berlingieri plans to attempt recovery after completion of inventory.

c. About 200 ex-employees, dismissed 15 November, by

Dopolavoro--concluded

-3-

August 1944

puppet Republican Government, allegedly for refusal to cooperate, are seeking to get their jobs back.

d. The Camera del Lavoro claims that the building of the National Office at Via Capo d'Africa belonged to their organization before Fascism and they wish to reestablish title to it.

e. The National Office owns 5 theaters in Rome, used for Dopolavoro entertainment (one being Cassina delle Rose, now an ALC EL's club); ~~XXXXXXXX~~ and also other properties.

f. The puppet Republican Government appointed an Inspector last Fall to attempt to convert Dopolavoro theatrical facilities and companies into means of entertainment for the Germans, but Berlingieri says attempt was not successful.

g. The national organization set-up will need complete overhauling and thorough epurazione, since national president was Fascist Party Secretary and top jobs were held by Party officials.

9. RECOMMENDATION:

a. A Commissario should be appointed as soon as possible.

b. The Labor Sub-Commission has a collateral interest in the proper functioning of Dopolavoro activities, but direct responsibility probably falls either in the Education or Interior Sub-Commission, or both, since the Ministry of the Interior is the branch of the Italian Government involved. Since Education has already undertaken reorganization of GIL, it is probably logical that they also supervise DOPOLAVORO.

c. It might be well to query Education and Interior Sub-Commissions as to their plans and whether they will vet the candidate for Commissario.

d. I have asked Avv. Berlingieri for a brief written report and when this comes in ~~XXXXXX~~ (next week) a final decision should be made as to Labor Sub-Commission responsibility, if any; and which officer should take it on.

W. E. SOLENBERGER
1st Lt., S.P.
Social Insurance Officer

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HEADQUARTERS
ALLIED CONTROL COMMISSION
LABOR SUB-COMMISSION
APO 394

JTRB/lc

LAB 091.435

22 August 1944

copy

SUBJECT: Draft Decree suppressing Fascist Syndical
Organizations, and liquidating their respective estates.
TO : Ministry of Industry Commerce and Labor.

1. In connection with above Decree, the Legal Sub-Commission has advised: "The method of administration and liquidation provided in this decree is a departure from the procedure prescribed by Italian law in connection with the administration of State funds in that certain safeguards are omitted."

2. The Labor Sub-Commission considers it extremely important that the Ministry make the necessary revisions to provide the safeguards stipulated by Italian law and cite such law (R.D. 16th March 1942, N.267, Articles 198, 199, 200, 201, 204, 205, 206, 207, 208, 209).

3. Two other essential considerations are omitted from the present Draft and should be added:

(a) the annulment of contributions by members to the organizations which are dissolved as of the date of the decree, or as of the date on which AMG abolished syndical contributions, whichever was the earlier.

(b) the machinery for determination or recognition of new labor organizations before liquidation of the assets of the dissolved organizations.

4. When the Ministry has considered these points, the Labor Sub-Commission will be glad to give consideration to a new submission of a Draft Decree on this subject.

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

Copies:
Economic Section
Legal Sub-Commission

/sa

HEADQUARTERS
ALLIED CONTROL COMMISSION
LABOR SUB-COMMISSION
APO 394

File 16
447

1 August, 1944

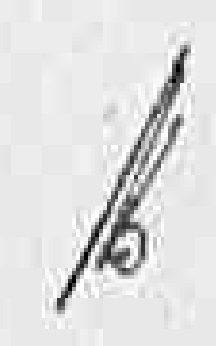
SUBJECT: Decree Law Concerning Suppression of the Fascist
Syndical Organizations and Liquidation of their
Respective Patrimonies

TO : Italian Ministry of Industry, Commerce and Labor

1. The above Decree Law is being considered by this Sub-Commission and by the other Sub-Commissions concerned.

2. Certain specific objections have already been indicated verbally, and a detailed reply will be forwarded as soon as possible.

3. In the meantime in view of the present status of the suppressed syndical organizations, this Commission will take the necessary steps to see that the assets are protected and that Commissioners are appointed by joint action of the Allied Control Commission and the Italian Government.


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

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Labour Sub C. SPECIAL BULLETIN N°15. GENERAL.

1230 HRS

30 JULY 1944.

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LA NEWS.

The Congress of Industrial Organizations, one of the two large labour groups in the United States, has announced that George BALDANZI, executive of the Textile Workers' Union of AMERICA, will go to ITALY, to visit the trade unions and government official. He will extend the CIO's assistance in rehabilitating the labour movement in ITALY.

Mr. BALDANZI said, " We have no special interest in the Italian trade union movement other than to find out how best we, as American workers and union members, can help them in their gigantic task of reconstructing their Fascist-ravaged country."

The other large labour group, the American Federation of Labour, announced of June that Luigi Antonini of the International Ladies Garment Workers' Union would make a trip to ITALY.

(REUTER)

INFORMATION DIVISION
A.C.C.

(4)

REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
APO 394

JTRB/mst

7 July 1944

Reference: ACC/4082/1/L

SUBJECT : Dissolution of Fascist Organizations

TO : Legal Subcommittee, ACC

1. Under para 2 of letter of 30 June 1944 on above subject there are only three items which are within the scope of responsibility of the Labor Sub-Commission: XIII; XV; XVI. Action was taken originally by the Labor Officers AMG to abolish the Consigli Provinciale dell'Economia (XIV) but it was later agreed that these offices were properly within the responsibility of the Industry Subcommittee, which it is understood, has taken steps to continue or to reconstitute them.

2. With regard to the three agencies XIII, XV and XVI it is the opinion of the Labor Subcommittee that:

- (a) Organizzazioni Sindacali should be abolished by Italian Decree law where not already abolished by General Order. a law for this purpose has been submitted by the Italian Govt and tentatively approved by the ACC. The text is now in the hands of the new Minister of Industry, Commerce & Labor.
- (b) Istituto Nazionale Previdenza Sociale (XV) and Cassa Mutue Malattie (XVI) should not be abolished. New directors have been appointed with the approval of Labor and Finance Sub-commissions and the work of reorganization of these agencies is already under way.

J. T. R. BAIN
Colonel
Director,
Labor Subcom

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HEADQUARTERS
ALLIED CONTROL COMMISSION
LABOR SUB-COMMISSION
APO 394

ES/mv

1 July 1944

LAB 091.447

SUBJECT: General Order No. 28

TO: Deputy Executive Commissioner,
RC & MB Section

THROUGH: Vice President, Economic Section

Reference your 262/9/GA dated 29 June 1944.

1. Attached herewith is the draft for an Executive Memorandum on General Order No. 28.

2. No Italian Translation of this Order has been prepared by the Labor Sub-Commission. It would be appreciated if a copy could be made available for information of this Sub-Commission prior to its publication in any Military Government Territory.



E. J. Scicluna

E. J. SCICLUNA,
Captain,
Labor Relations Officer,
Labor Sub-Commission.

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

Ref 7/7/7

Date:

EXECUTIVE MEMORANDUM }
NUMBER ? }

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 gives 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 A.M.C. 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 the Ordinance 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 AOC/AMC 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, judicial 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 a Commissario 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 such Italian legislation that has a bearing on labor matters and has not been rescinded as well of other AMI legislation promulgated separately. Thus, Strike and Lock-out remains illegal instruments for the settlement of labor disputes, Collective Contracts remain in force, wages remain frozen and any re-adjustment 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 re-adjustments becoming operative only on the approval of A.C.C. Labor Sub-Commission.

7. General Order No. 28 may be regarded as a temporary measure. A Draft Decree "Abolishing the Fascist Syndical - Corporative System, re-instituting the freedom of Trade Union Organisation, 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 AMI territory on its promulgation in Liberated Italy, thus providing forthwith a uniform labor system for the whole of Italy.

M. B. LUSH,
Brigadier,
Executive Commissioner.

Pyx him
File.

LABOUR - Con. Sublab 9 May 1944
 SUBJECT: Information requested by Property Control

1009

To: Labor Subcommittee Main Bq.

1. In confirmation of verbal request, there is outlined below the type of information requested by the Property Control Subcommittee, ACC Rear Hq.
2. Information requested covers only territory not under Italian Control:
 - a) What is Labor Subcommittee policy with ref-
 erence to property of fascist organizations if
 has ordered abolished?
 of what action has been taken in Region III and
 I and others which are under AMR-ACC control?

c) Can lists be furnished of all organizations
 abolished, including names and addresses

d) List of possible inventories of all premises
 and properties?

Col. Bein	1009
U. Col Smith	
Major Smith	
Capt	
Capt. Seligson	

e) What will be the policy and program in

1. In confirmation of verbal request, where is answer given the type of information requested by the Property Central Subcommittee, ACC Rec. Hq.

2. Information requested covers only territory not under Italian Control:

- a) What is Labor Subcommittee policy with respect to property of Axis organizations if has ordered abolished?
- b) What action has been taken in Region III and IV and others which are under AMR-ACC Control?

c) Can lists be furnished of all organizations abolished, including names and addresses of possible involuntaries of all premises and properties?

3

d) What will be the policy and program in this regard as new Regions are activated?

REF	
Col. Bein	1160
Lt. Col. Smith	
Major	
Capt.	
Capt. Sch. una	

HEADQUARTERS
10 MAG 1944
A. C. C.
10 May 44

Robert M. Allright
Capt A4S.

File

HEADQUARTERS
ALLIED CONTROL COMMISSION
LABOR SUB-COMMISSION
APO 394

JTRB/tbw

2 May, 1944

LAB 091.447

SUBJECT: Fascist Party Property

TO : Property Control Sub-Commission, Rear Headquarters, A.C.C.

1. With reference to your minute of 28 April, 1944, file ACC/002/CP, it is regretted that this Sub-Commission has not the information desired by you, nor is it in a position to prepare lists.

2. It is suggested that Regional Commissioners be approached.

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

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Com Sec (Labour 84) ✓
5485

REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
PROPERTY CONTROL SUB-COMMISSION
APO 394

447

ACC/002/CF.

28 April 1944.

Subject: Fascist Party Property.

To : Labour Sub-Commission.

1. In order that the responsibility of the Property Control Sub-Commission with respect to the property of dissolved Fascist labour organizations may be determined, it is requested that this Sub-Commission be furnished with information as to the disposition of such properties which it is proposed to make in territories under Military Government.
2. It will be appreciated if a list showing the addresses of the properties of the dissolved organizations is also furnished.
3. Your comments and suggestions are invited.

C. R. S. Harris
C. R. S. HARRIS,
Lieut-Colonel,
Director of Property Control.



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30 Apr 54

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