

ACC 10000/146/502 091.4471 TRADE UNIONS

Feb. - Dec. 1944

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Dec. 1944

FILE COPY

HEADQUARTERS ALLIED COMMISSION

AFS 394

LABOR SUB-COMMISSION

JRS/rmw

TEL : 478904

29 December 1944

REF : 091.4471

SUBJECT: Proposed legislation to regulate Italian Trade Unions and industrial relations.

TO : Economic Section
Attention: Colonel Denmore

1. Following conversation of yesterday morning, attached herewith is correspondence from Brig. General Spofford on the subject of, "Proposed Legislation to Regulate Italian Trade Unions and Industrial Relations."

2. I am informed by you that Admiral Stone has confirmed the ruling of Mr. Antolini, namely, that no action shall be taken on my proposed reply dated 8 December, until the new Director of the Labor Sub-Commission is installed and has an opportunity to consider the entire matter.

3. Inasmuch as General Spofford's letter is dated 22 November, and request for reply from his office dated 9 December has not yet been answered, the entire file is turned over to your office for further attention.

4. In Paragraph 5 of my proposed reply dated 8 December, mention is made that a memorandum is being prepared which will elucidate fully the real purport of the draft decrees. Such a memorandum will be submitted within a few days.

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

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(Enclosed marked with a line at the side are for information only)

14 LAECOM - International Trade Union Conference

NO. 47

4471

It was announced during the week that Nenni would be accompanied on his visit to London by Lizzadri, Socialist Secretary of the CGIL; the press announcement inferring that Lizzadri would stay on in London to represent Italian Labour at the International T.U.C. opening in London on 6th February 1944.

Interviewed by a representative of PWB, Di Vittorio, Communist Secretary of the CGIL, said that Nenni and Lizzadri of the Socialist Party were going to England for the English Labour Congress which was to be held on the 10th of December. They were going as representatives of the Socialist Party and in no way represented the trade unions. Lizzadri was chosen by the Socialists as a favour to the trade unions in order that he might be able to contact labour leaders at the same time to arrange for the participation of Italian representatives in the International Trade Union meetings to be held in England beginning February 6th 1944. The present meetings in London had nothing to do with the trade unions. Nenni and Lizzadri would return soon and in February representatives of the trade unions would go to England.

15 CGIL Memorandum to new Government

On 11th December a meeting of the Executive Council of the CGIL discussed and approved the text of a memorandum to be submitted to the Government and employers' organisations advocating improving living conditions for workers.

The memorandum urges agreement between A.C. and the Government for an increase in the bread ration, particularly for childless and workers; effective measures against rising prices and the black market; a sliding-scale for wages proportionate to the cost of living; the universal grant of an extra month's salary at Christmas; and an immediate programme of public works to relieve unemployment.

16 Women's Trade Union Meeting

The first meeting of its kind in Italy was held at the Roma Camera del Lavoro on 10th December under the joint auspices of the Camera del Lavoro and the UDI (Union of Italian Women).

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16. Women's Trade Union Meeting

The first meeting of its kind in Italy was held at the Torre Camera del Lavoro on 10th December under the joint auspices of the Camera del Lavoro and the UDI (Union of Italian Women).

About 150 delegates from the Factory Committees of the more important Roman establishments were present. A.C. was represented by Miss Sullivan. Signora Laura Ingrao, of the Central Committee of the UDI, presided. She explained the problems facing Italian women workers and the way in which these problems had been tackled in America, Britain and Russia.

The meeting was then addressed by delegates of women workers in important Roman concerns - factories, offices, schools, hospitals, etc. -- who explained the problems facing women workers in each of these categories.

Finally a long order of the day was approved. The principal claims made were:

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(Passages marked with a line at the side are for information only.) No. 47

- d) Santa Lucia for what is caught locally, and what is brought there from Ischia and Procida.

Market Control - The main office for the control and coordination of the commercial side of the organization should be established at the most central of the above wholesale markets. Through this institution the Commune could check sales and control prices.

Distribution - An equitable distribution to retailers could be arrived at by adopting the system used in Rome of arranging for each fishmonger to buy in turn.

Prices - What remains to be solved is the system by which prices should be established. It is considered in any case, that it would be a great mistake to determine them, as formerly, by fixing the highest prices, payable, having regard firstly to the kind, and secondly to condition, because widespread changes develop from week to week and from month to month which affect wholesale and retail markets.

Maritime circles consider that the best solution though only in the case of bulk sales, would be to sell fish by auction. In this way the quantity actually available would be offered and prices would in line with the situation. If however sales by auction are not considered advisable, the difficulty might be overcome by fixing maximum prices for sales to retailers.

Should it be desirable to establish a free market, the maximum prices should be established only on the kinds which are cheaper and therefore in greatest demand.

Uncontrolled prices in the case of choice varieties would stimulate the inflow of these from more distant areas, and at the same time stabilize the prices of these varieties which are of minor interest to the general public.

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That women should be proportionally represented on Factory Committees;

That the CGIL set up an organisation staffed by women to study the problems of women-workers;

That women be considered on a footing of equality with men as regards payment of dependents' allowances and cost-of-living bonus;

That apprenticeship conditions for women be regularised;

That women be represented on the committees of factory canteens.

That women engaged in heavy manual labour enjoy the same extra rations as men.

17. A Woman's impression of the Women's Trade Union meeting.

The hall was well filled with working-class women with a sprinkling of men and a few better dressed women.

"The walls were plastered with slogans such as: 'The working woman must be the companion not competitor of the working man;' 'The emancipation of the workers is impossible without the active participation of women;' 'Workers, help and facilitate the membership of women to the trade unions: together victory is easier.'"

A middle-aged, eager little woman in the audience told a PW officer that she worked as storekeeper in a hardware factory. She was very much annoyed that her colleagues who had promised to come to the meeting had not turned up: "We aren't children" she said, "we have a right to get some improvement in our conditions, we've suffered enough: They'll have gone off to the cinema or for a walk....why didn't they say they weren't coming! But to promise and then not come....." Shortly after she asked the officer "Could you tell me what this meeting today is about?"

Massini, who spoke simply and clearly, aroused a good deal of laughter when he read extracts from writers on the inferiority of women who had no capacity for work, only for being "good mothers and good wives," and there was much derision at one idea that women who had to work should on no account work in factories, only on the land or in hotels.

The audience clapped loudly when he said that the words "serve" and "schiavitù" should be banished.

Laura Lombardo Radici (Laura Ingrao) spoke fluently and without notes. The audience listened quietly and attentively through-

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The first working woman to speak (representing the Manifesta di Tabacchi) had to be coaxed on to the platform with "coraggio." "Ohe vergogna" she kept repeating as she moved up to the platform. Once there she said with an appealing gesture "I'm so ashamed, I've never spoken in public before." She read from her script haltingly and nervously. At one point she expressed surprise on potatoes when she became extremely fluent and expressive, and then had to return to her rather monotonous reading.

18. Increase in Pay to Civilian Navy Workers - Sicily

Civilian workers of the U.S. Naval Operating Base on 7th December received their second pay raise in a month which meant for many the doubling of the old wage scale.

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The desirability of increasing the workers' wage scale in order to improve living conditions has been recognized by the Allied Commission for some time. The first pay-raise of about 15 lire a day was put into effect as of November 1 and soon made retroactive to October first. On November 16 the second pay raise from 40 to 60 lire per day which has just started almost doubled the wages of unskilled workers. This means that the navy is paying the 3000 workers at the shipyard over 8,300,000 lire every two weeks instead of about 4,500,000 as formerly.

The Labour Committee of the workers of the base, each member of which is elected from various trade groups within the shipyard, was established some time ago to act as liaison between the naval command and the civil employee group. It functions as an employee benefit agency in presenting the wishes of the workers on matters of wages and hours to the naval command and also acts as an impartial judiciary group for handling disciplinary matters involving civilian employees of the navy.

The text of the Committee's letter to the Commandant of the Base on the occasion of the raise was as follows:

"The Labour Committee having been informed of the provisions already established to benefit the workers of the base, provisions which were viewed as essential by this committee and brought to the attention of the officer in charge of civilian personnel, realizes that through your personal intervention and interest the matter was brought to a happy conclusion.

The Committee wishes through its President to extend its most sincere thanks and pledges itself to keep up the discipline of civilian workers and to inculcate in them an ever increasing sense of responsibility and interest in their work.

Assured that your interest and protection of your civilian employees will continue, we send our most sincere regards.

The Chairman
G. Goner

HEADQUARTERS ALLIED COMMISSION
APO 394
LABOR SUB COMMISSION

File

ALD/ao

8 November 1944

Phone: 204

Ref: 091.4471

TO : Captain Guarino
Billeting Officer.

This is to advise that Mr. Vanni B. Montana, an American civilian, passport No. 803202, is an authorized representative of the American Federation of Labor and the Italian - American Labor Council here in Italy on an official visit, to review the labor field. He is authenticated by the State Department and his credentials are in order.

Request is made that he receive proper accommodation of quarters and messing at the Grand Hotel or any other hotel of equal status.

Junius R. Smith
Junius R. Smith
Colonel JCO
Acting Director.

HEADQUARTERS
SOUTHERN REGION, ALLIED CONTROL COMMISSION
APO 394, U.S. Army

File 6671
9 October 1944

SUBJECT: Trade Union activities in Naples

TO : Regional Commissioner HQ Southern Region.

FROM : Labour Relations Officer, AGC Labour Sub-Commission

COPY TO: A/Director, Labour Sub-Commission

Ref our conversation of this morning on above subject.

1. I had occasion to broach, rather summarily, the question of a suitable premises for the Camera del Lavoro and also the question of the weekly newspaper "Domani Sociale." In view of your expressed intention to give these two points your personal attention, I am hereunder outlining briefly the salient facts.

2. The "Camera del Lavoro" is not suitably accommodated in Naples and in spite of many efforts over a period of months, the situation is still unchanged. I consider that the Labour Division HQ Southern Region should lend its support and possibly its intervention in finding a practical resolution of the present difficulties. Various officials of the Camera del Lavoro have pleaded with me for ~~the~~ AGC support and I submit that Capt Botham might contact Prof. Salv. Papa at 413 Via Roma for details and suggestions, if you consider AGC intervention justified.

3. There have been two trends of Trade Union organization in Southern Italy one sponsored by the Demo-Christians (the "White" Syndicates) the other by the Socialist - Communist - Action Party group (the "Red" Syndicates); Through the initiative of Trade Union personalities in Rome all tendencies are uniting in a single nation wide organization and formal fusion of these two tendencies is expected in Naples in the very near future. Both "Red" and "White" 111

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organizations, at the moment, run a weekly newspaper VIZ:- "Battaglie Sindacali" and "Domani Sociale" respectively. In view of the impending fusion, P.W.B. (through Lt. Stewart) has informed the Editor of "Domani Sociale" that publication will have to be suspended as soon as the two Trade Union groups are formally declared united: one Trade Union weekly should suffice. The "White" organizations desire to retain their newspaper as an organ of the work men's cooperative Movement, mainly for the purpose of counteracting any attempt to carry the Trade Union movement as a whole towards the Extreme left, once the fusion takes place. I am personally convinced that the "Red" influence shall prevail in the new unitary Trade Union organization and I believe it to be sound policy not to suppress the publication of the "Domani Sociale", in order that the free expression of opinion is also made possible for the "Christian tendency", which is likely to become a minority group. Prof. Salvatore Papa represents the "Domani Sociale" for any further information you might require.

E. SCICLUNA, Major
Labour Relations Officer
ACC Labour Sub-Commission

HEADQUARTERS
ALLIED CONTROL COMMISSION
INFORMATION DIVISION

Labour 471

SUBJECT: Censorship United States of America

2221/INFO

12 June 1944

TO : Economic for Labour Sub. Com

1. The attached information was extracted from reports sent to the Information Division, A.C.C., by Censorship United States of America

REF	
Col. Ben	55
Col. Smith	503
Major	
Capt	
Capt. Schuna	

[Signature] JOHN V. HINKEL

Major, M.I.

Director,

Information Division

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Paul Tofahrn
International Transport
Workers' Federation
Crossland Pesse
Box End
Kempston
Bedford

Die Exekutive der .I.U.L.
Postfach 304
Zurich - Aussersihl
Switzerland.

4 - 5 44

ATTENTION DRAWN TO A MISTAKE IN I.U.I. REPORT.

"Your report for 1943 contains a mistake. Citrine took no steps to influence the Allied Authorities in Italy regarding the construction of trade unions. On the contrary his efforts were toward the creation of an international, or an Anglo-American, trade union delegation to go to southern Italy to undertake investigations on the spot. Consent to this has recently been given, and the British Trade Union Association, "(T.U.C.)" has already nominated its delegates."

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HEADQUARTERS
ALLIED CONTROL COMMISSION
LABOR SUB-COMMISSION
APO 394

File
4471

SUBJECT : CRS - Italian Report
("Economic, political, Trade Unions and
General Confederation of Labor in oc-
cupied Italy" - No. 363 - March 1, 1944)

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

FROM : Capt. E. Scicluna, Labor Rel. Officer.

Ref. above subject, attached report applies:

1. On the whole the picture presented is substantially correct.
2. In Subsection "Political Background" para 3, reference is made to a "five parties coalition". It would appear that no cognizance has been taken of the "Democrazia del Lavoro", which links up to the traditions of Nitti and Amendola and embraces a number of "Socialisti - Riformisti". Bonomi is regarded as the national leader. And while the party has no definite political organization, it is nevertheless an important political factor made up of a group of politicians of some standing, who, on personal grounds, command especially in provincial areas - a considerable number of Supporters.
The chief exponents in Naples are Dr. Francesco Cerabona, Prof. Patrucco, and Dr. Luigi De Filippis.
3. In subsection "Trade Unions" para 3, the statement is made that the Christian Democrats are organizing their own party Trade Unions, notwithstanding the general agreement on the question of unity in the Labor Movement. It would have been more accurate to say that every party is endeavoring to maintain direct contact with the working classes by invading the field of Trade Union Organization - the Christian Democrats remaining outside the movement of formal collaboration within the Confederazione Generale del Lavoro, for ideological reasons. Unlike the other political parties, the Christian Democrats maintain that Trade Unions should be State Controlled and not autonomous Organizations free to act independently of the political interests of the State.
4. In subsection "General Confederation of Labor", the picture has been left incomplete. While the facts stated are substantially correct, the latent developments have given a different aspect to the situation of the 137.
of L. The Naples and Bari movements are now working in strict collaboration as outlined in my report 091.447 dated 15 Mar. 1944.
I am also led to believe that contacts have been taken with the Christian Democrats in order to evolve a formula that would evade Trade Union Associations organized by the latter to join the "Confederazione Generale del Lavoro", at least when the time arrives to elect the permanent Central Executive Committee.

E. Scicluna
Lab. Rel. Officer

OFFICE OF STRATEGIC SERVICES
ALLIED FORCE HEADQUARTERS

To: WGE

Date: March 14, 1944

Subject: OSS - ITALIAN REPORT

The following attached report, offered for inspection and return to this office, has been compiled by a representative of a labor organization who is, at present, in Italy:

"ECONOMIC, POLITICAL, TRADE UNIONS AND
GENERAL CONFEDERATION OF LABOR IN OCCUPIED
ITALY" - No. 363 - March 1, 1944

Attachment - I

File No. 166 Report No. 363ECONOMIC BACKGROUND

Shortage of manufactured goods and foodstuffs is the dominating factor in the present economic situation in liberated Italy. This even more than the legal devaluation of the Italian currency, is the cause of the continuous rise in prices of manufactured and agricultural commodities.

Owing to the lack of local industrial production stocks of manufactured goods cannot be replaced; those still available, new or secondhand, are very scarce or, in certain instances, almost unobtainable. The consequence is that at the present rate of exchange the Italian consumer has to pay a price for almost all manufactured goods which is higher than that paid by the British consumer for corresponding commodities. For instance a secondhand typewriter which may have cost 1000 lire before the war and which at the new rate of exchange should now cost four times more, is actually sold for 10,000 lire or more. The same applies to cars, household goods etc. As available supplies dwindle prices tend to increase more and more. It must be pointed out that the situation has been made more difficult for the local population by the fact that the Allies have bought or requisitioned a large proportion of what manufactured goods had been left in the country after the Germans had plundered or destroyed many of the stocks which existed at the time of their evacuation.

Food production is continuing, though on a reduced scale owing to lack of fertilizers, scarcity of seeds, reduction of cultivated areas through military operations or military installations. The decreased output of foodstuffs, coupled with stoppage of imports, would have been sufficient to bring about an appreciable increase in the price of food. Two other factors, however, contribute towards the raising of prices of food sky high. Firstly the producers of food tend to increase the price of their produce in proportion to the increase in price of the manufactured goods which they need to buy, (household goods, clothes, agricultural implements etc.). Secondly the disruption of the transport system creates in certain areas a more acute scarcity. The result is that a staple commodity such as bread is bought at 50 or 60 lire a kilo, (2/8 - 3/1b.), in all the largest towns of liberated Italy. Thus the price of a kilo of bread corresponds to the average daily wage of an Italian manual worker. True the population gets its ration of bread at a much lower price, but the amount of the ration is definitely inadequate and must be supplemented by bread bought on the black market at the above mentioned prices. "Black Market", however, has ceased to be the right name for goods bought above the maximum price level, for without interference from any authority. On the whole the Allies have encouraged a return to free trade and no one is any longer concerned with fixed prices and rations, with the sole exception of the bread ration as specified.

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While the prices of essential commodities have risen to more than four times the pre-war level, salaries and wages have only increased on an average by 100-150%. The consequences are discontent, demoralization and corruption. Only a tremendous amount of goodwill towards the cause of the Allies have prevented the workers from striking and causing public disorder. Since February 5th the bread ration has been increased from 150 to 200 grs. thanks to supplies of flour and wheat imported by the Allies, a decision which is being greatly appreciated by the entire population.

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POLITICAL BACKGROUND

The economic situation has an adverse affect on the political situation because the daily economic worries of the average Italian doesn't allow him to give sufficient attention to public affairs and to participate in public life. One notices a certain political apathy and discouragement among the general public. Fascist elements are trying to exploit the adverse economic situation by putting out the slogan "si stava meglio quando si stava peggio".

None of the political parties can count on the disciplined following of any considerable number of numbers as yet. On the whole the propertied classes support the liberal Party or the Liberal Democratic Party, both of which are monarchic. The former, headed by Croce, demands the abdication of the present King; the latter is the government party. The lower middle classes support the Partito d'Azione, (Sforza), which has a strongly republican bias and a program of social reforms, demanding the nationalization of the large industrial enterprises and the defense of individual property, medium and small. The Christian Democrats are recruited from among the more progressive catholic opinions and have a substantial following among the peasantry. The Socialist Party is comparatively weak. The Communist Party has a great following among the industrial workers and landless peasants. Although it is well lead it is badly disciplined and particularly in Naples is weakened by the presence in its ranks of more than one unscrupulous member.

This picture applies, of course, only to liberated Italy. It is known for instance that in Central and Northern Italy the Socialist Party is strong. It is lead by Renzi who, in a message to the Bari congress, emphasized the necessity of close cooperation with the Communist Party, with whom he has signed a pact of alliance, this pact has been accepted by the Socialists and Communists of southern Italy. The political situation, which in the past three months had remained static, shows signs of becoming more active since the Congress of Bari. Before the Congress the entire opposition seemed to have endorsed the demand of the Partito d'Azione for the immediate abolition of the Monarchy. But the Congress of Bari, under the pressure of both the Right, (Liberals), and the left, (Christian Democrats, Socialists and Communists), abandoned this idea, which had proved sterile and had made it impossible for the opposition to have a positive political program. The five Parties coalition now limits its immediate programs to the abdication of the King and his son on the grounds that they were principally responsible for the Fascist regime. This argument is more easily grasped by the public and has a far greater propaganda value and may well induce the King to resign in favour of his grandson. The way would then be open for the opposition to take over the government.

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Another constructive step taken by the Bari conference has been the setting up of a permanent committee composed of the representatives of the five political parties, (giunta), who are thus for the first time in a position to conduct their political campaign through a central body. It is believed that the authority of the Giunta will steadily increase.

As for the Badoglio government, its continuance in power seems to depend exclusively upon the progress of the war and the presence in the country of the Allied armies and Allied administrative commissions. These Allied agencies, by

utilising the administrative machinery of the Badoglio government, give it the only authority it can command, and make it difficult for a change of government to be brought about by popular pressure.

TRADE UNIONS

On the whole the organization of Labour into free unions is proceeding well. The remainder of the old Fascist labour organization Fascist leaders and Fascist mentality are being step by step replaced by the new organizations. The rebuilding of the new free unions, however, is not always and not everywhere proceeding equally smoothly and successfully. It is sometimes hampered by the opposition of employers, particularly in certain country districts where the landowners are powerful and the workers more easily subject to their economic or social pressure. The central Allied authorities, as a rule, have supported the workers, but in more than one case, in less important districts AMGOT officials have acted so as to prevent the leaders of the trade union movement from carrying out their work.

Though the union are meeting with no difficulty in obtaining support it is noticeable that the opinion of the majority of union members is still inarticulate and that the new opportunities for democratic control over the leaders are not yet exploited to the full.

The men who have set themselves the task of rebuilding the free Italian trade union movement are as a rule former trade union leaders of the pre-fascist days with experience, enthusiasm and integrity. There are of course also a few who are less interested. It should be noted that while in all quarters it is stressed that, in order to maintain the unity of the labour movement, the unions must be a political and independent of the political parties; the Christian Democrats are organizing their own party unions.

GENERAL CONFEDERATION OF LABOUR.

There is a great deal of confusion in this field. The G.C. of L. should be the main organization of the trade unions, formed by the amalgamation of the various national federations of the different crafts. A few Neapolitan organizations, however, some months ago set up on paper a G.C. of L. and appointed themselves leaders of this organization. They had obviously no authority to act in this way: at the best they could claim to represent a fraction of the Neapolitan labour movement.

Labour organizers in Bari called a congress of all trade union leaders of Liberated Italy with the purpose of regularising the position of the G.C. of L. and of making it a really representative body. The congress of Bari has appointed a provisional committee with the task of organizing the National Federations and of preparing a draft of the rules of association of the G.C. of L. The congress maintained that only after this preparatory work had been accomplished could the G.C. of L. be set up. In the meantime it acclaimed the future leaders of the G.C. of L. Bucci, (Socialist), Ravada, (Communist), and Grandi, (Christian - Democrat), all of whom are in occupied Italy.

Unfortunately the self appointed leaders of the Neapolitan G.C. of L. disagreed with the resolution passed by the Bari Congress and have called another congress in Salerno for the 18th February with a view to disavowing the work of

and maintaining themselves in the saddle. Reuter's dispatches on the subject have, on the whole, reflected the point of view of the Metropolitan set.

SINDACATO ARTISTI DI PIAZZA
Presso "Camera del Lavoro"
219 Via Duomo, Napoli

3 April 1944

4771

To: Lt. Col. Mincaid, Prefettura

Sir,

The Trade Union Association of Public Taxi Drivers have had the occasion to submit to you in a report certain concrete proposals for the solution of the difficulties that have arisen in connection with the continued taxi service of some of the Owner-Drivers.

It has come to our knowledge that this report which was in the hands of Major Brodhenson, has not yet been dealt with by you and, in view of the precarious financial situation in which the Drivers concerned now find themselves, it is submitted that you may give it your early and sympathetic attention. For thirty-five days these men have been deprived of their only means of livelihood and their families are suffering dire consequences.

It is suggested, in view of the above, that two or three of the elected representatives of the Taxi Driver Union be given an early opportunity of holding a conference with you, in order to arrive at some arrangements that would be acceptable to the Allied Military Government, removing at the same time the serious handicap under which the Drivers in question have been placed.

Yours faithfully,

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HEADQUARTERS
ALLIED CONTROL COMMISSION
LABOR SUB-COMMISSION
APO 394

11 March, 1944

091.4471

SUBJECT: Trade Union Movement

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

FROM : Capt. E. J. Scicluna, Labor Relations Officer.

The following information may be of interest:

1. Federazione Sindacale di Napoli e Campagna
Executive Committee of 13, of which 4 members are full-time officials as follows:

Administrative Secretary.....Zusab Federico
Political Secretary.....Iorio
Organizers and propagandists.....Bassano & Di Bartolomeo
The "Consiglio" is made up of 7 members as follows:

Dr. Gentili (Not a bona fide workman)
Dr. Arminio (Not a bona fide workman)
Russo -- General Secretary (Mechanic)
Di Bartolomeo (Mechanic)
Gallo (Pasta-maker)
Bosso (Post-Telegraph-Telephone)
Sciucca (Clerical employee)

2. "Consiglio Generale della Confederazione delle terre liberate d'Italia." is now in process of formation through the amalgamation of the Naples and Bari federations. Bari has made this amalgamation subject to the following conditions:

- a. That the confederation disclaim any direct political link-up;
- b. That the provisional central committee be made up of equal membership from Naples and Bari respectively plus a General Secretary. The total suggested is 17, 11el. 8 Naples and 8 Bari and General Secretary.
- c. That as soon as the Central Committee has been constituted, membership cards be issued to all those who join the confederation and that as soon as this has been done, a general meeting be called in order to set up, through a system of proportional representation, the permanent Central Committee.

3. More detailed information regarding the constitution and principal spokesman of the Bari and the Naples Trade Union Organization is being collected.

EJS/mv/tbw

/s/ E. Scicluna
E. SCICLUNA,
Captain,
Labor Relations Officer
Labor Sub-Commission

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~~Recd. (Mapa)~~ For information & retention

from July
En. W. H. H. H.

HEADQUARTERS
ALLIED CONTROL COMMISSION
LABOR SUB-COMMISSION
APC 374

10 March, 1944

091.4471

SUBJECT: Threat of Stoppage of work on 4 March, 1944.

SUBJECT: Threat of Subversion

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

FROM : Captain A. J. Scicluna, Labor Relations Officer.

reference above subject:

1. Acting on your orders "to investigate the facts and take any necessary action in connection with the general stoppage of work which Trade Unions were intending to organize for 4 March, 1944, between 1100 hours and 1110 hours, I reported on 1 March, 1944, to Regional Commissioner, Region III, in order to seek his advice and submit for his approval a proposed line of action. Broadly speaking, it was agreed that:

a. Every effort should be made to prevail upon Trade Unions' representatives not to insist on that particular form of "protest";

b. Any move calculated to lend a dramatic appearance to the situation be absolutely avoided -- a policy of amiable and sympathetic mediation being followed with no direct suggestion that an ultimatum was being presented;

c. Lt. Col. Lane, Regional Labor Officer, Region III, and I should work in strict cooperation, keeping the Regional Commissioner posted with any new developments; and

d. Trade Union representatives would eventually be invited to a conference with the Regional Commissioner for a final decision to be reached.

2. (on an exchange of views with Lt. Col. Lane, it was decided:

2. (a) an exchange of views between
a. To call in Dr. Rubiacchi (Acting Regional Director) and Mr. Pierleoni (Provincial Director) in order to obtain their views and to explain to them the form of direct intervention that they were to follow;

b. To fix a conference with Trade Union representatives for 1500 hours on 2nd March, 1944;

hours on 2nd March, 1944;

c. To tackle separately the representatives of the various Trade Unions, prior to the joint conference of Trade Union representatives.

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During the meeting with Dr. Rubinacci and Pierleoni, it became apparent that the latter was not prepared to intervene directly. He advised that A.C.C. should draft a circular for transmission to the Trade Unions, and that this circular be sent to him with written instructions to forward. He declared himself in full agreement with the proposed action of the Trade Unions.

When Lt. Col. Lane pointed out that, as a Government official, he was there to discharge his duties, disregarding his personal feelings about the matter, he explained that (i) he could not be expected to act as a "policeman" to the workmen, if he was to retain their confidence, and (ii) he was prepared to communicate to the Trade Union representatives the views of A.C.C. on the proposed stoppage of work, provided instructions were given him in writing. ~~1144~~ Lt. Col. Lane made it clear that he was not accustomed to giving his instructions in writing, and it was then decided, with the adherence of Mr. Pierleoni, that he and Dr. Rubinecci would be responsible for formally calling the representatives to a conference, while direct contact with the individual Trade Union would be left to me.

3. That same evening and in the forenoon of 2 March, 1944, I made contact with several Trade Union representatives amongst whom were members of the "Confederazione del Lavoro". Lt. Col. Lane also obtained an assurance of abstention from two Unions.

4. At the meeting of Trade Union representatives no definite solution to the problem was reached, but the Trade Union Associations organized by the "Partito Democratico Cristiano", the "Partito Democratico Sociale" and the "Partito Liberale" altogether dissociated themselves from the proposed demonstration, while the following Unions:

- a. Railroad workers,
- b. Utility workers, and
- c. "Centi del Mare"

pledged themselves not to participate -- the "Confederazione" spokesman (Dr. Gentili) stating that, in fact, they had been "invited not to participate in the stoppage of work" as the Federazione wanted to give ample proof to A.C.C. that there was no intention of interfering with the war effort.

5. A much reduced group of representatives attended the conference with the Regional Commissioner. Lt. Col. Poletti explained that his orders from the Military Commander-in-Chief were explicitly and unequivocally that a "stoppage of work" could not be allowed in a forward military area, and, therefore, he had no option but to insist that they seek some other means of "protest" against the alleged misrepresentation of the political situation in Mr. Churchill's speech. After considerable discussion, those representatives who accepted A.C.C.'s stand withdrew from the conference. There now remained to deal with only the seven members of the Central Committee of the "Confederazione". A "modus operandi" was eventually reached. The "Confederazione" was to suspend their proposed "stoppage of work", and would instead work out the details with the Regional Commissioner for (i) a press communique, (ii) some other form of public demonstration, and (iii) the collection of signatures to a "petition" to be addressed to the Allied Governments. This arrangement, however, was made subject to approval of the three popular parties (Communist, Socialist, d'Azione), it being agreed that a definite confirmation was to be communicated to the Regional Commissioner at 0830 hours on 3 March, 1944.

6. On the morning of 3 March, 1944, the "Federazione" representatives informed Lt. Col. Poletti that they were no longer in a position to proceed with the plan formulated the previous evening. New and important factors

had come into play, via:

a. An article in the "Risorgimento", officially inspired, had suggested that the professed "stoppage" was regarded by the Allies as intended to harm the war effort;

b. The leaders of the three parties had taken exception to the summary way in which they had been treated by the C.G.A.O. who had simply informed them that he would not tolerate such an action; and

c. The B.N.C. had commented upon the proposed "stoppage" as being of no consequence, and that in view of non-adherence of many Trade Union Associations, the demonstration would anyhow prove a failure if it were staged at all.

As further discussion proved useless, Dr. Gentili submitted that an opportunity to meet the C.G.A.O. might be given to the representatives of both the political parties and of the "Confederazione" as a final attempt to reach a compromise. Lt. Col. Poletti decided to put up the suggestion to the C.G.A.O. and, in fact, a meeting was arranged for 1800 hours.

7. The C.G.A.O. received the following deputation:

Political Representatives

Dr. Tedeschi (Communist)
Dr. Longobardi (Socialist)
Dr. Calace (Partito d'Azione)

"Federazione" Representatives

Dr. Gentili
Mr. Di Bartolomeo
Mr. Gullio

C.G.A.O. explained that, for military reasons, the one and only form of demonstration he was ^{not} allowed to sanction, on a point of principle, was unfortunately the one that had been chosen by the political parties. While he was open to any other suggestions for a public demonstration, he was not in a position to let a "stoppage of work" be organized, however convinced he might be that it was NOT intended as a hostile demonstration against the Allies or as a sabotage of the war effort. Dr. Tedeschi spoke for the whole deputation, explaining that the three parties were no longer in a position to withdraw as this was now likely to create the impression in Nazi Italy that they were guessing in the statement that the Badoglio Government had the support of the majority of liberated Italians. Though no solution was found, the way was left open for the delegation to get in touch with A.C.C. if they had any proposals to make by 2100 hours.

8. On the dissolution of the meeting, I remained at A.C.C. HQ. awaiting possible developments. At 2030 hours Lt. Col. Poletti and all other A.C.C. representatives at the first meeting returned to Headquarters, A.C.C. At 2100 hours Dr. Gentili reported that "certain proposals were to be submitted for the consideration of the C.G.A.O." 127

The C.G.A.O. received a deputation composed of the following: Dr. Tedeschi and Dr. Pasle (Communists), Dr. Calace (Partito d'Azione), Dr. Longobardi (Socialist), Dr. Gentili (Federazione representative).

ITALIANI! LAVORATORI!

Churchill ha recentemente dichiarato che l'attuale Governo Badoglio ha piu' autorita' nel paese di quanta potrebbe averne un altro governo, affermando - sulla base di questo suo apprezzamento - che l'Italia continuera' a rimanere senza governo fino alla liberazione di Roma. E a Roma, sempre secondo Churchill, l'Italia non avra' un governo su basi nuove, ma semplicemente su basi piu' larghe.

LAVORATORI!

Questo falso apprezzamento rischia di fare al nostro paese un male incalcolabile. E' quindi necessario dimostrare, subito a Churchill e agli Alleati che fossero altrettanto male informati, che il popolo italiano vuole:

- Mettere ai margini della vita nazionale, fino alla fine della guerra, la monarchia di Savoia, corresponsabile e complice del fascismo;
- Costituire un governo antifascista, veramente democratico, che possa fare la guerra sul serio contro il nazismo, epurare la vita del paese, dare inizio di soluzione alla disoccupazione e all'angosciata situazione alimentare, rappresentare fra gli alleati gli interessi del popolo italiano e non quelli dei suoi nemici.

Per dare questa dimostrazione, domandiamo a tutti gli operai, gli impiegati, i commercianti, i professionisti, di

SOSPENDERE IL LAVORO PER 10 MINUTI DALLE 11 ALLE 12,10 DEL MATTINO, IL GIORNO DI SABATO 4 MARZO.

E per dimostrare a tutti che non si tratta di uno sciopero o di un boicottaggio della produzione, ma soltanto di una manifestazione patriottica e antifascista,

PROLUNGARE IL LAVORO PER UN QUARTO D'ORA DALLE 12 ALLE 12 1/4 DELLA STESSA GIORNATA.

Paralizzando per dieci minuti la vita economica e amministrativa della citta', i napoletani diranno a Churchill quello che vuole il nostro paese.

IL PARTITO D'AZIONE
IL PARTITO SOCIALISTA
IL PARTITO COMUNISTA

Dr. Tedeschi submitted to C.C.A.O. that the "stoppage of work" would be suspended if the A.C.O. was prepared to allow the following:

- a. A mass demonstration in a public square on Sunday, 12 March;
- b. The collection of signatures to a petition to be forwarded to the Allied Governments;
- c. The publication of a communique through radio and press.

C.C.A.O. accepted these proposals, and also agreed to overlook all the events that had come about, and not to proceed against the printers who had printed the leaflets for the proposed "stoppage of work".

9. Attached herewith are the following:

- a. Pamphlet notifying the "stoppage of work" to the workmen
- b. Article from "Risorgimento" of 3 March, 1944.
- c. Article from "Stars and Stripes" of 3 March, 1944, with reference to the seizure of pamphlets at the "printers".
- d. The text of the communique issued, with the approval of C.C.A.O., by the three parties; and
- e. Press notice issued by Trade Union Associations that initially dissociated themselves from the "stoppage of work" demonstration.

10. Observations and suggestions in connection with the above report will be submitted for your consideration in due course.

EJS/tbw

E. J. Scicluna

E. J. SCICLUNA,

Captain,

Labor Relations Officer,

Labor Sub-Commission.

OUTLINE OF INDUSTRIAL PROGRAM-LABOR*File*

1. It is recommended that material be prepared in pamphlet form for distribution and dissimulation covering the following points and to be issued in the following order:

a. purpose of General Order No. 8, Regional Orders No. _____ and rules and regulations issued pursuant thereto. (Print ORDERS and RULES AND REGULATIONS)

- (1) To abolish the Fascist Corporative Syndical systems.
- (2) To establish Provincial and Regional Labor Offices as part of Government which will be equipped to handle labor problems for the Government and in the public interest.
- (3) To establish the right of freedom of workers to organize for purposes of collective bargaining.

b. Functions of Provincial and Regional Labor Offices*.

- (1) Provincial Offices. (Recite functions)
- (2) Regional Offices. (Recite functions)

NOTE: Amplify the fact that these offices are to be offices of the Italian Ministry of Industry, Commerce and Labor, ^{and} are designed to function for the ^{said} Ministry exclusively in the field of labor and labor relations.

c. Purpose of General Order No. 17.

- (1) To implement General Order No. 8, with respect to freedom of labor organization. This order makes it clear that^m
 - (a) workers have the right to organize, hold meetings, select representatives for purposes of collective bargaining, etc., and
 - (b) employers have the same right.

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*Each function to be spelled out in great detail and with illustrations, cover employment exchanges, social security supervision, statistical service, conciliation, etc., etc.

(8)

- 2 -

one hand, and employers on the other so that they may handle their respective economic problems in a representative manner and have a means for orderly reconciliation of views, disputes, and interests.

d. Definitions and illustrations.

- (1) What is a trade union?
- (2) How is a trade union organized?
- (3) What is a trade association?
- (4) How is a trade association organized?
- (5) What is a collective labor agreement?
- (6) Form of typical labor agreement negotiated and executed in a democratic country.
- (7) What is a labor dispute?
- (8) How is a labor dispute settled?
- (9) How are decisions of Arbitrators enforced? Discuss legal method i.e., courts, and method of strike and lock-out.
- (10) Describe difference between conciliation, mediation, arbitration.
- (11) Describe method of negotiating a collective contract. Illustrate by simple case from start to finish employing each of the above steps from (1) to (10)

e. Status of foregoing machinery, offices, functions, etc., in territory turned over to Italian Government, and that retained by AMG.

- (1) Publish and describe Italian Decree (which is shortly to be published) and point out its Uniformity with orders, practice and procedure in AMG territory; the fact that it incorporates AMG orders, picture and procedure.

f. General Order No. 14.

- (1) Purpose (publish text) Temporary wage adjustment to meet increase in cost of living. Indicate difficulties inherent in making the

- 3 -

adjustment due to numerous indemnities, etc. Need for general basic wage revision.

- (2) Application of order. Point out mandatory re Government workers, re private workers. Discuss method of procuring wage benefit if private employee and employer have failed to recognize request for increase. Here illustrate method by which FLO can be utilized if request of employees to employers failed, and equity apparently justifies increase.

g. Pensions. (Leave open for time being)

h. Full section on fact Italian Ministry of Labor is prepared to play in in the immediate economic life of the country. This is to be cleared by Corbino and preferably released through his office. Here is the place where the neutral, public-interest point of view of the Government can be directed and emphasized. Also where stress can be laid on its non-political character. The Ministry serves the public and guides the Government in its policies re workers. Policies should be laid down here if possible in addition to functions. High public character of staff of Ministry, etc., pointed out and special technical background requirements.

HEADQUARTERS
LABOR CONTROL COMMISSION
LABOR SUB-COMMISSION
APO 594

Cross Reference Sheet

File: 091.4471

Subject: Trade Union & Budget Payments in Salerno Province.

Date: 16 Feb 44

To: Director Labor Sub. Comm.

From: Capt. Fraser

Documents Filed: 091.454

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AN ORDINANCE TO ENLARGE THE AND HAD DISCOUNT

1. This Ordinance may be cited as the Trade Volume and Trade Weight Ordinance.

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7. "Trade Union" means any combination whether temporary or permanent, the principal purpose of which are under its constitution the regulation of the relations between workmen and employers, or between workmen and workmen, or between workmen and masters, whether such combination in whole or in part if this ordinance had not been enacted have been deemed to have been an industrial combination by reason of some one or more of its purposes being in restraint of trade;

provided that nothing in this Ordinance

(iii) shall effect

(1) Any person known to have been in contact with the person who was the subject of the investigation.

(c) The relationship between the employer and the employee is not a partnership.

(3) Any agreement in a violation of the sale of the goodwill of a business or of instruction in any profession, trade or handicraft; or

(b) shall preclude any trade union from providing benefit for its members.

(b) shall provide any information from a residing non-profession, race, or color of the person.

res-ceived" soon registered under the Ordinance.

"Government" across the Registrar of Trade Unions.

Trade will not be criminal

5. The purpose of any trade union shall not, by reason merely, that they are in restraint of trade, be deemed to be unlawful as to render any member of such trade union liable to criminal prosecution for conspiracy or otherwise.

Prads called on
not unless I
have a
responder

4. The purpose of any trade union shall not, by reason merely, that they are in restraint of trade, be unlawful as against the public interest or notarial dead.

Trade and are prohibited from carrying on business with foreigners.

(1) No trade union or any member thereof shall perform any act in furtherance of the purposes for which it has been formed unless such trade union has first been registered.

(2) Any trade union or any officer or member thereof who contravenes the provisions of this section shall be liable of an offence punishable with a fine not exceeding twenty-five pounds.

Number of

- (a) shall effect:
- (1) Any agreement between partners as to their own business;
 - (2) Any agreement between an employer and those employed by him as to such employment;
 - (3) Any agreement in connection with the sale of the goodwill of a business or of instruction in any profession, trade or handicraft; or
 - (4) shall preclude any trade union from providing benefits for its members.

"Registered" means Registered under this Ordinance.
 "Registrar" means the Registrar of Trade Unions.

Trade unions
 not criminal

3. The purposes of any trade union shall not, by reason merely that they are in restraint of trade, be deemed to be unlawful so as to render any member of such trade union liable to criminal prosecution for conspiracy or otherwise.

Trade unions
 not unlawful
 for civil
 purposes

4. The purposes of any trade union shall not, by reason merely that they are in restraint of trade, be unlawful as to render voidable any agreement or notarial deed.

Trade unions
 prohibited
 from carrying
 on business
 unless regis-
 tered.

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Registrar of
 trade unions

6. The Governor may appoint such persons as he may think fit to be the Registrar of Trade Unions.

Registration
 of trade
 unions

7. Any person, or more members of a trade union may, by subscribing their names to the rules of the union and otherwise complying with the provisions of this Ordinance with respect to registration, register such trade union under this Ordinance to registration, provided that if any one of the purposes of such trade union be unlawful and registration shall be void.

Compulsory
 registration.

8. (1) Every trade union shall be registered in accordance with the provisions of this Ordinance or be dissolved within three months of the date

- (a) of this formation, or
 (b) of any notification by the Registrar that he has refused under section 10 to register the trade union, or
 (c) of the commencement of this Ordinance which is over 10 years later date.
- (2) Every trade union which is not registered or dissolved within the period prescribed in the preceding subsection and every officer thereof shall be guilty of an offence punishable with a fine not exceeding five pounds for every day it remains unregistered after the expiration of such period.

Rules for Registry.

3. With respect to the registry under this Ordinance of a trade union, and of the rules thereof, the following provisions shall apply:-

- (1) An application to register the trade union and its rules shall be sent to the Registrar with copies of the rules and a list of the titles and names of the officers of the trade union.
- (2) The Registrar upon being satisfied that the trade union has complied with the rules respecting registry in force under this Ordinance shall subject to the provisions of section 10 register the trade union and rules.

(3) No trade union shall be registered under a name identical with that by which any other existing trade union has been registered or so nearly resembling, such name as to be likely to deceive the members of the public.

(4) The Registrar upon registering a trade union shall issue a certificate of registration.

Refusal of registration.

10. (1) If the Registrar is satisfied that:-
 (a) the applicants have not been duly authorized to apply for registration; or
 (b) the purposes of the trade union are unlawful; or
 (c) the application is not in conformity with the provisions of this Ordinance;
 he may refuse registration.
- (2) When the Registrar refuses to register a trade union he shall forthwith inform the applicants in writing of the grounds of his refusal.
- (3) An appeal shall lie to the Supreme Court from a refusal of the Registrar to register a trade union and from such appeal the Supreme Court may make any such order as it thinks proper including any directions as to the costs of the appeal.
- (4) The Supreme Court shall be final in its order of the Supreme Court shall be final.
- (5) The Supreme Court may make rules governing such appeals providing for the method of giving evidence, and the fees to be paid in which such appeals shall be brought, and the manner of conducting the procedure to be followed and the manner of notifying

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he may refuse registration.

(2) When the Registrar refuses to register a trade union he shall forthwith inform the applicant in writing of the grounds of his refusal.

(3) An applicant shall file to the Supreme Court from a refusal of the Registrar to register a trade union and on such appeal the Supreme Court may make any such order as it thinks proper including any directions as to the costs of the appeal. Any such order of the Supreme Court shall be final.

(4) The Supreme Court may make rules governing such appeals providing for the method of filing evidence, and the fees to be paid within which such appeals shall be brought. The fees to be paid, the procedure to be followed and the manner of satisfying the Registrar of the expenses.

(5) The Registrar shall be entitled to be heard on any appeal.

Cancellation or registration.

11. (1) It shall be lawful for the Registrar to cancel the registration of any trade union.

(2) At the request of the trade union, to be evidenced in such manner as he may direct;

(b) on proof to his satisfaction that a certificate of registration has been obtained by fraud or mistake, or that such trade union has been obtained by fraud or mistake from the Registrar, violated any of the provisions of this Ordinance or has ceased to exist.

(3) Not more than two months' previous notice specifying briefly the grounds of the proposed cancellation, except where the trade union has ceased to exist in which case notice of

cancellation may be given forthwith, shall be given by the Registrar to the trade union before such cancellation is effected.

(3) An appeal from the decision of the Registrar under this section shall lie to the Supreme Court subject to the same conditions as are provided for an appeal against the refusal of the Registrar to register a trade union, and the Supreme Court may make rules providing for the same matters for which rules may be made in respect of such appeal. The decision of the Supreme Court shall be final.

Officers of trade union to account.

17. (1) Every treasurer or other officer of a registered union at such times as by the rules thereof he should render such accounts as are hereafter mentioned, or having been required so to do, shall render to the members thereof, at a meeting of the trade union, a just and true account of all moneys received and paid by him since he last rendered the like account, and of the balance then remaining in his hands, and of all bonds and securities of such trade union.

(2) Such account shall be audited by some fit and proper person or persons to be appointed by the trade union.

(3) Upon the account being audited the treasurer or other officer as the case may be shall, if thereupon required hand over to the trade union the balance which on such audit appeared to be due from him, and shall also if required hand over to the trade union all securities and effects, books, papers and property of the trade union in his hands or custody.

(4) If the treasurer or other officer fails to hand over such things and documents as in sub-section (3) required, the Committee of Management of the trade union or any member for and on behalf of the trade union may sue him in any competent court for the balance appearing to have been due from him upon the account last rendered by him, and for all moneys since received by him on account of such trade union and for the securities and effects, books, papers and property in his hands or custody, leaving him to set off in such action the moneys, if any, which he can have since paid on account of such trade union; and in any such action the plaintiff shall be entitled to recover full costs of suit.

Audited accounts to be sent to Registrar.

18. (1) Every registered trade union shall transmit to the Registrar the accounts provided and audited in accordance with section 17 with in the month of its submission to the members of the trade union.

(2) Every officer of a registered trade union which

12. (1) Every treasurer or other officer of a registered union shall, at all times when he is acting in his official capacity, render such accounts as may be required by the Registrar, or having been required so to do, shall render to the Registrar, at a meeting of the trade union, a just and true account of all moneys received and paid by it, since he last rendered the like account, and of the balance then remaining in his hands, and of all bonds and securities of such trade union.

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Audited accounts 13. (1) Every registered trade union shall transmit to the Registrar the account prescribed and admitted in accordance with section 12 within one month of its submission to the members of the trade union.

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(2) Every officer of a registered trade union which fails to comply with the provisions of this section shall be guilty of an offence punishable with a fine not exceeding twenty pounds.

Rules of registered trade union.

14. With respect to the rules of a registered trade union, the following provisions shall have effect:-

(1) The rules of every such trade union shall contain provisions in respect of the several matters mentioned in Schedule.

(2) A copy of the rules shall be delivered by the trade union to every person in demand on payment of a sum not exceeding one shilling.

15. (1) Every alteration of the rules of a registered trade union shall be registered with the Registrar and shall take effect from the date of registration unless some later date is specified in the rules.

(2) The rules of a registered trade union shall not be altered so that they cease to contain provisions in respect of the several matters in the Schedule:

Rules by Governor in Council.

16. (1) The Governor-in-Council may make rules respecting registry under this Ordinance and in particular but without prejudice to the generality of the foregoing power with respect to:-

(a) The seal, if any, to be used by the Registrar for the purpose of registration under this Ordinance;

(b) The forms to be used for each registry;

(c) The inspection of registers and documents kept by the Registrar and the making of copies of any entries therein;

(d) The fees to be charged for registration and inspection and any other service or matter prescribed or permitted by this Ordinance; and

(e) Generally for carrying into effect of this Ordinance into effect.

PART II

Definitions.

17. (1) In this part:-

"To intimidate" means to cause in the mind of a person a reasonable apprehension of injury to him or to any member of his family or to any of his dependents or of violence or damage to any person or property.

"Injury" includes injury to a person in respect of his business occupation, employment or other source of income and includes any actionable wrong.

"Trade dispute" means any dispute between employers and workmen or between workmen and workmen, which is connected with the employment or non-employment or with the terms of the employment, or with the conditions of labor of any person.

"Workmen" means all persons employed in trade or industry, whether or not in the employment of the employer with whom a trade dispute arises.

Immunity of trade unions from actions of tort.

18. (1) An action against a trade union, whether of workmen or master, or against any persons or officials thereof on behalf of themselves and all other members of the trade union in respect of any tortious act alleged to have been committed by or on behalf of the trade union shall not be entertained by any court.

the purpose of registration under this Ordinance:
 (1) The fee to be paid for each registration;
 (2) The inspection of registers and documents kept by the Registrar and the issuing of copies of any entries there-
 in;

(3) The fees to be charged for registration and inspection and any other service or matter prescribed or permitted by this Ordinance; and
 (4) Generally for carrying this part of this Ordinance into effect.

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(2) Nothing in this section shall affect the liability of a trade union or any officer thereof to be sued in any Court touching or concerning the property or rights of trade union, except in respect of any tortious act committed by or on behalf of the union in contemplation or in furtherance of a trade dispute.

Conspiracy in
relation to
trade disputes

19. (1) An agreement or combination of two or more persons to do or procure to be done any act in contemplation or furtherance of a trade dispute shall not be triable as a conspiracy if such act committed by one person would not be punishable as a crime.

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(2) An act done in pursuance of an agreement or combination by two or more persons shall, if done in contemplation or furtherance of a trade dispute, not be actionable unless the act, if done without any such agreement or combination, would be actionable.

(3) Nothing in this section shall exempt from punishment any person guilty of a conspiracy for which a punishment is awarded by any law in force in (name of dependency).

(4) Nothing in this section shall affect the law relating to riot, unlawful assembly, breach of the peace or sedition or any offence against the State or the Sovereign.

(5) A crime for the purposes of this section means an offence for the commission of which the offender is liable to be imprisoned either absolutely or at the discretion of the court as an alternative for some other punishment.

(6) Where a person is convicted of any such agreement or combination as aforesaid to do or procure to be done an act which is punishable on summary conviction, and is sentenced to imprisonment, the imprisonment shall not exceed three months, or such longer time, if any, as may have been prescribed by the law for the punishment of the said act when committed by one person.

20. An act done by a person in contemplation or furtherance of a trade dispute shall not be actionable on the ground only that it induces some other person to break a contract of another person's employment or that it is an interference with the trade, business, or employment of some other person, or with the right of some other person to dispose of his capital or his labor as he wills.

21. (1) Every person who, with a view to compel any other person to abstain from doing or to do any act which such other person has a legal right to do or abstain from doing, wrongfully and without legal authority:-

- (a) uses violence to or intimidates such other person or his wife or children, or injures his property; or
- (b) persistently follows such other person from place to place; or
- (c) hides any tools, clothes or other property owned or used by such other person, or deprives him of or hinders him in the use thereof; or
- (d) watches or besets the house or other place where such other person resides or works or carries on business or happens to be or the approach to such house or place; or
- (e) follows such other person with two or more other

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(5) A series for the commission of which the offence for the commission of which the discretion of the court be increased or alternatively or at the discretion of the court be increased or alternatively for some other public interest.

(4) Where a person is convicted of any such agreement or combination as aforesaid to do or procure to be done an act which is punishable on summary conviction, and is sentenced to imprisonment, the imprisonment shall not exceed three months, or such longer time, if any, as may have been prescribed by the law for the punishment of the said act when committed by one person.

Removal of
liability for
interfering with
another person's
business.

31. (1) Every person who, in pursuance of an order made by a court of law, is required to do any act, shall be liable to be punished with imprisonment for a term not exceeding three months, or with a fine not exceeding five hundred rupees, or with both, if he fails to comply with the order.

(a) uses violence to or intimidates his property, or
or his wife or children, or injures his property, or
(b) persistently follows such other person
place to place; or
(c) hides any table, clothes or other property around
or used by such other person, or deprives him of or hinders
or other place where

(d) watches or views such other person resides or works or carries on business or habitually frequents, whether publicly or privately, except on licensed premises or at a place lawfully open to the public; or

(e) follows such other person with two or more other persons to his or her abode, workplace or business, or follows such other person in or through any street or lane.

Whereas it is a disorderly offense for any person to follow another person in a disorderly manner in or through any street or lane, so as to annoy or harass such other person,

That every person who violates any provision of this ordinance shall be guilty of a misdemeanor and upon conviction thereof shall be fined not more than \$500, or imprisoned not more than six months, or both, at the discretion of the court.

[illegible]

(c) Attendance at or near any sub-section (a) or (b) numbers or in such manner as is by sub-section (c) or (d) shall be deemed to be water-tight and heretofore of that use or place within the meaning of this section.

Legal picketing
and prevention of
intimidation.

27. Notwithstanding anything contained in this Ordinance:-

(1) It shall be lawful for one or more persons acting on their own behalf or on behalf of a trade union or of an individual employer or firm in contemplation or furtherance of a trade dispute, to attend at or near a house or place where a person resides or works or carries on business or happens to be, if they so attend merely for the purpose of peacefully obtaining or communicating information, or of peacefully persuading any person to work or abstain from working.

Picketing in
such numbers etc.
as to be calculated to intimidate.

(2) It shall not be lawful for one or more persons (whether acting on their own behalf or on behalf of a trade union or of an individual employer or firm, and notwithstanding that they may be acting in contemplation or furtherance of a trade dispute) to attend at or near a house or place where a person resides or works or carries on business or happens to be, for the purpose of obtaining or communicating information or of persuading or inducing any person to work or to abstain from working if they so attend in such numbers or otherwise in such manner as to be calculated to intimidate any person in that house or place, or to obstruct the approach thereto or access therefrom, or to lead to a breach of the peace; and any person who acts in contravention of this sub-section shall be guilty of an offence punishable with a fine not exceeding twenty pounds or with imprisonment with or without hard labor for a period not exceeding three months.

THE SOCIETY

(Section 10)

1. The name of the trade union
2. The words of the objects for which the trade union is to be established, the purposes for which the funds thereof shall be applicable, and the conditions under which any member may become entitled to any benefit assured thereby and the fines and forfeitures to be imposed on any member of the trade union.
3. The manner of making, altering, amending and rescinding rules.

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4. A provision for the appointment and removal of a general committee of management, of a treasurer and other officers.
5. A provision for the keeping of full and accurate accounts by the treasurer.

such matters etc. (whether acting on their own or in concert with any other person or of an individual employer or firm, and whether standing that they may be acting in contemplation of furtherance of a trade dispute) to attend at or near a house or place where a person resides or works or carries on business or has an interest to be, for the purpose of obtaining or communicating information or of persuading or inducing any person to work or to abstain from working if they so attend in such numbers or otherwise in such manner as to be calculated to intimidate any person in that house or place, or to obstruct the approach thereto or egress therefrom, or to lead to a breach of the peace; and any person who acts in contravention of this sub-section shall be guilty of an offence punishable with a fine not exceeding twenty pounds or with imprisonment with or without hard labor for a period not exceeding three months.

THE TRADE UNION

(Section 10)

1. The name of the trade union
2. The whole of the objects for which the trade union is to be established, the purposes for which the funds thereof shall be applicable, and the conditions under which any member may become entitled to any benefit assured thereby and the fines and forfeitures to be imposed on any member of the trade union.
3. The manner of making, altering, amending and rescinding rules.
4. A provision for the appointment and removal of a general committee of management, of a treasurer and other officers.
5. A provision for the keeping of full and accurate accounts by the treasurer.
6. A provision for the investment of the funds or their deposit in a bank and for an annual or periodical audit of accounts.
7. The inspection of the books and names of members of the trade union by every person having an interest in the funds of the trade union.
8. The manner of dissolving the trade union.

FOURTH DRAFT

File

Draft for a General Order Regulating Trade Union Associations

1. The formation of free Trade Union associations is authorized for the protection and representation of a class of citizens in matters concerning labor relations, and in conformity with the concepts and procedure prescribed by the articles hereunder.

2. It shall be possible for Trade Union Associations to obtain juridical recognition by virtue of a decree of recognition which shall be issued by the competent Ministry or through its specific agencies (Regional Labor Offices), in conformity with the conditions and procedure laid down hereunder.

The Trade Union Associations which receive recognition shall be registered in the appropriate Rosters, as directed in Art 3 hereunder.

3. There shall be instituted: A "National Roster" and "Regional Rosters" of the Trade Union Associations; Trade Union Associations shall be registered in these Rosters in conformity with the conditions stipulated by the present law. These Rosters shall be held by the competent Ministry and the Regional Labor Offices, respectively.

4. The Trade Union Association legally recognized shall represent the entire category in the stipulation of contracts and collective agreements, the designation of representatives of the category in any public agency or commission, whether regional, national or international, and in whatever organization of the kind in which representation of the category in question is required:

5. The legally recognized Trade Union Associations can have a provincial, interprovincial, regional or national basis of organization, according to whether these cater for the protection or representation of a category within a province, several provinces, a region, or the entire Nation.

6. Juridical recognition shall be conceded to a Trade Union Association when it is known to possess such membership as warrants legitimate representation of a given category.

7. The "Constitution" (Statute) of the Trade Union associations that apply for juridical recognition must specifically comply with the following conditions:

a. Free admission to the Trade Union associations of any bona fide member of the category, regardless of race, religion, nationality or political ideology;

b. The election of Trade Union officials shall be conducted according to the democratic system; such offices shall be entrusted to members who belong to the category in question;

c. Exclusion of any political activity that is not directly connected with the protection of the interests of the category;

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- d. Reservation of the right to change the "constitution" of the Trade Union to be vested in the hands of the bona fide members.
- e. The statute must make mention of (i) the location of the Trade Unions offices, (ii) of its relations (both of dependance and cooperation) with other associations or with intersyndical offices, and (iii) of the regulations governing the management of the associations funds and income;
- f. The Trade Union associations must not engage in any commercial activity with a view to profit.

8. Against the refusal of admission or the expulsion from a registered Trade Union Association, Appeal shall be allowed to the competent Labor Office which shall decide the question through arbitration by one or more independent referees.

9. Whenever, for a given category, it shall not be possible to accept any one Trade Union Association as fulfilling the requisite conditions for juridical recognition, then the following procedure shall be followed:-

a. Two or more Trade Union Associations, which have not received juridical recognition but conjointly do satisfy the conditions provided under Art 6, shall be allowed to elect a "Trade Union Commission" of Category", in which shall be vested all the functions and powers contemplated by the present law as appertaining to a juridically recognized Trade Union Association. It shall be incumbent upon the Trade Union Associations setting up the "Commission" to apply for and obtain previous registration, which shall be conducted in conformity with the conditions contemplated in the present law as governing the "concession of juridical recognition.

b. When it shall not be possible to constitute the "Commission" according to the procedure of subsection (a. above, the said "Commissions" shall be formed either by the "Regional Labor Offices" when the category to be represented falls within the bounds of a Region, or by the competent Ministry when this surpasses the limits of a Region.

10. Intersyndical Offices may be formed for the coordination of the various Trade Union Associations of category, in order to deal with common problems and to cater for common services. These offices will, inter alia serve the purpose of tackling questions connected with uniformity of wages or of conditions of services, as well as of solving problems affecting several categories or, even, of providing common representation for a group of categories.

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11. The Provincial and Interprovincial Associations shall be made up of members of a given category. The Regional Associations may, however, be constituted through the coordination of two or more Provincial or Interprovincial Associations. Whenever persons continuous and regular service in more than one category may simultaneously belong to each of the corresponding Trade Unions of the categories to which he belongs.

12. Trade Union Associations and employers' Associations shall have

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a separate and independant existance. Direct or indirect interference of one with the other shall be prohibited, open to prosecution and punishable by law by a fine of not less than 5000 lire, and not more than 50,000 provided it is sufficiently proved that the interference was calculated to bring about a certain action or to stop any action on the part of Trade Union officials in the field of Labor relationship.

13. Trade Union Officials of a legally recognised Trade Union Association shall be regarded as of equivalent standing as government officials in the performance of their duties.

Such officials shall not be subject to transfer or discharge by their employers without due authority being previously obtained from the Provincial Labor Office, which has recognised their juridical status of Trade Unions officials.

The decisions of the Provincial Labor Office shall be subject to appeal before the Regional Labor Office which will act through the arbitration procedure.

14. It shall not be allowed to elect as officials representatives of a Trade Union Association, the Managing Director or any other responsible employee ~~of~~ a firm or an office, whenever and insofar as they might be regarded as the actual administrative representatives of the employer.

15. The Trade Union associations legally recognized shall not be held in respect of the Civil Code, as responsible for damages which may be claimed as a result of activities of its individual members.

16. Juridical recognition may be withdrawn:
a. on the request of the recognised association itself;
b. when it is proved that the legal recognition has been obtained by foul means or had been given by mistake.

17. Within three months from the end of the year, the Trade Union Associations legally recognised shall deposit their respective annual financial statements, duly audited in conformity with the rules prescribed for Limited Liability Companies, at (a) the Judicial Courts and (b) the Regional Labor Office, within whose jurisdiction their respective head-offices are situated.

The Regional Labor Offices, acting on the request of an interested party, shall be empowered to nominate one or more auditors to proceed with an administrative inspection in the case of any registered Trade-Union Associations.

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18. The Regional Labor Office shall be empowered to summon any citizen to bear witness in its investigation of such facts as may become its concern in the discharge of its specific duties. Failure to appear shall be

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subject to criminal action being instituted under _____

19. In collective agreements, provision may be made for the collection of subscriptions only in respect of Trade Union members belonging to the Association which stipulates the contract.

20. The competent Ministry shall proceed with the compilation of Regulations for the enforcement of the present law.

21. The present law shall come into force on the date of publication.

DRAFT FOR A GENERAL ORDER REGULATING TRADE UNION ASSOCIATIONS

(New translation)

1/1/44

(Done by Capt. Scicluna)

1. The formation of free Trade Union associations is authorized for the protection and representation of a class of citizens in matters concerning labor relations, and in conformity with the concepts outlined in the following articles.

2. The Trade Union associations shall be vested with a juridical status ("personalita' juridica") by a decree of recognition to be issued by the Regional Labor Offices, subject to the approval of the competent authorities (R.C.A.O. or R.G.C. or Italian Government Official), and successive registration.

3. Only one Trade Union association shall be recognized for each category of economic activity. The Regional Labor Offices shall compile the lists of the categories which will be given official recognition with the approval by the competent authorities. Once a Trade Union association is recognized, it will not be necessary to retake into examination its constitution or its right of representation until another association of the same category specifically challenges its status.

4. The Trade Union association legally recognized shall represent the entire category in the stipulation of contracts and collective agreements, the designation of representatives of the category in any public agency or commission, whether regional, national or international, and in whatever organization of the kind in which representatives of the category in question is required.

5. The Trade Union associations legally recognized shall not be held, in respect of the Civil Code, ^{responsible} ~~be bound~~ to for damages which may be claimed as a result of activities of its individual members.

6. The Trade Union association which applies for recognition must produce evidence that at least 50% of the members of the category which it represents have joined it. The recognized roster of workmen in a given category shall be determined by the appropriate Labor Offices, through the official card index of registration at the Labor Exchanges, as well as through other opportune means of investigation.

7. The "Constitution" (Statuto) of the Trade Union associations that apply for juridical recognition must specifically comply with the following conditions:

a. Free admission to the Trade Union associations of any bona fide member of the category, regardless of race, religion, nationality or political ideology;

b. The election of Trade Union officials shall be conducted according to the democratic system; such offices shall be entrusted to members who belong to the category in question;

c. Exclusion of any political activity that is not directly connected with the protection of the interests of the category;

d. Reservation of the right to change the "constitution" of the Trade Union to be vested in the hands of the bona fide members.

g. The statute must make mention of (i) the location of the Trade Union offices, (ii) of its relations (both of dependance and cooperation) with other associations or with intersyndical offices, and (iii) of the regulations governing the management of the association's funds and income;

f. The Trade Union associations must not engage in any commercial activity with a view to profit.

8. In collective agreements, provision may be made for the collection of subscriptions due from all members of category, within such limits as may be determined by the Regional Labor Office.

9. Appeal to the Regional Labor Office is allowed to any bona fide workman against the refusal of admission or the expulsion from a recognized Trade Union association.

10. The legally recognized Trade Union associations can have a provincial, interprovincial, regional or national basis of organization, according to whether these cater for the protection or representation of a category within a province, several provinces, a region, or the entire nation.

11. If no Trade Union association for a given category should meet all the requirements for recognition, the Regional Labor Office shall be authorized to call a meeting of all the members of the category to elect a "Trade Union Commission" in which shall be legally vested the rights of representation for the entire category, and which shall enjoy all the powers and functions of a Trade Union association legally recognized.

These elections will be conducted under the supervision of the appropriate Provincial Labor Office and in conformity with instructions to be determined by regulation. It shall be the duty of the Labor Offices to put at the disposal of the "Trade Union Commissions" such premises, officials and other help as would ensure their proper functioning.

12. Intersyndical Offices may be formed for the coordination of the various Trade Union associations of category, in order to deal with common problems and to cater for common services. These offices will, inter alia, serve the purpose of tackling questions connected with uniformity of wages, or of conditions of services, as well as of solving problems affecting several categories or, even, of providing common representation for a group of categories.

13. The Provincial and Interprovincial Associations shall be made up of members of a given category. The Regional Associations may, however, be constituted through the coordination of two or more Provincial or Interprovincial Associations. Whoever renders continuous and regular service in more than one category may simultaneously belong to each of the corresponding Trade Unions of the categories to which he belongs.

14. Trade Union Associations and Employers' Associations shall have a separate and independent existence. Direct or indirect interference of one with the other shall be prohibited, open to prosecution and punishable by law by a fine of not less than 5000 lire, and not more than 50,000 provided it is sufficiently proved that the interference was calculated to bring about a certain action or to stop

any action on the part of Trade Union officials in the field of Labor relationship.

15. Trade Union Officials of a legally recognised Trade Union Association shall be regarded as of equivalent standing as government officials, in the performance of their duties.

Such officials shall not be subject to transfer or discharge by their employers without due authority being previously obtained from the Provincial Labor Office, which has recognised their juridical status of Trade Unions Officials.

The decisions of the Provincial Labor Office shall be subject to appeal before the Regional Labor Office.

16. It shall not be allowed to elect as officials representatives of a Trade Union Association, the Managing Director or any other responsible employee in a firm or an office, whenever and insofar as they might be regarded as the actual administrative representatives of the Employer.

17. Juridical recognition may be withdrawn:

- a. on the request of the recognised Association itself;
- b. when it is proved that the legal recognition has been obtained by foul means or had been given by mistake.

18. Within three months from the end of the year, the Trade Union Associations legally recognised shall deposit with the Regional Labor Office their yearly budget in conformity with the rules prescribed for Limited Liability Companies.

The Regional Labor Office shall, at all times, have the right to proceed with administrative inspections of the Trade Union Associations.

19. The Regional Labor Office shall be empowered to summon any citizen to bear witness in its investigation of such facts as may become its concern in the discharge of its specific duties. Failure to appear shall be subject to criminal action being instituted under _____

20. The Regional Labor Offices, within one month from the promulgation of the Ordinance, shall submit to the Competent Authorities (RCAO's, RCC's or Italian Government Representatives), for approval, a draft of the regulations for the enforcement of the said Ordinance.

OF GENERAL ORDER ON JONES

Poor translation of La Razzia 2221 7/6
draft by translation Dept.

- 1) The formation of free syndical associations is authorized for the protection and representation of a class of citizens in matters concerning labour relations, and in conformity with the instructions specified in the following articles.
- 2) The syndical associations are invested with juristic personality ("persona juridica") by a decree of recognition on the part of the Regional Office of Labour of Sicily, subject to the approval of the R.C.A.O. of Region I, and successive registration.
- 3) One syndical association only can be recognized for each category of economic activity. The U.R.L. will make a list of the categories which will be given official recognition with the approval by the R.C.A.O. Once a syndical association is recognized, it will not be necessary to retake into examination its formation or its powers of attorney until another association of the same category makes explicit objection in this regard.
- 4) The syndical association legally recognized represents the entire category in the stipulation of contracts and collective agreements, the designation of representatives of the category in state offices, public offices in general, regional commissions, either national or international, and entities of any kind in which representatives of the category in question is required.
- 5) The syndical associations legally recognized will be regarded as bound to civil responsibility for damages which may be caused by the activity of its members.
- 6) The syndical association which applies for recognition must produce evidence that at least 50% of the members of the category which it represents have joined it. The formation of the roster of the category will be made by the proper labour offices on the basis of the files of the registration and placement offices and other means of investigation.
- 7) The statute of the syndical associations that apply for recognition must give guarantee that the following conditions will be complied with:
 - a) Free admission to syndical associations to any member of the category, regardless of race, religion, nationality or political ideology;
 - b) Elections to the office of association representative according to the democratic system; such offices must be entrusted to members who belong to the category in question;
 - c) Exclusion of any political activity that is not closely connected with the protection of the interests of the category;
 - d) Reservation of the right to change the statute to the membership body;
 - e) The statute must make mention of the location of the offices, the dependency and connection with other associations or intersyndical offices, and the rules on the management of the association's funds and income;

- f) The syndical associations must not engage in any commercial activity with view to profit.
- 8) In collective agreements, provisions may be made for the collection of fees from all the category members, within the limits to be determined by the Regional Labour Office.
- 9) Appeal before the Regional Labour Office is allowed against the refusal of admission or the expulsion from a recognized syndical association.
- 10) The legally recognized syndical associations can be provincial, interprovincial or regional, according to whether the protection or representation of a category is proposed for the territory of a Province, or several provinces, or the entire region.
- 11) If no syndical association meeting the requirements for recognition appears to have been formed for a category, the Regional Labour Office will be authorized to call all the members of the category to a meeting for the election of "Syndical Commissions" invested with the powers of attorney for the entire category and, in general, with the powers and functions of the syndical associations legally recognized.
- The elections will take place under the control of the proper Provincial Labour Office and in conformity with instructions to be determined by regulation. It is the duty of the proper Labour Offices to put at the disposal of the Syndical Commissions the rooms, the officers and the necessary means for their regular functioning.
- 12) Intersyndical offices can be formed for the coordination of the various syndical associations of category, the treatment of common problems and the performance of common services. Such offices, among their other activities, will try to obtain that wages be brought to fair and equal levels, that common work conditions be set up, and that problems be solved that concern the interests of several categories or the common representation of a group of categories.
- The Intersyndical Offices are subject to the rules issued in the present General Order on the syndical associations of category in all matters to which they can be applied.
- 13) The provincial and interprovincial associations are made up of members of the category represented. The regional categories can be made up of the union among two or more provincial or interprovincial associations also. Those who steadily and continuously perform an activity that may be classified under different categories, can be members of the corresponding syndical associations at the same time.
- 14) The syndical associations of employees and employers must be separate. Any reciprocal interference, either direct or indirect, is forbidden and is liable, in conformity with criminal procedure, to prosecution and penalty of a fine of from 5000 to 50000 lire, as such offense is aimed at causing an action or omission in the activity of the syndical association in the field of labour relations.

15) The executive representatives of syndical associations legally recognized must be regarded, in the performance of their duties, as government officials.

They cannot be dismissed or transferred from their duties to corporations, firms or private offices without authorization of the Provincial Labour Office under which jurisdiction they work.

Appeal before the Regional Labour Office is allowed against the decisions of the U.R.L.

16) Offices of representatives of syndical association of employees cannot be conferred to directors or other corporation officials or officials whose duty is to directly represent the employer.

17) The legal recognition can be withdrawn:

a) On the request of the recognized association itself;

b) When there is evidence that the recognition should be regarded as null and void on account of mala fides or error.

18) Within 3 months from the end of the year, the recognized syndical associations will deposit with the U.R.L. the budget of the year made according to the rules on business corporations. The U.R.L. will be authorized to proceed to administrative inspections at any time.

19) The Regional Labour Office will be authorized to summon any citizen to bear witness to facts concerning the duties entrusted to it. Failure to appear will be liable to criminal action established for

20) The U.R.L., within one month from the date of the present general order, will submit to the R.C.A.O. of Region I, a draft of the regulations for the enforcement of the present general order.

(Third Draft)

BAM

Draft for a General Act regulating Trade Union Associations

The formation of free ~~syndical~~ associations is authorized for the protection and representation of a class of citizens in matters concerning labour relations, and in conformity with the ~~principles~~ ^{concepts} ~~outlined~~ ^{envisaged} in the following articles.

- 2) The ~~syndical~~ ^{Trade Union} associations ~~shall be recognized with full legal personality~~ ^{shall be recognized as a juridical status} ("personal juridical") by a decree of recognition ~~to be issued by the Regional Offices of Labour~~ ^{to be issued by the Regional Offices of Labour} of ~~the~~ ^{the} ~~competent authority~~ ^{competent authority}, and successive registration.

Only one Trade Union shall

- 3) ~~The syndical association must be recognized for each category of economic activity~~ ^{shall be recognized for each category of economic activity} ~~with a list of the categories which will be given official recognition with the approval by the A.S.A.C. Once a syndical association is recognized, it will not be necessary to retake into examination its constitution or its ~~statute~~ ^{constitution} until another association of the same category ~~makes explicit objection in this regard.~~ ^{is formed in the same category.}~~

- 4) The ~~syndical~~ ^{Trade Union} association legally recognized represents the entire category in the stipulation of contracts and collective agreements, ~~and in the designation of representatives of the category in state offices, or in public offices~~ ^{in the designation of representatives of the category in state offices, or in public offices}, whether ~~national or international, and in whatever kind in which representatives of the category in question is required.~~ ^{in whatever kind in which representatives of the category in question is required.}

- 5) The ~~syndical~~ ^{Trade Union} associations legally recognized ~~shall be regarded as bound to civil responsibility for damages which may be caused by the activity of its members.~~ ^{shall not be held, in respect of the Civil Code, to civil responsibility for damages which may be caused by the activity of its members.}

- 6) The syndical association which applies for recognition must produce evidence that at least 50% of the members of the category which it represents have joined it. ~~The formation of the roster of the category will be made by the process of its offices on the basis of the files of the registration offices.~~ ^{The formation of the roster of the category will be made by the process of its offices on the basis of the files of the registration offices.}

- 7) The ~~syndical~~ ^{Trade Union} associations that apply for recognition must specifically comply with ~~the following conditions:~~ ^{the following conditions:} ~~and be complied with:~~ ^{and be complied with:}

- (a) Free admission to ~~any~~ ^{any} ~~syndical~~ ^{Trade Union} associations ~~of any member of the category,~~ ^{of any member of the category,} regardless of race, religion, nationality or political ideology;
- (b) ~~The~~ ^{The} ~~elections to the~~ ^{elections to the} ~~association representative~~ ^{association representative} ~~shall be conducted~~ ^{shall be conducted} ~~according to the democratic system;~~ ^{according to the democratic system;} such offices ~~shall~~ ^{shall} be entrusted to members who belong to the category in question;

- (c) exclusion of any political activity that is not ~~directly~~ ^{directly} connected with the protection of the interests of the category;

- (d) reservation of the right to change the ~~statute~~ ^{constitution} ~~to the membership body;~~ ^{of the Trade Union to be revealed;} ¹⁰⁴

- (e) the statute must make mention of ~~the location of the offices, the nature of its relations with it dependent on the connection with other associations or intersyndical offices, and (m) of the regulations governing~~ ^{the location of the offices, the nature of its relations with it dependent on the connection with other associations or intersyndical offices, and (m) of the regulations governing} ^{the management of the association's funds and income;}

- (f) the ~~syndical~~ ^{Trade Union} associations must not engage in any commercial activity with a view to profit.

44.) The ²¹⁻⁰⁸~~Association~~ ^{Trade Unions} association legally recognised, represent the entire category in the stipulation of contracts and collective agreements, ~~and in the~~ ^{and in the} ~~stipulation~~ ^{stipulation} of representatives of the category in state ~~organisations, or~~ ^{organisations, or} ~~international~~ ^{international} ~~and~~ ^{and} ~~in~~ ⁱⁿ ~~whichever~~ ^{whichever} regional ~~association~~ ^{association} national or international, and ~~in~~ ⁱⁿ ~~whichever~~ ^{whichever} kind in which representatives of the category in question is ~~organisation~~ ^{organisation} ~~of the~~ ^{of the} ~~kind~~ ^{kind} in which representatives of the category in question is required.

Trade Union
The syndical associations legally recognized will be regarded as bound to
civil responsibility for damages which may be caused by the activity of its
members claimed as a result of acts
done by them.

The synical association which applies for recognition must produce evidence that at least 50% of the members of the category which it represents have joined it. ~~The formation of the roster of the category will be made by the~~
~~Proes labor offices on the basis of the files of the registration offices.~~
~~At other offices, other means of investigation.~~

7) "Constitution" (Statute) ^{general} associations that apply for recognition must specifically comply with the following conditions: ~~will be obliged with~~ ^{at least}

a) Free admission to ~~any~~ ^{The Trade Union} association ~~for~~ ^{of} any member of the category, regardless of race, religion, nationality or political ideology;

b) ^{The} ~~elections~~ ^{of Trade Union officials shall be conducted} ~~to the office of association representative~~ ^{to} according to the democratic system; such offices ~~shall~~ ^{be} entrusted to members who belong to the category in question;

(c) exclusion of any political activity that is not ^{directly} closely connected with the protection of the interests of the category;

protection of the interests of the category;

d) reservation of the right to change the ~~statute to the membership body,~~ ^{constitution of the Trade Union to be decided by} **104**
the hands of the ~~branch members~~ ^{Trade Unions} (ii)

e) the statute must make mention of ⁽ⁱ⁾ the location of the offices, ~~the design of its relations~~
~~and its dependence on the parent body and connection with other associations or intersyndical offices, and (iii) of the~~
~~management of the association's funds and income;~~

2) the ^{Trade Union} ~~syndical~~ associations must not engage in any commercial activity with a view to profit.

3) In collective agreements, provisions may be made for the collection of ~~these~~ ^{subscriptions due} from all the category ~~members~~ ^{employees}, within ~~the~~ ^{any} limits ~~of~~ ^{be} determined by the Regional Labour Office.

9) Appeal ~~before~~ ^{to} the Regional Labour Office is allowed against the refusal of admission or the expulsion from a recognized ~~public~~ association.

10) The legally recognized ^{Tribal Nations have a} ~~existing~~ Associations can be provincial, interprovincial, regional or national, according to whether ~~the~~ ^{these cater for the} protection or representation of a category ~~of~~ ^{of} several provinces, ~~or the~~ ^{of} ~~any~~ ^{territory} ~~of~~ ^{of} a province, ~~or~~ ^{of} ~~any~~ ^{territory} ~~of~~ ^{of} a region, or the Native Nations.

11) If ~~no~~ ^{no} traditional association ~~within~~ ^{for a given category should meet all} the requirements for recognition ~~it~~ ^{shall} be authorized to have been formed for a category, The Regional Labour Office ~~shall~~ be authorized to call all the members of the category to ~~a meeting~~ ^{a meeting of} for the election of to elect

^{Union} in ^{legally} ~~which shall enjoy all~~ shall be vested the rights of ^{representation} ~~the entire~~ ^{Trade Union} ~~category and~~ ^{for the entire} ~~the powers and functions of the syndical asso-~~ ^{association} ~~ciation~~ legally recognized.

The ^{be conducted under the supervision of the appropriate} ~~elections~~ will ~~take place under the control of the proper~~ Provincial Labour Office and in conformity with instructions to be determined by regulation.

~~It shall be the duty of the proper Labour Offices to put~~ ~~at the disposal of the~~ ~~Trade Union~~ ~~Commissions~~ ~~the rooms, the officers and the ne-~~ ~~cessary means for their regular functioning.~~ ~~Such premises, officials and other help~~ ~~as will ensure their proper functioning.~~

12) Intersyndical Offices ^{may} ~~can~~ be formed for the coordination of the various ^{in order to deal with} ~~of~~ common problems and ^{try} ~~the~~ ~~work~~ ~~performance of~~ ~~common services.~~ Such Offices, among their other activities, will ~~work~~ ~~to obtain that wages be brought to fair and equal levels, that common~~ ~~work conditions be set up, and that problems be solved that concern the interests~~ ~~of several categories or the common representation of a group of categories.~~ 103

The Intersyndical Offices are subject to the rules issued in the present General Order on the syndical associations of category in all matters to which they can be applied.

~~These associations are made up of members of~~

provincial and interprovincial associations are made up of members of the union or are represented. The regional categories can be made up of the union or more provincial or interprovincial associations also. Those who are continuously and continuously form an activity that may be classified under different categories, can be a member of the corresponding syndical associations at the same time.

14) The syndical associations of employees and employers must be separate. Any reciprocal interference, either direct or indirect, is forbidden and is liable, in conformity with criminal procedure, to prosecution and penalty of a fine of from 5000 to 50000 lire, as such offense is aimed at effecting or causing an action or omission in the activity of the syndical association in the field of labour relations.

15) The executive representatives of syndical associations legally recognized must be regarded, in the performance of their duties, as state-off government officials.

They cannot be dismissed or transferred from their duties to corporations, firms or private offices without authorization of the Provincial Labour Office under which jurisdiction they work.

Appeal before the Regional Labour Office is allowed against the decisions of the U.P.L.

16) Offices of representatives of syndical association of employees cannot be conferred to directors or other corporation officials or officials whose duty is to directly represent the employer.

17) The legal recognition can be withdrawn :

- a) on the request of the recognized association itself;
- b) when there is evidence that the recognition should be regarded as null and void on account of mala fides or error.

TERRA BOZZA

(La log. is draft 2/15/44)

PROGETTO DI ORDINE GENERALE SULLE ASSOCIAZIONI SINDACALI

(Trade Union Ordinance)

- 1) E' consentita la costituzione di libere associazioni sindacali aventi per finalita la tutela e la rappresentanza di una categoria di cittadini nella materia dei rapporti di lavoro, secondo le norme e con le modalita di cui nei seguenti articoli.
- 2) Le associazioni sindacali acquistano la personalita giuridica mediante decreto di riconoscimento, da parte dell' Ufficio Regionale del Lavoro della Sicilia, sottoposto all'approvazione dello RGAO della Regione No. 1, e susseguente registrazione.
- 3) Non puo essere giuridicamente riconosciuta che una associazione sindacale per ciascuna categoria di attivita economica. L'URL formulera un prospetto delle categorie che sara reso ufficiale con l'approvazione dello RGAO. Una volta riconosciuta una associazione sindacale non sara necessario un riesame della sua costituzione e dei suoi poteri di rappresentanza, fino a quando altra associazione della medesima categoria non sollevi esplicita contestazione al riguardo.
4. L'associazione sindacale giuridicamente riconosciuta rappresenta l'intera categoria nella stipula di contratti ed accordi collettivi, e nelle designazione di rappresentanti di categoria in organi statali, pubblici in genere, in commissioni regionali, nazionali ed internazionali e in enti di qualsiasi natura nei quali sia prevista la rappresentanza della categoria stessa.
- 5) Le associazioni sindacali riconosciute non saranno tenute civilmente responsabili per i danni che possono derivare dall'attivita dei suoi associati.
- 6) L'associazione sindacale che chieda il riconoscimento deve dimostrare di avere l'adesione di almeno il cinquanta per cento dei componenti la categoria che rappresenta. La composizione della categoria sara determinata attraverso i competenti Uffici del Lavoro in base alle risultanze degli schedari degli Uffici di registrazione e collocamento e con altri mezzi opportuni d'indagine.
- 7) Lo statuto delle associazioni sindacali che chiedano il riconoscimento devono garantire le seguenti condizioni:
 - a) Libera partecipazione alle associazioni sindacali di qualsiasi componente la categoria, senza distinzioni di razza, religione, nazionalita o idealita politica;
 - b) elettivita con sistema democratico delle cariche rappresentative, che debbono essere affidate ad associati appartenenti alla categoria;
 - c) esclusione della attivita politica che non sia strettamente connessa con la tutela degli interessi della categoria;
 - d) riserva dei poteri di modifica dello statuto alla collettivita degli associati;
 - e- lo statuto deve contenere l'ubicazione della sede, i rapporti di dipendenza e di collegamento con altre associazioni e con Uffici intersindacali, le modalita di amministrazione del patrimonio e delle entrate sociali;
 - f) le associazioni sindacali non possono compiere atti di commercio.
- 8) Nei contratti collettivi potra essere prevista la percezione di contributi a carico di tutti i componenti una categoria, entro i limiti che saranno fissati dall' Ufficio Regionale del Lavoro.
- 9) Contro il rifiuto di ammissione o il provvedimento di esclusione da un'associazione sindacale riconosciuta e ammesso il ricorso all'Ufficio Regionale del Lavoro.
- 10) Le associazioni sindacali riconosciute possono essere provinciali; inter-provinciali o regionali, secondo che si propongono la tutela e la rappresentanza di una categoria rispettivamente nell'ambito di una provincia, di piu Province, o dell'intera regione.
- 11) Allorquando per una categoria non risulti costituita alcuna associazione

- 2 -

indicale che abbia i requisiti per il riconoscimento, l'Ufficio Regionale del Lavoro potrà disporre la convocazione della categoria per l'elezione di "Commissioni sindacali" che abbiano la rappresentanza legale della intera categoria ed in generale i poteri e le funzioni delle associazioni diuridicamente riconosciute.

Le elezioni si svolgeranno sotto il controllo dei competenti Uffici Provinciali del Lavoro, con le modalità che saranno determinate in regolamento. Spetta ai competenti Uffici del Lavoro porre a disposizione delle Commissioni Sindacali i locali, i funzionari ed i mezzi necessari per assicurarne il funzionamento.

12) Possono essere istituiti Uffici intersindacali per il coordinamento delle varie associazioni sindacali di categoria, per la trattazione dei problemi comuni e per l'esercizio di comuni servizi. Tali Uffici agiranno fra l'altro al fine della equiparazione dei salari, dello stabilimento di comuni condizioni di lavoro, della soluzione di questioni che interessano più categorie, e della rappresentanza comune di un complesso di categorie.

Gli Uffici Intersindacali sono sottoposti alle norme stabilite nel presente Ordine Generale per le Associazioni sindacali di categoria, in quanto applicabili.

13) Le Associazioni provinciali e interprovinciali sono costituite da membri della categoria rappresentata. Le Associazioni regionali possono essere costituite anche dalla unione di due o più associazioni provinciali o interprovinciali. Chi svolge in modo stabile e continuativo attività lavorativa in diverse categorie può far parte contemporaneamente delle corrispondenti associazioni sindacali.

14) Le Associazioni sindacali dei lavoratori e dei datori di Lavoro debbono essere distinte. Ogni rispettiva interferenza diretta o indiretta e vietata, ed è penalmente perseguibile e punibile con multa da un minimo di lire cinquemila a un massimo di lire cinquantamila, se abbia la finalità di determinare una azione o una omissione nella attività della associazione sindacale in materia di rapporti di lavoro.

15) I Dirigenti rappresentanti di associazioni sindacali riconosciute sono da considerare equiparati a pubblici ufficiali nello adempimento dei loro doveri. Essi non possono essere licenziati o trasferiti delle loro occupazioni presso ditte aziende o uffici privati senza autorizzazione dell'Ufficio Provinciale del Lavoro nella cui giurisdizione prestano la loro attività lavorativa.

Contro i provvedimenti dell'UPL è ammesso il ricorso all'Ufficio Regionale del Lavoro.

16) Non possono essere conferite cariche rappresentative di associazioni sindacali di prestatori d'opera ai direttori ed altri funzionari di aziende ed uffici che abbiano per le loro mansioni la diretta rappresentanza del datore di lavoro.

17) Il riconoscimento giuridico può essere revocato:

- a) a richiesta della stessa associazione riconosciuta;
- b) quando sia provato che il riconoscimento sia viziato da dolo o da errore.

18) Entro tre mesi dalla fine dell'anno solare le associazioni sindacali riconosciute depositeranno presso l'URL i bilanci consuntivi redatti secondo le norme vigenti per le società anonime.

L'URL potrà in ogni tempo procedere ad ispezioni amministrative.

19) Per l'accertamento di circostanze di fatto in relazione ai compiti affidati all'Ufficio Regionale del Lavoro questo potrà sentire qualsiasi cittadino a rendere testimonianza, e la mancata presentazione ricadrà sotto le sanzioni penali stabilite per

20) L'URL entro un mese dalla data del presente og sottoporra allo RGAO della Regione No 1 un prospetto di regolamento per l'attuazione del presente og.

File

TERZA BOZZA

(by la loggia - Milano) - 78 JM

PROGETTO DI ORDINE GENERALE SULLE ASSOCIAZIONI SINDACALI

(Trade Union Movement)

- 1) E' consentita la costituzione di libere associazioni sindacali aventi per finalità la tutela e la rappresentanza di una categoria di cittadini nella materia dei rapporti di lavoro, secondo le norme e con le modalità di cui nei seguenti articoli.
- 2) Le associazioni sindacali acquistano la personalità giuridica mediante decreto di riconoscimento, da parte dell'Ufficio Regionale del Lavoro della Sicilia, sottoposto all'approvazione dello R.C.A.O. della Regione n°1, e susseguente registrazione.
- 3) Non può essere giuridicamente riconosciuta che una associazione sindacale per ciascuna categoria di attività economica. L'U.R.L.formularà un prospetto delle categorie che sarà reso ufficiale con l'approvazione dello R.C.A.O. Una volta riconosciuta una associazione sindacale non sarà necessario un riesame della sua costituzione e dei suoi poteri di rappresentanza, fino a quando altra associazione della medesima categoria non sollevi esplicita contestazione al riguardo.
- 4) L'associazione sindacale giuridicamente riconosciuta rappresenta l'intera categoria nella stipula di contratti ed accordi collettivi, e nella designazione di rappresentanti di categoria in organi statali, pubblici in genere, in commissioni regionali, nazionali ed internazionali e in enti di qualsiasi natura nei quali sia prevista la rappresentanza della categoria stessa.
- 5) Le associazioni sindacali riconosciute non saranno tenute civilmente responsabili per i danni che possono derivare dall'attività dei suoi associati.
- 6) L'associazione sindacale che chiedi il riconoscimento deve dimostrare di avere l'adesione di almeno il cinquanta per cento dei componenti la categoria che rappresenta. La composizione della categoria sarà determinata attraverso i competenti Uffici del Lavoro in base alle risultanze degli schedari degli Uffici di registrazione o collocamento e con altri mezzi opportuni d'indagine.
- 7) Lo statuto delle associazioni sindacali che chiedono il riconoscimento devono garantire le seguenti condizioni:
 - a) Libera partecipazione alle associazioni sindacali di qualsiasi componente la categoria, senza distinzioni di razza, religione, nazionalità o ideologia politica;
 - b) elettività con sistema democratico delle cariche rappresentative;

mediante decreto di riconoscimento, da parte dell'Ufficio Regionale del Lavoro della Sicilia, sottoposto all'approvazione dello R.O.A.C. della Regione n°1, e susseguente registrazione.

- 3) Non può essere giuridicamente riconosciuta che una associazione sindacale per ciascuna categoria di attività economica. L'U.R.L. formulerà un prospetto delle categorie che sarà reso ufficiale con l'approvazione dello R.O.A.C. Una volta riconosciuta una associazione sindacale non sarà necessario un riesame della sua costituzione e dei suoi poteri di rappresentanza, fino a quando altra associazione della medesima categoria non sollevi esplicita contestazione al riguardo.
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- 7) Lo statuto delle associazioni sindacali che chiedono il riconoscimento devono garantire le seguenti condizioni: 99
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siasi componente la categoria, senza distinzioni di razza,
religione, nazionalità o ideologia politica;
 - b) elettività con sistema democratico delle cariche rappresentative, che debbono essere affidate ad associati appartenenti alla categoria;
 - c) esclusione della attività politica che non sia strettamente
connessa con la tutela degli interessi della categoria;

- d) riserva dei poteri di modifica dello statuto, alla collettività degli associati;
- e) lo statuto deve contenere l'ubicazione della sede, i rapporti di dipendenza e di collegamento con altre associazioni o con Uffici intersindacali, le modalità di amministrazione del patrimonio e delle entrate sociali;
- f) le associazioni sindacali non possono compiere atti di commercio
- 8) Nei contratti collettivi potrà essere prevista la percezione di contributi a carico di tutti i componenti una categoria, entro i limiti che saranno fissati dall'Ufficio Regionale del Lavoro.
- 9) Contro il rifiuto di ammissione o il provvedimento di esclusione da un'associazione sindacale riconosciuta è ammesso il ricorso all'Ufficio Regionale del Lavoro.
- 10) Le associazioni sindacali riconosciute possono essere provinciali; interprovinciali o regionali, secondo che si propongono la tutela e la rappresentanza di una categoria rispettivamente nell'ambito di una provincia, di più province, o dell'intera regione.
- 11) Allorché per una categoria non risulti costituita alcuna associazione sindacale che abbia i requisiti per il riconoscimento, l'Ufficio Regionale del Lavoro potrà disporre la convocazione della categoria per l'elezione di "Commissioni sindacali" che abbiano la rappresentanza legale della intera categoria ed in generale i poteri e le funzioni delle associazioni giuridicamente riconosciute.
- Le elezioni si svolgeranno sotto il controllo dei competenti Uffici Provinciali del Lavoro, con le modalità che saranno determinate in regolamento. Spetta ai competenti Uffici del Lavoro porre a disposizione delle Commissioni Sindacali i locali, i funzionari ed i mezzi necessari per assicurarne il funzionamento.

12) Possono essere istituiti Uffici intersindacali per il coordinamento delle varie associazioni sindacali di categoria, per la trattazione dei problemi comuni e per l'esercizio di comuni servizi. Tali Uffici agiranno fra l'altro al fine della equiparazione dei salari, dello stabilimento di comuni condizioni di lavoro, della soluzione di questioni che interessano più categorie, e della rappresentanza comune di un complesso di categorie.

Gli Uffici Intersindacali sono sottoposti alle norme stabilite nel presente Ordine Generale per le associazioni sindacali di categoria, in quanto applicabili.

f) le associazioni sindacali non possono compiere atti di commercio

- 8) Nei contratti collettivi potrà essere prevista la percezione di contributi a carico di tutti i componenti una categoria, entro i limiti che saranno fissati dall'Ufficio Regionale del Lavoro.
- 9) Contro il rifiuto di ammissione o il provvedimento di esclusione da un'associazione sindacale riconosciuta è ammesso il ricorso all'Ufficio Regionale del Lavoro.
- 10) Le associazioni sindacali riconosciute possono essere provinciali; interprovinciali o regionali, secondo che si propongono la tutela e la rappresentanza di una categoria rispettivamente nell'ambito di una provincia, di più Province, o dell'intera regione.
- 11) Allorché per una categoria non risulti costituita alcuna associazione sindacale che abbia i requisiti per il riconoscimento, l'Ufficio Regionale del Lavoro potrà disporre la convocazione della categoria per l'elezione di "Commissioni sindacali" che abbiano la rappresentanza legale della intera categoria ed in generale i poteri e le funzioni delle associazioni giuridicamente riconosciute.
Le elezioni si svolgeranno sotto il controllo dei competenti Uffici Provinciali del Lavoro, con le modalità che saranno determinate in regolamento. Spetta ai componenti Uffici del Lavoro porre a disposizione delle Commissioni Sindacali i locali, i funzionari ed i mezzi necessari per assicurarne il funzionamento.
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Gli Uffici Intersindacali sono sottoposti alle norme stabilite nel presente Ordine Generale per le Associazioni sindacali di categoria, in quanto applicabili.
- 13) Le associazioni provinciali e interprovinciali sono costituite da membri della categoria rappresentata. Le associazioni regionali possono essere costituite anche dalla unione di due o più associazioni provinciali o interprovinciali. Chi svolge in modo stabile e continuativo attività lavorativa in diverse categorie può far parte contemporaneamente delle corrispondenti associazioni sindacali.
- 14) Le Associazioni sindacali dei lavoratori e dei datori di lavoro

debbono essere distinte. Ogni rispettiva interferenza diretta o indiretta è vietata, ed è penalmente perseguibile e punibile con multa da un minimo di lire cinquemila a un massimo di lire cinquantamila, se abbia la finalità di determinare una azione o una omissione nella attività della associazione sindacale in materia di rapporti di lavoro.

15) I Dirigenti rappresentanti di associazioni sindacali riconosciute sono da considerare equiparati a pubblici ufficiali nello adempimento dei loro doveri.

Essi non possono essere licenziati o trasferiti dalle loro occupazioni presso ditte, aziende o uffici privati senza autorizzazione dell'Ufficio Provinciale del Lavoro nella cui giurisdizione prestano le loro attività lavorative.

Contro i provvedimenti dell'U.R.L. è ammesso il ricorso all'Ufficio Regionale del Lavoro.

16) Non possono essere conferite cariche rappresentative di associazioni sindacali di prestatori d'opera ai direttori ed altri funzionari di aziende ed uffici che abbiano per le loro mansioni la diretta rappresentanza del datore di lavoro.

17) Il riconoscimento giuridico può essere revocato :

- a) a richiesta della stessa associazione riconosciuta;
- b) quando sia provato che il riconoscimento sia viziato da dolo o da errore.

18) Entro tre mesi dalla fine dell'anno solare le associazioni sindacali riconosciute depositeranno presso l'U.R.L. i bilanci consentivi redatti secondo le norme vigenti per le società anonime.

L'U.R.L. potrà in ogni tempo procedere ad ispezioni amministrative.

19) Per l'accertamento di circostanze di fatto la relazione ai compiti affidati all'Ufficio Regionale del Lavoro questo potrà citare qualsiasi cittadino a rendere testimonianza, e la mancata presentazione ricadrà sotto le sanzioni penali stabilite per

20) L'U.R.L. entro un mese dalla data del presente o.g. sottoporrà allo R.C.A.O. della Regione un prospetto di regolamento per l'attuazione del presente o.g.

essi non possono essere licenziati o trasferiti dalle loro occupazioni presso ditte, aziende o uffici privati senza autorizzazione dell'ufficio provinciale del lavoro nella cui giurisdizione prestano la loro attività lavorativa.

Contro i provvedimenti dell'U.R.L. è ammesso il ricorso all'Ufficio Regionale del Lavoro.

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- a) a richiesta della stessa associazione riconosciuta;
- b) quando sia provato che il riconoscimento sia viziato da dolo o da errore.

18) Entro tre mesi dalla fine dell'anno solare le associazioni sindacali riconosciute depositeranno presso l'U.R.L. i bilanci consuntivi redatti secondo le norme vigenti per le società anonime.

L'U.R.L. potrà in ogni tempo procedere ad ispezioni amministrative.

19) Per l'accertamento di circostanze di fatto in relazione ai compiti affidati all'Ufficio Regionale del Lavoro questo potrà citare qualsiasi cittadino a rendere testimonianza, e la mancata presentazione ricadrà sotto le sanzioni penali stabilite per

20) L'U.R.L. entro un mese dalla data del presente O.G. sottoporrà allo R.G.A.C. della Regione nel un prospetto di regolamento per l'attuazione del presente O.G.

Prof. G. B. - 11744 *St. Sci. d. a.*

REMARKS ON THE LAW PRESENTED FOR THE EXAMINATION OF THE COUNCIL OF MINISTERS FOR THE ESTABLISHMENT OF A NEW UNION CHARTER IN ITALY. *Trade Union*

The Law which has been presented to the Council of Ministers, consists of the following points:

I- ABOLITION OF SYNDICAL ASSOCIATIONS (Unions)- Repeal of the Law of 3 April 1926 No. 563 as per Royal Decree 1 July 1936 No. 1930 on the lawful supervision of collective labour relations, and all the regulations subsequently issued for the execution of the aforementioned law, is ordered.

The syndical associations (unions) of employers, workers and professionals and artists, and "confederations" (association of various federations) and Federations originating from the union of several syndical associations (unions), subsequently constituted and juridically recognized under the two aforementioned laws, are dissolved.

The workers, employers and ~~EMER~~ independent artists or professionals may organize and choose their own representatives for the purpose of safeguarding the economic and moral interests of the organized and to gain desired ends of assistance, instruction and education in their favour.

Payment of union dues owed prior to the effective date of the present law is rescinded for the employers, workers, professionals and artists.

II- PROVISIONAL REGULATION OF COLLECTIVE LABOUR CONTRACTS- The provisions and rates contained in collective contracts, economic agreements and in the corporative regulations concluded, which had been duly published, will remain provisionally in effect for the employers, employees, professionals and artists of the classes to which they refer, under the supervision of the industrial and labour inspectors and the Labour Office.

III- LIQUIDATION OF ESTATES OF THE DISSOLVED SYNDICAL ASSOCIATIONS (Unions). The liquidation of estates of the dissolved syndical associations is placed into the hands of the Finance Departments. By subsequent order, the regulations for final disposal of these estates will be established.

IV- ESTABLISHMENT OF LABOUR OFFICES- In each Province, under orders of the Ministry for Industry, Commerce and Labour, a provincial Labour Office has been established, whose functions are:

- a) to supervise enforcement of laws and other regulations on behalf of labour.
- b) Provide for the registration and placement of available labour.
- c) Conciliation and arbitration proceedings in labour controversies under provisions of the subsequent article 8.
- d) Promote development of insurance, instruction and education activities for workers.
- e) Make investigations and fulfill any other functions which may arise under provisions of law in labour matters.

To provide coordination of the functions of the provincial labour offices, it is within the power of the Minister for Industry, Commerce & Labour to establish for each group of several provinces, a regional labour office, with the following functions:

- a) Supervise the activities of the provincial Labour Offices existing in the region.
- b) Handle labor problems of the region.
- c) Take charge of conciliation and arbitration proceedings in labour controversies of special economic importance and interest to the entire province.
- d) Make investigations and fulfill any other function which it may be called upon under provisions of law on labour matters.

e) labour controversies will be submitted for a first conciliation attempt to the

to the provincial labour office and for a successive attempt to the regional labour office: if no agreement is reached, the controversy will be referred to the jurisdiction of the ordinary Courts.

The decision of the ordinary Courts is considered final.

Coordination between the Inspectorate for Industry and Labour and the regional and provincial Labour Offices, will be regulated by subsequent orders.

Expenses for the operation of the regional and provincial Labour Offices, and for salaries of personnel employed therein, will be borne by the State.

Prof. Corbini *11.11.44* *Sub-Comm.*
Corbini *781*
prova

APPUNTO SULLA LEGGE PRESENTATA ALL'ESAME DEL CONSIGLIO DEI
 MINISTRI PER L'ISTITUZIONE DI UN NUOVO ORDINAMENTO SINDACALE

IN ITALIA

La legge che è stata presentata al Consiglio dei Ministri consta dei seguenti punti:

- I - SCIoglimento delle ASSOCIAZIONI SINDACALI - Si dispone l'abrogazione della legge 3 Aprile 1926 n. 563 del R. D. 1 luglio 1936 n. 1930 sulla disciplina giuridica dei rapporti collettivi di lavoro e tutte le norme successivamente emanate per l'attuazione della predetta legge.
- Sono sciolte le associazioni sindacali di datori di lavoro, di lavoratori e di professionisti e artisti, e le confederazioni e le federazioni risultanti dall'unione di più associazioni sindacali, costituitesi posteriormente e giuridicamente riconosciute a norma delle due leggi precitate.
- I lavoratori, i datori di lavoro e i liberi esercenti un'arte o una professione possono organizzarsi e scegliere i propri rappresentanti allo scopo di tutelare gli interessi economici e morali degli organizzati e di perseguire finalità di assistenza, di istruzione e di educazione a favore dei medesimi.
- E' revocato per i datori di lavoro, i lavoratori e i professionisti e gli artisti l'obbligo del versamento dei contributi sindacali maturati posteriormente alla data di entrata in vigore dell'attuale legge.

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- II - REGOLAMENTO PROVVISORIO DEI CONTRATTI COLLETTIVI DI LAVORO - Le norme e le tariffe contenute nei contratti collettivi, negli accordi economici e nelle ordinanze corporative concluse, regolarmente pubblicate, continuano ad obbligare provvisoriamente i datori di lavoro, i lavoratori e i professionisti e gli artisti delle categorie cui le medesime si riferiscono, sotto la vigilanza dei circoli dell'ispettorato dell'industria e del lavoro e degli uffici del lavoro.

- III - LIQUIDAZIONE DEI PATRIMONI DELLE DISCIOLTE ASSOCIAZIONI SINDACALI - La liquidazione dei patrimoni delle disciolte associazioni sindacali è demandata alla Intendenza di Finanza. Con successivo provvedimento si stabiliranno le norme per la destinazione definitiva di tali patrimoni.

I - SCIoglimento delle ASSOCIAZIONI SINDACALI - 31 Dispense
l'abrogazione della legge 3 Aprile 1926 n. 563 del R. D. 1 luglio
1936 n. 1930 sulla disciplina giuridica dei rapporti collettivi
di lavoro e tutte le norme successivamente emanate per l'attuazio-
ne della predetta legge.

Sono sciolte le associazioni sindacali di datori di lavoro, di
lavoratori e di professionisti e artisti, e le confederazioni e le
federazioni risultanti dall'unione di più associazioni sindacali,
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le due leggi precitate.

I lavoratori, i datori di lavoro e i liberi esercenti un'arte
o una professione possono organizzarsi e scegliere i propri rappre-
sentanti allo scopo di tutelare gli interessi economici e morali de-
gli organizzati e di perseguire finalità di assistenza, di istruzio-
ne e di educazione a favore dei medesimi.

E' revocato per i datori di lavoro, i lavoratori e i professio-
nisti e gli artisti l'obbligo del versamento dei contributi sindacali
maturati posteriormente alla data di entrata in vigore dell'attua-
zione della legge.

94

II - REGOLAMENTO PROVVISORIO DEI CONTRATTI COLLETTIVI DI LAVORO

Le norme e le tariffe contenute nei contratti collettivi, negli ec-
cidi economici e nelle ordinanze corporative concluse, regolarmente
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voro, i lavoratori e i professionisti e gli artisti delle categorie
cui le medesime si riferiscono, sotto la vigilanza dei circoli del-
l'ispettorato dell'industria e del lavoro e degli uffici del lavoro.

III - LIQUIDAZIONE DEL PATRIMONIO DELLE DISCIOLTE ASSOCIAZIONI SINDACALI

La liquidazione del patrimonio delle disciolte associazioni
sindacali è demandata alle Intendenze di Finanza. Con successivo
provvedimento si stabiliranno le norme per la destinazione definiti-
va di tali patrimoni.

IV - ISTITUZIONE DEGLI UFFICI DEL LAVORO

In ciascuna Provin-
cia è istituito alle dipendenze del Ministero dell'Industria, del
commercio e del lavoro, un ufficio provinciale del lavoro, cui spet-
ta:

- vigilare sull'applicazione delle leggi e delle altre norme
che tutelano il lavoro;
- provvedere alla registrazione e al collocamento della mano
d'opera disponibile;

C) svolgere azione di conciliazione e arbitrato in materia di controversie sul lavoro ai sensi del successivo articolo B;

D) promuovere lo sviluppo di attività assistenziali, istruttive ed educative a favore dei lavoratori;

E) effettuare rilevazioni e indagini e compiere ogni altra funzione che ad esso venga demandata per disposizione di legge in materia di lavoro.

Ai fini del coordinamento delle funzioni degli uffici provinciali del lavoro è in facoltà del ministro dell'Industria del commercio e del lavoro istituire, per ciascun gruppo di più provincie, un ufficio regionale del lavoro, cui spetti:

a) sovrintendere all'attività degli uffici provinciali del lavoro esistenti nella regione;

b) trattare i problemi interessanti il lavoro della regione;

c) svolgere azione di conciliazione e arbitrato in materia di controversie sul lavoro di speciale importanza economica o di interesse per l'intera provincia, ~~diversi dal magistrato~~;

d) effettuare rilevazioni e indagini e compiere ogni altra funzione che ad esso venga demandata per disposizioni di legge in materia di lavoro.

Le controversie di lavoro saranno sottoposte per un primo tentativo di conciliazione all'ufficio provinciale del lavoro e per un successivo tentativo all'ufficio regionale del lavoro: in mancanza di accordo la vertenza sarà devoluta alla competenza del magistrato ordinario.

I giudizi dinanzi al magistrato ordinario sono esenti in base di qualunque genere.

I rapporti di esistenza e coordinamento fra i circoli dell'ispettorato dell'Industria e del lavoro e gli uffici regionali e provinciali del lavoro saranno regolati con successive disposizioni.

La spesa per il funzionamento degli uffici regionali e provinciali del lavoro e quella per il trattamento economico del personale in servizio presso di essi saranno a carico dello Stato.

COPY

R. J. Collins - 11/11/49

COPY

REMARKS ON THE LAW PRESENTED FOR THE EXAMINATION OF THE COUNCIL OF MINISTERS, FOR THE ESTABLISHMENT OF A NEW UNION CHARTER IN ITALY.

The law which has been presented to the Council of Ministers, consists of the following points:

I- ABOLITION OF SYNDICAL ASSOCIATIONS (unions)- Repeal of the Law of 3 April, 1926, No. 563 as per Royal Decree 1 July, 1936, No. 1930, on the lawful supervision of collective labour relations, and all the regulations subsequently issued for the execution of the aforementioned law, is ordered.

The syndical associations (unions) of employers, workers and professionals and artists, and "confederations" (association of various federations) and Federations originating from the union of several syndical associations (unions), subsequently constituted and juridically recognized under the two aforementioned laws, are dissolved.

The workers, employers and independent artists or professionals may organize and choose their own representatives for the purpose of safeguarding the economic and moral interests of the organized and to gain desired ends of assistance, instruction and education in their favour.

Payment of union dues owed prior to the effective date of the present law is rescinded for the employers, workers, professionals and artists.

II- PROVISIONAL REGULATION OF COLLECTIVE LABOUR CONTRACTS- The provisions and rates contained in collective contracts, economic agreements and in the corporative regulations concluded, which had been duly published, will remain provisionally in effect for the employers, employees, professionals and artists of the classes to which they refer, under the supervision of the industrial and labour inspectors and the Labour Office.

III- LIQUIDATION OF ESTATES OF THE DISSOLVED SYNDICAL ASSOCIATIONS (unions). The liquidation of estates of the dissolved syndical associations is placed into the hands of the Finance Departments. By subsequent order, the regulations for final disposal of these estates will be established.

IV- ESTABLISHMENT OF LABOUR OFFICES- In each Province, under orders of the Ministry for Industry, Commerce and Labour, a provincial Labour Office has been established, whose functions are:

- a) To supervise enforcement of laws and other regulations on behalf of labour.
- b) Provide for the registration and placement of available labour.
- c) Conciliation and arbitration proceedings in labour controversies under provisions of the subsequent article 8.
- d) Promote development of insurance, instruction and education activities for workers.
- e) Make investigations and fulfill any other functions which may arise under provisions of law in labour matters.

To provide coordination of the functions of the provincial labour offices, it is within the power of the Minister for Industry, Commerce and Labour to establish for each group of several provinces, a regional labour office, with the following functions:

- a) Supervise the activities of the provincial Labour Offices existing in the region.
- b) Handle labour problems of the region.
- c) Take charge of conciliation and arbitration proceedings in labour controversies of special economic importance and interest to the entire province.
- d) Make investigations and fulfill any other function which it may be called upon under provisions of law on labour matters.

The labour controversies will be submitted for a first conciliation attempt to the provincial labour office and for a successive attempt to the regional labour office; if no agreement is reached, the controversy will be referred to the jurisdiction of the ordinary Courts.

The decision of the ordinary Courts is considered final.

Coordination between the Inspectorate for Industry and Labour and the regional and provincial Labour Offices, will be regulated by subsequent orders.

Expenses for the operation of the regional and provincial Labour Offices, and for salaries of personnel employed therein, will be borne by the State.

COPY

COPY

APPUNTO SULLA LEGGE PRESENTATA ALL'ESAME DEL CONSIGLIO DEI
MINISTRI PER L'ISTITUZIONE DI UN NUOVO ORDINAMENTO SINDACALE
IN ITALIA

La legge che e' stata presentata al Consiglio dei Ministri consta dei seguenti punti:

I - SCIoglimento DELLE ASSOCIAZIONI SINDACALI - Si dispone l'abrogazione della legge 3 Aprile 1926 n. 563 del R. D. 1 luglio 1936 n. 1930 sulla disciplina giuridica dei rapporti collettivi di lavoro e tutte le norme successivamente emanate per l'attuazione della predetta legge.

Sono sciolte le associazioni sindacali di datori di lavoro, di lavoratori e di professionisti e artisti, e le confederazioni e le federazioni risultanti dall'unione di piu' associazioni sindacali, costituitesi posteriormente e giuridicamente riconosciute a norma delle due leggi precitate.

I lavoratori, i datori di lavoro e i liberi esercenti un'arte o una professione possono organizzarsi e scegliere i propri rappresentanti allo scopo di tutelare gli interessi economici e morali degli organizzati e di perseguire finalita' di assistenza, di istruzione e di educazione a favore dei medesimi.

E' revocato per i datori di lavoro, i lavoratori e i professionisti e gli artisti l'obbligo del versamento dei contributi sindacali maturati posteriormente alla data di entrata in vigore dell'attuale legge.

II - REGOLAMENTO PROVVISORIO DEI CONTRATTI COLLETTIVI DI LAVORO - Le norme e le tariffe contenute nei contratti collettivi, negli accordi economici e nelle ordinanze corporative concluse, regolarmente pubblicate, continuano ad obbligare provvisoriamente i datori di lavoro, i lavoratori e i professionisti e gli artisti delle categorie cui le medesime si riferiscono, sotto la vigilanza dei circoli dell'Ispektorato dell'industria e del lavoro e degli uffici del lavoro.

III - LIQUIDAZIONE DEI PATRIMONI DELLE DISCIOLTE ASSOCIAZIONI SINDACALI - La liquidazione dei patrimoni delle disciolte associazioni sindacali e' demandata alle Intendenze di ripianza. Con successivo provvedimento si stabiliranno le norme per la destinazione definitiva di tali patrimoni.

IV - ISTITUZIONE DEGLI UFFICI DEL LAVORO - In ciascuna Provincia e' istituito alle dipendenze del Ministero dell'Industria, del commercio e del lavoro, un ufficio provinciale del lavoro, cui spetta:

A) vigilare sull'applicazione delle leggi e delle altre norme che tutelano il lavoro;

B) provvedere alla registrazione e al collocamento delle masse d'opera disponibile;

C) svolgere azione di conciliazione e arbitrato in materia di controversie sul lavoro ai sensi del successivo articolo 8;

D) promuovere lo sviluppo di attivita' assistenziali, istruttive ed educative a favore dei lavoratori;

E) effettuare rilevazioni e indagini e compiere ogni altra funzione che ad esso venga demandata per disposizione di legge in materia di lavoro.

Ai fini del coordinamento delle funzioni degli uffici provinciali del lavoro e' in facolta' del ministro dell'Industria del commercio e del lavoro istituire, per ciascun gruppo di piu' provincie, un ufficio regionale del lavoro, cui spetti:

a) sovrintendere all'attivita' degli uffici provinciali del lavoro esistenti nella regione;

- b) trattare i problemi interessanti il lavoro della regione;
- c) svolgere azione di conciliazione e arbitrato in materia di controversie sul lavoro di speciale importanza economica e di interesse per l'intera provincia,
- d) effettuare rilevazioni e indagini e compiere ogni altra funzione che ad esso venga demandata per disposizioni di legge in materia di lavoro.

Le controversie di lavoro saranno sottoposte per un primo tentativo di conciliazione all'ufficio provinciale del lavoro e per un successivo tentativo all'ufficio regionale del lavoro; in mancanza di accordo la vertenza sarà devoluta alla competenza del magistrato ordinario.

I giudizi dinanzi al magistrato ordinario sono esenti in base di qualunque genere.

I rapporti di esistenza e coordinamento fra i circoli dell'ispettorato dell'industria e del lavoro e gli uffici regionali e provinciali del lavoro saranno regolati con successive disposizioni.

La spesa per il funzionamento degli uffici regionali e provinciali del lavoro e quella per il trattamento economico del personale in servizio presso di essi saranno a carico dello Stato.

Feb. 14/44

H. Collins states in our office today
he would have draft of proposed laws -
on hand by Wed. viz:-

- (1) Abolish law of '16 + '34
- (2) Order #17 (Collected. Horganing)
- (3) Liquidation of Syndicates -
property of the State
- (4) Reg. & Prov. Labor laws set up
- (5) Continue Collector Contracts
- (6) Reg. & Prov. laws available for
Consolidation - not arbitration
- [(7) Wages - by grade - adjust by circular]
- (8) Setting up Chamber of Commerce
(Economic Council)

when the law presented for
 mination to the Council of Ministers
 for the institution of a new Sindacal order
 in Italy:

The law presented to the Council of Ministers
 is constituted by the following paragraphs:

1 Dissolving of the Sindical Associations

It is resolved to abolish the law of April
 3, 1926, no. 563 of the Royal Decree.

1926 no. 1930 juridical discipline of collective
 labor relation and all the successive laws
 emanated for the execution of the said law.

The Syndical association of employees,
 of workers, of professionals, of artists
 and of the confederations and federations
 deriving from the union of many
 sindical associations, formed after,
 workers & recognized Federally 87 the
 laws have been dissolved.

The workers, the employers, the

1 Dissolving of the Sanctified Associations

It is resolved to abolish the Law of April 3, 1926, no. 563 of the Royal Decree. 1st of July 1936 no. 1900 juridical discipline of collective labor relation and all the successive laws embodied for the execution of the said Law.

The Syndical association of employees, of workers, of professionals, of artists and of the confederations and federations deriving from the union of many individual associations, formed after wards to recognized juridically 87 the Cases have been dissolved.

The workers, the employers, the owners men, and professionals, can organize themselves and elect their own representatives to safeguard their economic & moral interests and to have their own social welfare, instruction, and educational sections of departments.

Has been revoked for the employers for the workers, professionals, and artists

the obligation to pay the stipulated contributions since after this law went into effect.

II Temporary Limit of the Collective Fund Contract

The rules and the tariffs contained in the collective contracts in the economic accord and in the Co-operative decree concluded, regularly published, continues to obligate the employers, the workers, the professionals, the artists, under the vigilance of the Inspectorate Agency of industry of Labor, and Labor Office.

III Liquidation of Patrimony of the dissolved syndical association.

The liquidation of the patrimony of the dissolved syndical associations is left in custody of the financial agents. With the future provisions of

The Russia and the Germany
in the collective contracts in the economic
accords and in the ~~co-operative~~
decrees concluded, regarded by (publicly) has
continues to obligate the possibility the
employers, the brokers, the professional,
the Ants, under the vigilance of the
inspectorate agency of industry of
Labor, and Labor Office

III. Signification of Extrusion of the dissolved Syndical Association.

The liquidations of the Patrimony
of the dissolved syndical associations
is left in Custody of the Finances Dept.
With ~~the~~ future provision, ~~and~~
rules will be established for
the separate administration of said
patrimony.

IV. Constitution of the Labor Office

On every province has been undertaken
a provincial labor office depending
from the ~~central~~ ^{provincial} Industrial
Commercial, and labor ministry.

The duties of this office are:

- a) To supervise the application of the laws and of the rules that safeguard the labor.
- b) To provide ^{F.P.R. The} ~~the~~ registration and placement of workers.
- c) To act as an arbitary committee in ~~the disputes~~ on labor disputes as described in the following article.
- d) No. 8 to develop ~~and~~ welfare ~~acts~~ ^{the} + educational activities for the workers.

e) To investigate, and do every thing else that is asked from within by the law regarding labor.

For the coordination of ^{the} 86 Provincial labor affairs, in the faculty of the Labor commercial & Industrial ministry to constitute from every Provincial

placement of workers

c) To act as an arbitrary committee in the disputes on labor disputes as described in the following article No. 8 to develop ~~best~~ welfare ~~acts~~ + educational activities for the workers

e) To investigate, and do everything else that is asked from them by the law regarding labor.

For the coordination of its 86 Provincial labor offices, in the faculty of the Labor commercial & Industrial ministry to institute from every provincial group a Regional Labor office which addition will be! ~~to~~

1) to supervise the activities of the provincial labor office in the region

b) to treat all the problems regarding the labor of the region

c) to take conciliation and arbitrary action and on labor disputes of special economic importance or interest of the entire province d) to effect the relations and to investigate and to do any other functions that is demanded by the Law in labor matters.

The labor disputes will be examined for conciliation by the provincial labor office, if not successful to the regional labor office. If a settle ment has it been reached, it will be referred to the ordinary magistrate. The jurisdiction of the ordinary magistrate will be to accept according to any gender the reports of cases to coordinate between the agencies of labor & industrial inspection.

investigate and to do any other functions that is deemed by the law in labor matters.

The labor disputes will be examined for conciliation by the provincial labor office, if not successful to the regional labor office. If a settle ment hasn't been reached, it will be referred to the ordinary ~~municipal~~ magistrates. The jurisdiction of the ordinary magistrates will be exempt according to any gender, the reports of assessment & coordination between the agencies of labor & industrial inspectors on the provincial & regional affairs of labor will be regulated by economic laws.

The response for the formation of the regional & provincial labor offices and for the economic treatment of the labor will be taken care of by the state.

Trade Union Question

Nov 19-1942

4471

The answer to the handling of the former fascist "Sindacati" is the most important political decision facing the Labor Division. In finding our answer, the prevailing opinion of leaders on the continent - Badoglio's government ^{others,} must be taken into consideration as the policy in Naples ^{will} should become the policy for ^{all} Italy.

Situation: On the continent - the "sindacati" have not yet been dissolved. In Region II. they have been had their funds frozen pending a decision as to future disposition, but no further steps have been taken.

Sr. Piccardi expressed himself forcefully in favor of the policy of retaining the form of the sindacati, while establishing democratic procedures within. In the short period between the deposition of Mussolini and the signing of the armistice, many fascist top officials were removed by the Badoglio Government, and new officials appointed in consultation with the Committee of Liberation ^{representative} of the anti-fascist parties. 85

Such reform was by no means complete, however, witness a considerable number of semi-fascist & fascist holdovers ^{still} in the ^{leadership of} Naples trade union movement. The Prefect, with the support of ^{the} Committee of Liberation is in favor of ~~a policy of continuing this policy~~, but ~~continuing this policy of appointment from above~~.

- page 2 -

results seem all too likely to result in a scramble for patronage among the anti-fascist parties.

The workers ~~are~~ are seemingly offered to this policy, which results in making a lawyer the representative of the steredoor, a doctor the representative of the metal workers, etc. The workers are apparently extremely anxious to be allowed to institute democratic procedures for the election of union heads on a non-party trade union basis, and in many cases have made a house cleaning on their own initiative. They are apparently confident of their ability to transform the "indicates" into democratic instruments, if given the opportunity to hold democratic elections.

In my opinion the decision as to whether or not to apply General Order No. 8. is less important than the effectuating of a policy which ^{guarantees} ~~guarantees~~ the workers a democratic choice of representation, whether by reforming or abolishing the indicators. In some respects the maintenance of the syndical structure will create less complications, legal & otherwise, than the reform from within. There is, in my opinion, little doubt of the workers' ^{ability} ~~desire~~ to do a thorough house cleaning of fascist elements if given a free hand.

page 3 -

Col. Lane, labor director, Region III. has some definite ideas about how to answer this question, and has held a number of discussions with workers' representatives, and political and government leaders on this question.

Capt. Frazer, labor officer, region II, has just arrived in his area, and had not, when I last saw him, had time to form an opinion one way or the other.

1035