



PRINCIPAL CURRENT SOVIET LABOR LEGISLATION
A Compilation of Documents

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PREFACE

The purpose of this report is to bring together in translation the most important laws and decrees concerning the broader aspects of labor in the Soviet Union. Laws relating to labor in particular industries or to special technical labor matters are not included.

There cannot be any certainty that the Soviet legislative and constitutional provisions in this compilation are enforced in every case, or that guarantees of rights are always what they appear to be. For example, Article 129 of the 1922 Labor Code of the R.S.F.S.R., forbidding the employment of women in underground work, appears not to have been enforced until the decision of the U.S.S.R. Council of Ministers of July 13, 1957, forbidding underground work by women. Article 21 of the Constitution of the Trade Unions of the U.S.S.R. provides that the Congress of Trade Unions be convened not less than once in 4 years, but the 12th Congress (March 1959) was convened almost 5 years after the 11th Congress (June 1954), and the 11th, over 5 years after the 10th (April 1949).

As an additional example, it may be noted that Article 126 of the Constitution of the U.S.S.R. guarantees citizens the right to join trade unions, but this right has little significance because the trade unions are not free, being under the "guidance" of the Communist Party; in his report to the 22nd Congress of the Communist Party on October 17, 1961, First Secretary of the Central Committee Nikita Khrush-

chev emphasized that the main function of the trade unions "must be the struggle to realize the program of communist construction," and that the trade unions will increasingly be assigned tasks now performed by Government agencies.

The laws and decrees reproduced here in translation were checked against the official Russian-language texts. Most of the translations are taken from the Legislative Series of the International Labour Office. The translations of the laws abolishing income tax and providing compulsory labor for persons who avoid useful work were taken with permission from The Current Digest of the Soviet Press. The remaining translations, mostly of recent laws and decrees, have been prepared, unless otherwise indicated in the footnotes, by the U.S. Department of Labor's Bureau of Labor Statistics, in its Division of Foreign Labor Conditions.

The Labor Code of November 1922, though obsolete in many parts, is still quoted in Soviet legal literature. In this report, perhaps for the first time in English, an attempt has been made to present the amended Labor Code pruned of its obsolete parts. The draft of a proposed new labor code is under discussion in the Soviet Union.

The post-Stalin period in the U.S.S.R. has witnessed some striking changes in labor legislation, especially in subject matter areas where Western criticism has been strong. There has been a trend in the legis-

lation away from the repressive harshness characteristic of the Stalin era; the most prominent example of relaxation is the law of April 25, 1956, abolishing the penal liability of workers who had been absent from or tardy at work or who had quit jobs without permission. For examples of relaxation, see "Soviet Attitudes and Policies Toward Increasing Output of Workers," in Foreign Labor Information series, U.S. Department of Labor, August 1957, pp. 11-12, also, "Recent Trends in Soviet Labor Policy," by Jerzy G. Gliksmann, in Monthly Labor Review, July 1956, pp. 767-775.

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Many valuable suggestions were made by Dr. Solomon M. Schwarz, a noted authority on Soviet labor developments, and by Mr. Leon Herman of the Legislative Reference Service, Library of Congress.

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PRINCIPAL CURRENT SOVIET LABOR LEGISLATION
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Labor Code of R.S.F.S.R.^{1/}

A. The Enacting Order, November 9, 1922

1. The Labor Code, 1922, shall come into operation on November 15, 1922.

2. Simultaneously with its coming into operation, the Labor Code, 1918, shall be repealed. All other legislative provisions and regulations respecting labor shall cease to be operative in so far as they are contrary to the provisions of this Code.

3. The manner of applying and enforcing the provisions of this Code shall be laid down by Orders and Instructions issued by the CPC, the EC and the PLC.

4. This Code shall be amended or supplemented only by an Order of the ARCEC.

^{1/} Adopted by the All-Russian Central Executive Committee, November 9, 1922.

Note: In conformity with the Russian text, certain abbreviations have been used throughout the translation, as follows:

ARCEC—All-Russian Central Executive Committee (see CEC below).

CEC—Central Executive Committee (formerly ARCEC; since the 1936 Constitution, replaced by the Presidium of the Supreme Soviet).

CPC—Council of People's Commissars (now called Council of Ministers, Vedomosti, March 15, 1946, No. 10).

EC—Economic Conference.

5. This Code shall apply throughout the territory of the R.S.F.S.R. and all the United and Autonomous Soviet Republics and Regions.

6. Any employer who contravenes the provisions of this Code or of the Decrees, Orders and Instructions issued by the CPC, the EC and the PLC under section 3 of this Order shall be prosecuted under sections 133, 134 et seq. of the Penal Code.

B. The Labor Code of the R.S.F.S.R., 1922 edition (with amendments to January 31, 1958)

I. General Provisions

1. The provisions of the Labor Code shall apply to all persons performing work for remuneration, in-

PCE—People's Commissariat of Education.

PLC—People's Labor Commissariat (abolished in 1933) and its functions taken over by the All-Union Central Council of Trade Unions.

R.S.F.S.R.—Russian Socialist Federated Soviet Republic.

AUCCTU—All-Union Central Council of Trade Unions.

U.S.S.R.—Union of Soviet Socialist Republics.

Translation by International Labour Office, Legislative Service, Geneva, 1936. The spelling has been changed to American form throughout. Minor changes in wording have been made for purpose of clarification.

cluding homeworkers, and shall be binding on all undertakings, institutions and businesses, whether State (civil or military), public or private, including those which give out work to be done at home, and also on all persons who employ others for remuneration.

Note 1. The CPC shall issue a special Order to lay down the exceptions to the application of this Code in respect of homeworkers.

Note 2. A special Order (schedule 1 hereto) shall be issued to deal with the conditions of employment of persons engaged in seasonal occupations.

Note 3. The conditions of employment of temporary wage-earning and salaried employees shall be governed by a special Order (schedule 2 hereto).

Note 4. The conditions of employment of wage-earning and salaried employees engaged in the lumber industries and in forestry shall be governed by the Order issued by the CEC and CPC of the U.S.S.R. on March 7, 1933 (schedule 3 hereto).

Note 5. The conditions of employment of workers in the building trades shall be governed by a special Order (schedule 4 hereto).

Note 6. The conditions of employment of persons employed in the system of small retail dealers shall be governed by the Order issued by the CEC and CPC of the U.S.S.R. on November 18, 1929.

Notes 7 and 8 were repealed by subsequent legislation.

Note 9. The exceptions to the general labor laws which are necessary for the crews of civil aircraft and the staff of the ground installations in connection with flying, in view of the special conditions of their employment, may be laid down by the PLC of the U.S.S.R. jointly with the Central Board for the Civil Air Fleet and the UCCTU.

Note 10. The conditions of employment of persons employed in the Workers' and Peasants' Militia and in reformatory labor institutions shall be governed by special laws (Regulations for the Workers' and Peasants' Militia and Regulations for service in reformatory labor institutions).

2. The CPC, the EC, or the PLC under their authorization, shall decide to what extent this Code shall apply to the relation originating in the calling up of persons for compulsory labor service (section 11).

3. Repealed by subsequent legislation.

4. Every contract or agreement respecting employment which is less favorable in respect of the conditions of employment than the provisions of this Code shall be null and void.

II. Engagement and Supply of Labor

5-10. These sections have ceased to be operative, being superseded by later texts—cf. the Order of the CEC and CPC of the U.S.S.R. dated December 15, 1930, respecting the engagement and distribution of employees and respecting the cam-

paign against excessive labor turnover.]

III. Calling up of Citizens of the R.S.F.S.R. for Compulsory Labor Service

11. In exceptional cases (fighting the elements, or in case of a shortage of labor for carrying out important State work), all citizens of the R.S.F.S.R., with the exceptions mentioned in sections 12-14, may be called up for work in the form of compulsory labor service in accordance with a special Order of the GPC or of the officials authorized for this purpose by the GPC.

12. The following persons shall not be liable to be called up for compulsory labor service: (a) persons under 18 years of age; (b) men above 45 years of age and women above 40 years of age.

13. The following persons shall be exempt from calling up for compulsory labor service: (a) persons, temporarily incapacitated for work, owing to illness or injury, during the period requisite for their recovery; (b) pregnant women, during the last 8 weeks before confinement, and lying-in women, during the first 8 weeks after confinement; (c) nursing mothers; (d) men disabled in employment or in war; (e) women with children under 8 years of age, if no one is available to take care of such children.

14. Additional exceptions and relaxations in respect of various kinds of compulsory labor service

shall be specified by the GPC, the EC and the PLC, with due regard to health, family circumstances, the nature of the work and conditions of life.

IV. Collective Contracts

15. A collective contract shall mean an agreement concluded between a trade union (sections 152 and 153), as representative of the wage-earning and salaried employees, on the one hand, and an employer, on the other hand, laying down the conditions of work and employment for individual undertakings, institutions, and businesses or groups thereof (section 17), and specifying the contents of future individual contracts of employment (sections 27 and 28).

16. The terms of the collective contract shall apply to all persons employed in a specified undertaking or institution, whether they are members of the trade union which has concluded the contract or not.

Note. The collective contract shall not apply to members of the managing staff who have authority to engage and dismiss others.

[Sections 17 and 18 were repealed by subsequent legislation.]

19. Provisions in collective contracts which lay down conditions of employment less favorable than those laid down by this Code and other legislative provisions and Orders in force respecting employment shall be null and void.

20. The assets of trade unions shall not be liable for the fulfillment of collective contracts.

21. Every collective contract shall be concluded in writing and shall be registered.

22. The registered collective contract shall come into operation on the date of its signature by both parties or within the time limit specified in the contract.

23. In the event of any reorganisation of an institution or undertaking or its transfer to a new owner, the registered collective contract shall remain in operation throughout the whole period for which it has been concluded.

Note. In such cases, either party shall be entitled to demand the revision of the collective contract, provided that it shall notify the other party thereof 12 working days in advance; the collective contract shall remain in operation until a new agreement is arrived at.

24. A contract which is renewed for a further period, even if under the original conditions, and likewise any amendments and supplements to the contract adopted by agreement between the parties, shall be registered in accordance with the general provisions (section 21).

25. A dispute between the employer and the employees respecting a contract which for any reason has not been registered shall not be settled on the basis of the contract, but in accordance with the legislation in force.

26. Repealed on January 31, 1958.

V. Contracts of Employment

27. A contract of employment shall mean an agreement between two or more persons whereby one party (the employee) places his labor at the disposal of the other party (the employer)^{2/} in return for remuneration.

A contract of employment shall be concluded whether a collective contract exists or not.

28. The terms of the contract of employment shall be laid down by agreement between the parties. Provisions in the contract of work which lay down conditions of employment less favorable to the employee than those laid down by the labor laws, by the collective contract or by the rules of employment applying to the particular undertaking or institution (sections 4, 15, 19, 52-55), and likewise provisions intended to limit the political and general civic rights of the worker, shall be null and void.

29. Immediately upon the conclusion of the contract of employment, a wages book shall be issued to every wage-earning and salaried employee (other than persons belong-

^{2/} The term "employer" is now supplanted by the term "management," or the phrase "management of an enterprise (establishment)." The term "undertaking" is sometimes used for the term "enterprise (establishment)."

ing to the management) in every undertaking, institution or business, irrespective of the number of persons employed therein. The issue of the wages book shall not be compulsory if the contract of employment is concluded for a period less than a week.

Note 1. When a contract of employment is concluded with an artel [cooperative craft society], every member of the artel shall be supplied with a wages book in addition to the general book supplied for the artel as a whole.

Note 2. The procedure for the issue of wages books, and the contents thereof, shall be laid down by special legislative provisions.

30. A contract of employment may be concluded either with an individual or with a group of individuals (artels, etc.).

31. A minor shall have the same rights as an adult for the purposes of a contract of employment. A parent, parent by adoption, guardian or trustee, and likewise any authority or official responsible for supervising the observance of the laws for the protection of workers, shall be entitled to require the premature dissolution of a contract if its continuance imperils the health of the minor or is injurious to him in any way.

32. If work under a contract or employment is not done for the individual directly with whom the contract was concluded, but for an undertaking or institution which he serves, or if the establishment where the employee works is a part or department of another undertaking, the undertaking, institution or

person for which or whom the work is done shall be responsible for the contract of employment.

If a contract of employment is concluded by a contractor in respect of the job undertaken by him, the contractor shall be responsible. The liability of the person ordering the work or supplies, in the event of the insufficiency of the assets of the contractor (purveyor) to liquidate his indebtedness in respect of the earnings of the persons employed in carrying out the contract (furnishing the supplies) and also in respect of social insurance contributions for the said persons, shall be governed by a special law (in the schedule hereto).

Note. The mutual claims of undertakings, institutions or individuals and contractors shall be settled by ordinary judicial procedure.

33. When a contract is concluded with an artel, the employer shall have the same rights and duties towards each member of the artel who performs work for the employer as if he had concluded the contract with the individual member.

34. A contract of employment may be concluded (a) for a specified period not exceeding 3 years; (b) for an indefinite period; (c) for the time required to carry out specified work.

35. An employee shall not be entitled, without the employer's consent, to entrust to another person the performance of the work required of him. If an artel is employed under a contract of employment, it may divide the work among

its members and may replace any member by any other provided that nothing to the contrary has been stipulated in the contract.

36. An employer shall not require an employee to perform any work not connected with the kind of activities for which the employee was engaged, nor any work involving manifest risk of life or not in accordance with the labor laws.

If there is a temporary lack in the undertaking of the kind of work for which the employee was engaged, the employer shall be entitled to assign him other work suitable to his qualifications. If the employee refuses to carry out such work, the employer shall be entitled to dismiss him on payment of a leaving grant under section 89.

In exceptional cases, when it is necessary to avert impending danger, an employee may be assigned any other kind of work, even though it is not in accordance with his qualifications.

In the above-mentioned cases, the wages shall not be reduced, but if the temporary work is paid at a higher rate than that for which the employees were engaged, wages shall be paid at the said higher rate (section 64).

37. A wage-earning or salaried employee shall not be transferred from one undertaking to another or removed from one locality to another without his consent, even if such transfer or removal takes place in connection with that of the undertaking or institution; in default of his consent the contract of employ-

ment may be rescinded by either party, and in such case the employee shall be paid a leaving grant under section 89.

37-1. If industrial conditions render it necessary (especially in cases of stoppage of work), the management of a State, cooperative or public institution, undertaking or business may transfer employees to other work in the same or another institution, undertaking or business in the same locality for a period not exceeding 1 month (in cases of stoppage of work, for the whole duration of the stoppage).

In cases where the remuneration for the work to which an employee is transferred is lower than that for his previous work, he shall continue to receive his average earnings on his previous work.

Refusal of such transfer without a sufficient reason shall be deemed to be a breach of labor discipline.

38. If work is of relatively long duration, the definitive engagement may be preceded by a period on probation for wage-earning employees not exceeding 6 days and for salaried employees not exceeding 12 working days in the case of kinds of work which are unskilled and entail little responsibility and not exceeding 24 working days for responsible work.

39. The employee shall be definitively engaged or dismissed according to the results of the probation, and shall be remunerated for the period on probation at the scheduled rate for the class in

which he was placed when engaged on probation.

40. Repealed by subsequent legislation.

41. If the employer or head of the undertaking (the management) has received from the employee any certificate of identity, he shall be bound to restore it to the employee on his first demand.

42. The employer shall be bound to furnish the employee on request with a certificate stating the period for which and the capacity in which he was employed. The insertion of any conventional signs [i.e., symbols conveying special information] in the certificate shall be prohibited.

43. The employer or management of the undertaking shall not arbitrarily impose any fines upon employees, except in the cases provided for in special legislative provisions or in the rules of employment.

44. The contract of employment shall expire (a) by agreement between the parties; (b) on the expiry of the term for which it was concluded; (c) on the completion of the work agreed upon; (d) on the giving of notice by either party under sections 46 and 47. The transfer of the institution, undertaking or business from one authority or occupier to another shall not entail the termination of the contract of employment.

45. If the employment is continued after the expiry of the term for which the contract was concluded

and neither party demands its termination, the contract shall be deemed to be continued for an indefinite period under the original conditions.

46. If the contract is concluded for an indefinite period, the wage or salary earner may terminate it at any time, but shall be required to give 2 weeks' notice to the management of the undertaking or institution.

47. Without prejudice to the cases mentioned in sections 36 and 37, a contract of employment concluded for an indefinite period, and likewise a contract concluded for a definite period at any time before the expiry of the said period, may be terminated on the demand of the employer in the following cases only:

(a) In case of entire or partial winding up of the undertaking, institution or business, and likewise in case of reduction of work therein;

(b) in consequence of the total suspension of work for a period of more than 1 month for reasons of an industrial nature;

(c) in case of the employee's obvious unfitness for the work to be performed;

(d) in case of persistent failure on the part of the employee to fulfill the duties incumbent upon him under the contract or the rules of employment, without any sufficient reason for this;

(e) if the employee commits any criminal action which is directly connected with his work and which is established by an enforceable verdict, and likewise if the employee is sentenced to imprisonment for more than 2 months;

(f) in case of absence from work without a valid reason;

(g) if the employee is absent from work on account of temporary loss of working capacity for more than 2 months reckoned from the date of such loss, and also in case of temporary loss of working capacity in consequence of pregnancy or confinement lasting for more than 2 months beyond the period of 4 months specified in section 92;

(h) if a wage or salary earner who previously performed a given job is reinstated therein in the manner provided for by law.

Note 1. A contract shall not be terminated in the case referred to in clause (c) without the consent of the factory, works or local trade union committee.

Note 2. In the event of the termination of a contract with an employee who is a member of the works committee or of any other similar body, the provisions of section 160 of this Code shall be observed.

Note 3. If the contract is terminated by the employer in the cases mentioned under (a), (b), and (c), the employer shall be bound to give the employee 12 working days' notice of his dismissal; in these cases compensation shall be paid in

accordance with the general rules (section 88).

Note 4. ~~Repealed on January 31, 1958.~~

~~47-1 Repealed on January 31, 1958.~~

48. A contract of employment concluded for a specified period may be terminated by the employee before the expiry of such period in the following cases:

(a) If the agreed remuneration is not paid to him when due;

(b) if the employer fails to fulfill his duties under the contract or the labor laws;

(c) if the employee is badly treated by the employer, the representatives of the management, or members of their families;

(d) in the event of deterioration of the sanitary and hygienic conditions of employment;

(e) in all other cases specially provided for by law.

Note. ~~Repealed on January 31, 1958.~~

49. Every contract of employment may also be terminated on the demand of the trade union. If the head of the undertaking fails to agree with the claims of the union, an appeal may be lodged against them in accordance with the procedure customary in case of dispute.

VI. Rules of Employment

50. Rules of employment shall be adopted for the purpose of regulating work in undertakings, institutions and businesses where not less than five persons are employed. Such rules shall not be enforceable upon the employees unless they are issued in the prescribed manner (sections 52-55) and brought to the knowledge of all the workers concerned.

51. The rules of employment shall contain clear, precise and wherever possible exhaustive information respecting the general and special duties of the employees and management and the extent and nature of liability for contraventions of the rules.

52. The rules of employment shall not be contrary to the labor laws and regulations or to any collective contract which may be in force in the undertaking or institution in question.

[Sections 53, 54, and 55 were repealed on January 18, 1941.]

VII. Standards of Output

56. [Repealed by subsequent legislation on June 4, 1938, and January 14, 1939.]

57. If an employee of a State, public or cooperative undertaking, institution or business fails through his own fault to attain the standard of output prescribed for him, he shall be paid according to the quantity and quality of his output, but shall not be guaranteed any

minimum wage. In other undertakings and businesses such an employee shall be paid not less than two-thirds of his scheduled rate.

If failure to attain the standard has not occurred through the employee's fault, he shall in any case receive not less than two-thirds of his scheduled rate.

If an employee persistently fails to attain the standard under normal working conditions, he may be dismissed in accordance with section 47 or transferred to other work.

Note 1. Normal working conditions for the purposes of this section shall mean:

(a) Good condition of machines, frames and plant;

(b) the giving out at the proper time of the materials and tools requisite for the performance of work;

(c) adequate equipment of the workrooms in accordance with the requirements of hygiene and sanitation (sufficient lighting, heating, etc.).

Note 2. In the case of minors who are employed for less than the normal daily hours of work at a time rate, the standards of output shall be fixed in proportion to the standards of output for adult employees, according to the daily hours of work fixed for minors.

Note 3. Where failure to attain the standard is a result of a stoppage of work or spoiled work, payment for the work shall be governed by the provisions of sections 68-1 and 68-2.

VIII. Remuneration for Work

58. Repealed by subsequent legislation on June 4, 1938.]

59. The amount of the remuneration shall not be less than the compulsory minimum wage fixed for the period in question by the competent State authorities for the class of work in question.

60. The amount of the remuneration shall be fixed in the contract either at a time rate, on the basis of the normal daily hours of work (section 94 et seq.), or by the piece. The amount of remuneration for overtime shall be specially noted in the contract, and shall not in any case be less than $1\frac{1}{2}$ times the normal wage for the first 2 hours, and twice the normal wage for subsequent hours and also for work on rest days or holidays (sections 109 et seq.).

61. The pay of young persons for the reduced working day shall be the same as that of employees of the same class working the full day.

62. If an employee performs work of different grades, he shall be paid at the rate for the highest grade (section 36).

63. If an employee performs work for which special knowledge or training is necessary, he shall be paid at the rate fixed for the said class of work, even if he possesses no educational distinction (diploma) or certificate of special technical training.

64. If an employee is transferred to lower paid work, he shall

continue to receive his former wage for 12 working days after the transfer.

65. If work is permanent the remuneration shall be paid at regular intervals, and not less frequently in any case than once every 12 working days.

The remuneration for temporary or casual work lasting less than 12 working days shall be paid immediately upon the completion of the work.

66. Remuneration shall be paid in cash, or in kind (use of a dwelling, board, articles for personal use) if this has been agreed upon in the individual or collective contract. The conditions for the payment of remuneration in allowances in kind, and the method of valuing such allowances, shall be laid down by the contract.

67. The payment of remuneration of the employees of State, cooperative and public institutions, undertakings and businesses shall take place outside the hours of work at the actual workplace.

Remuneration shall be paid immediately before work begins or after work is over, and the employees shall not be kept waiting.

67-1. In the event of the termination by the employer of the contract of employment, the outstanding wages, payment for overtime, leaving grant and compensation for annual leave not taken shall be paid as follows, provided that there is no dispute as to the amount due to the dismissed employee:

(a) On the day of the dismissal in the event of the termination of a contract of employment with an employee who continues to work until the day of his dismissal;

(b) one day after the dismissed employee applies for a settlement of accounts, in the event of the termination of a contract of employment with an employee who does not work until the date of his dismissal (owing to illness, in consequence of loss of liberty, willful absence from work, etc.).

67-2. In the event of the termination of the contract of employment by the employee himself, payment of the sum due to him shall be effected as follows, provided that there is no dispute as to the amount thereof:

(a) Not later than the day on which the employee is entitled to cease work after having given notice, if the employee is bound by law or by the contract to give the employer notice of his leaving;

(b) not later than the day following that on which the employee ceases work, if he is not bound to give the employer notice of his leaving.

67-3. In the event of a dispute as to the amount due to the employee on dismissal, the employer shall be bound in any case to pay him the sum not in dispute within the time limits specified in sections 67-1 and 67-2.

67-4. If the employer fails to pay the dismissed employee the sums due to him within the time limits

specified in sections 67-1 and 67-2, and there is no dispute as to the amount thereof, the employer shall be bound to pay the employee compensation in the amount fixed by the collective contract, or, if the amount thereof is not specified in the collective contract, compensation equal to the average earnings of the employee in question for the whole duration of the delay until the date of the actual settlement.

If a dispute arises as to the amount due to the dismissed employee, and the dispute is settled in favor of the employee, the employer shall be bound to pay the employee the compensation specified in this section. If the dispute is not settled entirely in favor of the employee, but partly in his favor, the amount of the compensation for the duration of the delay shall be fixed by the authority giving the award on the subject of the dispute in question.

If the dismissed employee enters other employment before having received the final payment, the compensation due to him from the previous employer for the delay in settlement shall be reduced by the amount of the earnings received from the new employer.

68. Wages shall not be paid for the duration of a stoppage of work in a State, cooperative or public undertaking or business which is due to the employee's fault.

Half the scheduled time rate of an employee of the same category shall be paid for the duration of a stoppage of work not due to the employee's fault.

In the metallurgical, mining and coke industries the payment for a stoppage of work not due to the employee's fault shall amount to two-thirds of his scheduled rate.

68-1. Payment shall not be made for work completely spoiled through the employee's fault in State, cooperative or public undertakings or business.

If work is partly spoiled through the employee's fault (if the quality of the product does not satisfy the requirements laid down for it), payment shall be made at a reduced rate. For this purpose, the percentage of utility of the product and the rate of payment (up to half the scheduled rate) shall be fixed by the management.

Payment shall be made at two-thirds of the scheduled time rate of the employee concerned for work completely spoiled through no fault of the employee; payment shall be made at a reduced rate for work partly spoiled through no fault of the employee, according to the degree of utility of the product; the percentage of utility of the product and the rate of payment shall be fixed by the management, provided that the payment shall not be less than two-thirds of the scheduled time rate for the employee in question.

Note 1. Payment shall be made at the standard piece rates for spoiled work due to a defect in the metal to be treated (unsuitable quality of materials, bubbles or cracks in the metal) which is detected after not less than 1 working day has been spent on the working of

the metal or the assembling of the parts.

Note 2. If work spoiled through no fault of the employee is detected after the official for technical supervision has accepted the product, the employee shall be paid for it as for a satisfactory product.

68-2. During the time spent in becoming familiar with a new process (dealing with parts, frames, machines, motors, transformers, turbines, etc.), payment shall be made for stoppages of work and spoiled work not due to the employee's fault, both in new undertakings and in undertakings already in existence, at the scheduled time rate for the employee in question. The time limit for becoming familiar with new processes shall be fixed for each undertaking by the competent economic organization in agreement with the trade union, subject to a maximum of 3 months.

69. A wage-earning or salaried employee going on ordinary leave shall be paid the average earnings in advance for the leave period.

70. The piece rate shall be ascertained by dividing the fixed daily rate for a given class by the standard of output (section 56). In the cases specified in contracts, a different method of fixing a piece rate may also be allowed.

71. The remuneration for the time spent in work preparatory to piecework shall be fixed by the collective or individual contract of employment.

72. If a particular task is to be done at a piece rate, the employee shall receive advances at the prescribed intervals (section 65), at the scheduled rate in force for the class of work in question, pending the completion of the work.

73. If the scheduled rate is not attained in the carrying out of piecework, the work shall be paid for according to the actual output, in accordance with the provisions of section 57.

74. If an employee leaves a piecework job unfinished for reasons beyond his control, the part of the work completed by him shall be paid for at the rate fixed by agreement between the parties, subject to the deduction of any advances made to him (section 72), and in default of such agreement the remuneration shall be settled in accordance with the procedure established for the settlement of labor disputes.

75. A young person who has attained the age of 16 years but not that of 18 years and who is employed on piecework shall be paid for the performance of the said work at the same piece rates as an adult employee, and in addition shall receive wages for 2 hours at the scheduled rate applying to him.

If a young person of the above-mentioned age who is employed in an undertaking which has made the change to the 7-hour working day is employed on piecework, he shall be paid in addition the wages for 1 hour at the scheduled rate applying to him.

76. If the rates for timework are changed, the prices for piecework shall be changed proportionately.

Note. Repealed on January 31, 1958.7

IX. Guarantees and Compensation

77. Every wage-earning or salaried employee shall continue to receive his average earnings (section 68, note) for the time spent in exercising the right to vote in cases where the exercise of such right during the hours of work is approved by the competent State authority.

77-1. If a wage-earning or salaried employee is exempted from work in consequence of his election as a member of a council of representatives of workers, peasants and the Red Army or an executive committee of such council, or to hold office in a trade organization, he shall be guaranteed retention of his previous employment throughout the period spent in performing the duties of such office.

78. A wage-earning or salaried employee summoned to appear in a court of law as a witness, expert or assessor, and a wage-earning or salaried employee summoned to appear as a witness before a committee to assess the period of employment, shall continue to receive his average earnings for the whole of the time during which he is engaged in the discharge of the duties imposed upon him.

79. A wage-earning or salaried employee who has been appointed as a

representative to attend a congress, conference or delegates' meeting convened by a State authority, trade union or united consumers' cooperative society shall continue to receive his average earnings during the whole time spent in the discharge of the duties imposed upon him, in so far as this falls within the hours of work.

79-1. Wage-earning and salaried employees who take part in the extinguishing of fires as members of volunteer fire brigades shall continue to receive their average earnings for the whole duration of their work in extinguishing fires in cases where the said work falls within the hours of work.

The participation of wage-earning and salaried employees in the extinguishing of fires shall be certified by means of a statement furnished by the captain of the volunteer fire brigade and confirmed by the local official of the State fire inspection service, or in default of such official by the town, urban district or village council.

80. Wage-earning and salaried employees called up for the Red Army shall receive compensation amounting to their average earnings for 12 working days, paid in advance, in the event of dismissal from employment on account of calling up.

81. If a wage-earning or salaried employee is sent on a service mission, he shall be guaranteed the retention of his post and his average earnings for the whole period of his absence on mission; in addition, he shall be paid a subsistence allowance, and the expenses entailed

upon him by his being sent on the mission shall be refunded to him in the manner and to the extent prescribed by special laws.

82. In all cases where employees are transferred to work in another locality (except in cases where they are transferred at their own request), the employee to be transferred shall be paid:

(a) His own traveling expenses to the new place of employment and those of the members of his family;

(b) the cost of the transportation of his effects;

(c) a subsistence allowance for the time spent on the journey;

(d) wages for the time spent on the journey and for a further 6 days;

(e) benefit in a lump sum for the employee himself and for the members of the family removing with him.

When employees are transferred to other work at their own request, the above-mentioned compensation may be paid in full or in part by agreement between the employee and the employer. The standards and procedure for the calculation of the compensation shall be laid down by a special law (schedule hereto).

83. Wage-earning and salaried employees shall be financially liable to their employer for any damage caused by them in the performance of the duties of their posts, up to a maximum of one-third of their scheduled rate of pay but not beyond the amount of the actual damage, if the

said damage was caused by negligence in work or a breach of the law, the rules of employment or the employer's special instructions and orders. Wage-earning and salaried employees shall be similarly liable:

(a) In case of the injury, destruction or loss of instruments of production (machines and appliances) or the injury of animals for work, production or other purposes;

(b) in case of arrears of payments, loss of documents, total or partial loss of value of documents, or the employer's being forced to make unnecessary payments or to pay fines;

(c) if articles of value entrusted to the employee for safekeeping or for other purposes depreciate below the prescribed standard;

(d) in case of the improper expenditure of moneys issued for business requirements.

83-1. Wage-earning and salaried employees shall be financially liable to their employer for any damage caused by them, up to the full amount of the damage, in the following cases:

(a) When the damage was caused by actions of the employee which are of a nature liable to entail prosecution under the penal laws;

(b) when pecuniary liability in full or beyond the limit specified in section 83 is imposed upon the employee by special laws in respect of damage brought upon the employer by the employee in the performance of his duties;

(c) when a special contract has been concluded in writing between the employee and the employer, whereby the employee assumes financial liability either in full or beyond the limit specified in section 83 for the depreciation below a prescribed standard of articles of value entrusted to the employee for safekeeping or for other purposes;

(d) when the damage was not caused in the performance of the employee's duties.

83-2. In the cases specified in section 83, compensation for the damage shall be paid by means of deductions made by the employer on his own authority from the amount of the employee's pay.

The employer may take a decision to effect the deduction not more than 1 month after the date on which he becomes aware of the damage done by the employee. The deduction shall not be made less than 7 days after the date on which the employee is notified of the employer's decision. If the employee makes a declaration within the above-mentioned time limit respecting the unlawfulness of the deduction or the incorrectness of the amount thereof, the said deduction shall not be made, and the question shall be referred by the employer within 14 days to the labor disputes board.

In the cases specified in section 83-1, compensation for the damage shall be procured in case of dispute by means of the prosecution of the employee by the employer.

Deductions in pursuance of a decision of the employer shall not

exceed an amount such that on each payday the amount deducted together with any other deductions from the pay made in pursuance of a judicial or amicable award shall not exceed 50 percent of the pay due to the employee.

83-3. The provisions of sections 83-83-2 shall not apply to cases where the damage entailed by the employee upon the employer is subject to compensation in the manner prescribed by the Regulations for financial supervision.

83-4. Wage-earning and salaried employees shall be financially liable for materials and goods and for the property of the undertakings or institution issued to them for their use (working clothes, tools, measuring appliances, etc.) in case of misappropriation or willful injury or of loss or damage due to negligence.

The maximum amount of the financial liability of employees shall be fixed for each kind of property by Instructions issued by the PLC of the U.S.S.R. in agreement with the UCCTU.

In the assessment of the extent of the liability for property issued for the use of an employee, the actual deterioration of the property shall be taken into account.

The moneys which are to be recovered from the employee shall be deducted on the instructions of the management directly from the wages or any other moneys due to the employee from the undertaking or institution. The employee may lodge an objection to the deduction or to

the amount thereof with the labor disputes board.

Irrespective of the financial liability, the management may prosecute an employee in the event of misappropriation or willful damage, or impose a fine upon him in accordance with the list of fines.

83-5. The deduction to be made from the employee's pay in pursuance of section 83-4 shall not exceed 25 percent of all the moneys due to the employee on each payday. If other deductions are likewise being made from the employee's earnings, the total amount of all the deductions shall not exceed 50 percent of all the moneys due to the employee.

The deduction shall be made on each payday until the whole debt is paid. If the employee is dismissed before the whole debt has been paid by deductions at the above-mentioned rate, the remainder shall be made a charge upon the other property of the employee or upon his earnings at the new workplace, by means of an endorsement by a notarial office.

83-6. The judicial authorities in the assessment of the amount of compensation due for damage shall take into account not only the loss caused, but also the actual circumstances in which it was caused, and likewise the financial situation of the employee. It shall not be lawful to hold an employee liable for damage which can be referred to the category of normal industrial and business risks. In the assessment of the amount of the damage, only loss property so called shall be

taken into account, but not profits which the employer has failed to secure.

84. The employer shall guarantee the supply to the employee free of charge of the tools and plant requisite for work.

85. If an employee uses his own tools on behalf of the undertaking, the employer shall be bound to remunerate him for wear and tear of the tools at the rate prescribed in the collective contract, or in default thereof according to the decision of the PLC.

Sections 86 and 87 were repealed by subsequent legislation.

88. If a contract of employment for a definite or indefinite period is terminated for a reason mentioned in section 47 (a), (b) or (c), the employer shall pay a leaving grant to the employee, equal to his earnings for 12 working days, or give him notice of dismissal 12 working days in advance.

89. If a contract of employment is terminated for the reasons mentioned in section 36 (second paragraph), 37, 47 (h), 48 or 80, the employee shall be paid a leaving grant equal to his earnings for 12 working days.

90. If a contract of employment is terminated for a reason mentioned in section 47 (d), (e) or (g), 47-1 or 49, or if the contract is rescinded solely at the desire of the employee himself in accordance with the provisions of section 46, a leaving grant shall not be paid.

91. If the undertaking or institution grants no ordinary leave (section 114) or, where appropriate, extra leave (section 116), the wage or salary earner shall be entitled, subject to the consent of the factory, works or local trade union committee, to receive cash compensation equal to his average earnings.

92. Every wage-earning or salaried employee who has temporarily lost his working capacity shall retain his post in the institution or undertaking where he is employed for a period of not less than 2 months in case of illness or 4 months in case of pregnancy or confinement (sections 47 and 132).

93. If the employer is insolvent, all payments due to wage-earning and salaried employees under collective and individual contracts of employment shall have first preference, in conformity with section 101 of the Civil Code and section 266 of the Civil Procedure Code.

The subsections of this article were repealed on January 31, 1958.

X. Hours of Work

94. The duration of the normal hours of work both in industrial production and in the accessory work necessary to production shall not exceed 8 hours.

In industrial undertakings which have made the change to the 7-hour working day in the prescribed manner, the duration of the normal hours of work (except in industries of a seasonal character and on

branch lines) shall not exceed 7 hours.

Sections 94—108 of this Code shall apply, with the modifications laid down by special laws of the U.S.S.R. and the R.S.F.S.R., to undertakings and institutions which have made the change to the continuous working week or the 5-day working week with a break.

Note. The PLC in agreement with the UCCTU shall specify the classes of responsible political, trade union and Soviet employees whose work shall not be subject to the restriction of hours specified in this section.

95. ~~Repealed by subsequent legislation.~~

96. The duration of the hours of work fixed in sections 94 and 95 shall be reduced by 1 hour in cases of nightwork. In these cases, where wages are paid at a time rate, payment for each hour's nightwork shall be made (a) as for eight-sevenths of an hour by day if the working day is of 8 hours; (b) as for seven-sixths of an hour by day if the working day is of 7 hours; (c) as for six-fifths of an hour by day if the working day is of 6 hours.

Where wages are paid by the piece, for each hour's nightwork the employee shall be paid one-seventh, one sixth or one-fifth, as the case may be, of the scheduled hourly rate for the class to which he belongs, in addition to his piece-rate pay.

Where work is organized in shifts (especially in continuous industries), the duration of the hours

of work at night shall be the same as by day. In these cases, where wages are paid at a time rate, payment for each hour's nightwork shall be made (a) as for eight-sevenths of an hour by day if the working day is of eight or seven hours; (b) as for six-fifths of an hour by day if the working day is of 6 hours.

If wages are paid by the piece, the employee shall be paid (a) one-seventh of the scheduled hourly rate for each hour's nightwork when the working day is of 8 or 7 hours; (b) one-fifth of the scheduled hourly rate when the working day is of 6 hours, in addition to his piece-rate pay.

"Night" shall mean the time between 10 p.m. and 6 a.m.

97. The hours of work of persons engaged in housework, repairing work, agriculture, and other similar work, who are regularly employed at a monthly wage, may be divided into two or more installments of any length, provided that the number of breaks shall not exceed two a day and that the total duration of the hours of work in the course of a month shall not exceed the normal monthly number of hours of work (section 94).

97-1. In continuous industries in which the technical conditions render the introduction of a daily 7-hour shift impossible, a different system of work may be introduced by agreement between the employer and the competent trade union, subject to the approval of the labor authority and to the condition that the average duration of the normal daily hours of work shall not exceed 7 hours.

98. Employees shall be granted a break for rest and a meal during the normal hours of work. This break shall not be included in the calculation of the hours of work.

Note. In the case of work which does not admit of interruption, the employees shall be given facilities for taking a meal during the hours of work; the rules of employment shall specify the place for taking meals. A register of such work shall be drawn up by the PLC.

99. The employee shall dispose of the break as he pleases; he shall be entitled to leave the workplace during the break.

Note. Exceptions to the provisions of section 99 may be authorized in undertakings of special kinds, but only with the consent of the competent trade union and the approval of the representative of the PLC.

100. In the case of work which admits of regular interruption, the break shall occur not more than 4 hours after work begins, and shall last not less than half an hour nor more than 2 hours. Within these limits, the length of the break shall be fixed in the rules of employment.

Note. Regulations concerning the special breaks for nursing mothers are laid down in section 134.

101. The times for beginning and ending the daily hours of work and for the break shall be fixed in the rules of employment.

102. If work is organized in shifts, each group of workers shall work the normal number of hours; the change of shifts shall take place at the hours prescribed in the rules of employment, without disturbance of the regular progress of work.

103. Work extending beyond the normal hours of work (overtime work) shall not be allowed as a rule.

104. Overtime work shall be allowed only in the following exceptional cases:

(a) For the performance of work necessary for the protection of the Republic and the prevention of crises and dangers threatening the community;

(b) for the performance of necessary work in the public interest in connection with the water supply, lighting, drainage, transport and the postal, telegraph and telephone services, to remedy any incidental or unforeseen derangements of their normal working;

(c) when necessary to complete work which has been begun and which it has proved impossible for technical reasons to finish during the normal hours of work, owing to an unforeseen or accidental delay, if the suspension of the work which has been begun would entail any damage to raw materials or machinery;

(d) for the effecting of temporary repairs and adjustments of machines or apparatus in cases where the derangement caused by the defect entails the interruption of the work of a considerable number of employees.

Note. The working of overtime in the cases mentioned in this section shall be permitted only with the consent of the competent trade union.

105. Persons who have not attained the age of 18 years shall not in any circumstances be allowed to work overtime.

106. The total number of hours of overtime for each employee shall not exceed 120 hours a year; the time spent in overtime work shall not exceed 4 hours within 2 consecutive days.

Note. In special branches of economic activity which are seasonal in character, the number of hours of overtime may be increased beyond the limit mentioned in section 106 by the PLC in agreement with the UCCTU.

107. Overtime shall not be worked to make up time lost in consequence of an employee's coming late to work.

108. Every case of overtime work shall be entered in the employee's wages book, and likewise in the special overtime register; the entry shall show the time when the said work begins and ends and the remuneration received by the employee for overtime.

XI. Rest Periods

109. Repealed by subsequent legislation.

110. Employees in undertakings, institutions, and businesses who are unable to avail themselves

of the general weekly rest days, owing to the conditions of their work shall be granted the prescribed rest period on other free days which they consider suitable. This provision shall apply also to persons working in undertakings which are of a nature necessitating continuous work. In the last mentioned undertakings, special free days shall be fixed for each group of employees in place of the general rest days.

Sections 111, 112, and 133 were repealed by subsequent legislation.

114. Every person employed for remuneration shall be granted ordinary leave once a year for not less than 2 weeks. The ordinary leave for persons who have not attained the age of 18 years shall not be less than 1 month.

Note. The uninterrupted continuance of work which gives a right to ordinary leave under section 114 shall not be deemed to be broken by transference from one undertaking or institution to another on the instructions of the management, or by the removal of the employee from one State undertaking or institution to another without interruption of his employment.

115. Persons employed in specially dangerous and noxious undertakings shall be granted an extra leave period of not less than 2 weeks in addition to the leave specified in section 114.

A list of the industries and occupations carrying the right to extra leave shall be drawn up by the PLC.

115-1. Employees of special classes in districts where the climatic conditions are particularly unhealthful shall also be entitled to extra leave on account of unhealthful conditions, equally with the persons employed in specially dangerous and noxious undertakings (section 115).

Lists of these districts and of the classes of employees to whom extra leave is to be granted shall be drawn up in the manner prescribed by the Order issued by the CEC and CPC of the U.S.S.R. on March 6, 1929, respecting extra leave for special classes of employees in districts where the climatic conditions are particularly unhealthful.

116. Except in the cases mentioned in special Orders of the PLC, persons shall not be deprived of the extra leave mentioned in section 115, nor minors of the ordinary leave (section 114), nor shall pecuniary compensation be substituted for their leave (section 91).

117. Leave may be taken at any time during the year, provided that no disturbance of the normal course of work in the undertaking, institution, or business shall arise therefrom.

118. The time, procedure, and order for the taking of leave shall be fixed by agreement between the management of the undertaking, institution or organization and the factory, works, local or workshop trade union committee.

119. Leave granted to employees in the prescribed manner in case of sickness or maternity shall not

be included in the period of ordinary or extra leave under section 114 or 115.

120. In the event of failure to make use of the whole of the ordinary leave in a given year through no fault of the employee, the leave for the next year shall be extended by the unused period, provided that the employee has not received any pecuniary compensation for it (section 91). An accumulation of leave for more than 2 years shall not be allowed.

XII. Apprenticeship

121. "Apprentices" shall mean persons who receive instruction in methods of work in apprentice schools, training classes and workshops, and also individually under the guidance of skilled workers.

122. The period of apprenticeship shall be fixed for the various occupations by the PLC in agreement with the AUCCTU and the PCE, provided that it shall not amount to more than 4 years for the highest grade of training.

123. The number of apprentices shall be fixed by the collective contract where such exists, provided that it shall not in any case be less than the number fixed by the PLC in agreement with the AUCCTU and the central economic authorities for the branch of industry in question; in the absence of a collective contract the same rule shall apply.

124. Apprentices shall not be employed in any kind of work which is not connected with the learning of their particular trades.

125. The heads of undertakings shall be bound to take the requisite steps to ensure the proper training of young persons in accordance with the Orders issued by agreement between the PLC, the PCE, and the competent People's Commissariat and also the competent economic authorities in special cases.

126. Every apprentice who has completed the learning of any particular trade within the prescribed period shall undergo a test. He shall be entitled to submit himself to this test before the expiration of the fixed period of apprenticeship.

Sections 127 and 128 were repealed by subsequent legislation.

XIII. Employment of Women and Young Persons

129. Women and young persons under 18 years of age shall not be employed in particularly heavy and unhealthful work, or in work underground. This provision apparently was not enforced. See the decision of the U.S.S.R. Council of Ministers of July 13, 1957, forbidding underground employment of women.

A list of particularly heavy and unhealthful occupations, together with provisions restricting the carrying of weights, shall be issued by the PLC in agreement with the UCCTU; separate lists shall be issued for women and young persons.

130. Women and young persons under 18 years of age shall not be employed at night.

131. The employment on overtime or at night of pregnant women and nursing mothers shall be prohibited.

132. . . . pregnant women, before departure on pregnancy leave, in need of a transfer to lighter work, will be so transferred with preservation of their former pay, calculated by the last 6 months of their work.

133. A woman shall not be required to undertake work elsewhere than in the locality where she is permanently employed, without her consent thereto, from the fifth month of pregnancy onward.

134. In addition to the general breaks (section 100), further breaks shall be granted to nursing mothers for the purpose of nursing their children. The exact duration of these breaks shall be fixed in the rules of employment, provided that breaks for nursing shall always be granted at intervals of not more than $3\frac{1}{2}$ hours, and each break shall amount to at least half an hour.

The said breaks shall be included in the calculation of the hours of work.

135. Young persons under 16 years of age shall not be employed.

Note. The labor inspector shall be entitled to give permission in exceptional cases for the engagement of young persons who have attained the age of 14 years, in accordance with special Instructions issued by the PLC in agreement with the UCCTU.

136. The hours of work of persons under 16 years of age who are already employed in undertakings or who are hereafter engaged under the note to section 135 shall be fixed at 4 hours a day.

137. ~~Repealed by subsequent legislation.~~

XIV. Protection of Workers

138. An undertaking shall not be opened, brought into operation or transferred to another building without the approval of the labor inspectorate or the officials entrusted with supervision in respect of industrial hygiene and technical requirements.

139. Every undertaking and institution shall take the necessary steps to remedy or mitigate injurious conditions of work, to prevent accidents, and to maintain workrooms in a proper sanitary and hygienic condition, in accordance with the general and special Binding Orders issued by the PLC for the various branches of industry.

140. Machinery, transmission apparatus and frames shall be stopped during breaks, except in cases where their stoppage is impossible for technical reasons, or when they serve the purpose of ventilation, drainage, lighting, etc.

141. In all specially injurious work, or work involving the spending of time in places at an abnormal temperature or in a damp place, or entailing physical uncleanliness, and likewise in cases in which considerations of general hygiene render it desirable, employ-

ees shall be provided at the expense of the undertaking with special clothing and protective appliances (goggles, masks, respirators, soap, etc.) in accordance with the lists of occupations and standards issued by the PLC.

142. In industries where there is risk of industrial poisoning, the employees shall be supplied with fat or neutralizing substances as antidotes, in accordance with the lists and to the extent prescribed by the PLC. The expenses for this shall be charged to the undertaking.

Note. If special clothing, protective appliances or antidotes (sections 141 and 142) are not supplied, but procured by the employees themselves, their actual value shall be refunded to the employees.

143. The PLC and its local representatives may order a compulsory preliminary examination of all persons engaged or special groups of employees (women and young persons), and also subsequent periodical examinations, in industries or undertakings specially dangerous to health.

144. ~~Repealed by subsequent legislation.~~

145. Undertakings, institutions and businesses shall affix in a conspicuous place all Orders and Regulations in force concerning the protection of wage-earning and salaried employees, and shall keep the registers required for this purpose under the Orders of the PLC.

146. Supervision of the strict observance by all undertakings, institutions, businesses and individu-

al employers without exception of all the provisions of this Code, and of all the Decrees, Instructions, Orders and collective contracts relating to working conditions and the protection of the life and health of employees, shall be entrusted to the labor inspector, the technical inspector and the health inspector, all of which are within the competence of the PLC.

147. The labor inspectors shall be appointed for a specified period by the trade union council, and the appointments shall be ratified by the provincial or regional labor section or the People's Labor Commissariat of the Autonomous Republic in question.

148. For the purpose of attaining the objects specified in section 146, the labor inspection officials shall have the following powers:

(a) They shall have the right of entry at any time of the day or night into any undertaking, institution or business within their district, and any place where work is being done, and likewise into all installations for workers connected with such places (dwellings, hospitals, creches, baths, etc.);

(b) they shall have the right to require the occupier or head of the undertaking, institution or business to supply the requisite information and to submit all books, papers, and documents required;

(c) they shall decide whether the opening of whole undertakings or parts thereof shall be permitted;

(d) they shall issue instructions for the remedying of abuses and other defects observed by them in connection with the protection of workers, and these instructions shall be binding on State, public and private institutions, undertakings, businesses, and individuals;

(e) they shall call offenders to account by administrative or judicial procedure in the event of failure to observe the provisions of this Code or the Decrees, Instructions, Orders and other directions issued by the Soviet authorities respecting the protection of the life and health of employees.

149. In addition to the measures specified in the preceding sections, the labor inspection officials may take special measures to remedy conditions directly menacing the life and health of employees, even if the taking of such measures is not provided for in the special Acts, Instructions or Orders of the PLC and its local representatives.

150. The public health and technical inspectors of the PLC shall supervise the detailed application and carrying out of the instructions, regulations and Binding Orders respecting industrial hygiene, factory hygiene and technical precautions against accidents.

XV. Trade Unions (Industrial Unions) of Wage-Earning and Salaried Employees, and Their Representative Bodies in Undertakings, Institutions, and Businesses

151. The trade unions (industrial unions) in which citizens em-

ployed for remuneration in State, public and private undertakings, institutions and businesses are organized, shall be entitled to appear before the various authorities in the name of persons employed for remuneration as parties to collective contracts, and to represent them in all matters relating to work and conditions of life.

152. The trade unions (industrial unions) organized in accordance with the principles drawn up by the competent congresses of these organizations shall not be liable to registration with State institutions as prescribed for associations and unions in general, but shall be registered with the central federations of unions to which they are affiliated in accordance with the conditions prescribed by the Union Congresses of Trade Unions.

153. Other associations not registered with central federations of unions under section 152 shall not be entitled to style themselves trade unions (industrial unions), nor to claim the rights of such unions.

154. Trade Unions (industrial unions) shall be entitled:

(a) To acquire and manage property;

(b) to conclude contracts, agreements, etc., of all kinds under the legislation in force.

Note. All the rights possessed by the trade unions (industrial unions) shall also be possessed by their central federations.

155. Under Article 16 of the Constitution of the R.S.F.S.R., all State authorities shall be bound to afford trade unions and federations thereof all requisite assistance by furnishing them with properly equipped premises for the establishment of labor palaces and union offices, and affording them privileges in connection with the use of the postal, telegraph, telephone, railway, and water transport services, etc.

156. The principal body representing the trade union in undertakings, institutions and businesses shall be the committee of wage-earning and salaried employees (works, mining, building, local, etc., committee) or an authorized representative of the union instead of the committee.

Note 1. The procedure for the election of the employees' committee in each undertaking, institution or business shall be laid down by the competent trade union.

Note 2. The organization and procedure of the committees of wage-earning and salaried employees in the military and naval departments shall be governed by a special Order issued by the PLC of the U.S.S.R. in agreement with the People's Defence Commissariat of the U.S.S.R. and the UCCTU.

157. No other committee in an undertaking, institution or business than that established by section 156 of this Code and approved by the competent trade union (industrial union) shall exercise the rights granted by sections 158-160.

158. The duties of the committee (section 156) shall be as follows:

(a) It shall represent and safeguard the interests of the wage-earning and salaried employees belonging to it, in relation to the management of the undertaking, institution or business, in respect of matters connected with the conditions of employment and life of the employees;

(b) it shall represent the employees before the Government and other public authorities;

(c) it shall ensure that the legislative provisions concerning the protection of workers, social insurance, the payment of wages, the regulations for hygiene and safety, etc., are faithfully carried out by the management of the undertaking, institution, or business, and shall cooperate with the State authorities concerned with the protection of workers;

(d) it shall take steps to improve the social and material situation of wage-earning and salaried employees;

(e) it shall cooperate in the regular carrying on of production in State undertakings, and participate in the regulation and organization of economic activities through the competent trade union (industrial union).

159. The management shall be notified of the election of the committee and of the fact that it has entered upon its duties. The number of members of the committee of wage-

earning and salaried employees who shall be exempt from their regular work for the purpose of transacting the business of the committee shall be fixed in accordance with the following rules.

Members of the committee shall be released from work by the management in pursuance of a resolution of the committee.

160. Members of the committee who are released from their work shall have the assurance that, on the completion of their term of office, their previous job in the undertaking, institution or organization will be kept open for them, or some other job at least equal in grade to the one that they performed before being transferred to the post to which they were elected.

Without prejudice to the observance of the general rules for the termination of contracts of employment, members of the committee shall not be dismissed without the consent of the next higher trade union authority.

161. The management of the undertaking, institution or business shall not hinder the activities of the committees and the union meetings entitled to elect them (general or delegate meetings), provided that

(a) General and delegate meetings shall be held as a rule outside the hours of work; they may be held during the hours of work if the meeting exercises State functions (elections to the councils of workers' and peasants' delegates or to social insurance institutions), or in case of the election of represen-

tatives to trade union congresses; in other exceptional cases they shall be so held only by agreement with the management; the same provisions shall apply to workshop meetings;

(b) the sessions of the committee shall likewise be held outside the hours of work as a rule; full meetings of the committee shall be held during the hours of work only in exceptional cases and with the consent of the management;

(c) the management shall notify the committee of every intended engagement of wage-earning and salaried employees and of the names of persons admitted to employment; the procedure and time limits for these notices shall be prescribed by special instructions.

The committee shall be entitled to put forward its objection to the engagement of a wage-earning or salaried employee not more than 3 days after the date on which it receive notice of the engagement of the said employee, if the said engagement was effected by the employer contrary to the legislation or collective contract in force.

If the employer disagrees with the objection of the committee, he may refer the dispute for consideration, not more than 3 days after the notice of the objection, to the local labor section, or in localities where there is no labor section to the local labor inspector. The dispute shall be settled by the labor section or labor inspector within 3 days of its receiving the relevant communication from the employer.

The decisions of the above-mentioned administrative bodies shall be final, and shall not be quashed otherwise than by a higher labor authority in the exercise of supervision.

In the event of a reduction of the whole or a particular class of the staff, the list of posts to be abolished shall be communicated by the employer to the committee of wage-earning and salaried employees not less than 12 working days before the dismissals.

[Sections 162, 163, and 164 were repealed by subsequent legislation.]

165. The management of the undertaking, institution or business shall grant the committee free of charge the use of a room with the necessary equipment, heating and lighting, both for the business of the committee itself and for general and delegate meetings called by the committee; access to this room shall be free to all persons on the business of the committee.

166. The members of the executive of the trade union, its authorized representatives for special duties and the members of the committee (sections 151 and 156) shall have unrestricted right of entry to all workshops, departments, laboratories, etc., of the undertaking, institution or business.

167. Any contravention of the provisions issued in chapter XV of this Code respecting trade unions (industrial unions) of wage-earning and salaried employees and their representative bodies in undertak-

ings, institutions and businesses shall be punished in accordance with section 135 of the Penal Code of the R.S.F.S.R.

XVI. Procedure for the Examination of Labor Disputes

168. Labor disputes shall be examined by:

- (a) Labor disputes boards;
- (b) factory, works and local trade union committees; and
- (c) people's courts.

The procedure for the examination of labor disputes by labor disputes boards and by factory, works and local trade union committees shall be governed by the Regulations for the procedure to be followed in examining labor disputes, as approved by the Decree of January 31, 1957, of the Presidium of the Supreme Soviet of the U.S.S.R. and by this Code.

The procedure for the examination in the people's courts of cases involving labor disputes shall be determined by the aforesaid Regulations, by this Code and by the Code of Civil Procedure of the R.S.F.S.R.

169. The labor disputes boards set up in undertakings, institutions and organizations shall be composed of an equal number of permanent representatives of the factory, works or local trade union committee on the one hand and of the management of the undertaking, institution, or organization on the other.

Workshop labor disputes boards, which shall be organized and shall operate on the same principles as the factory boards, may be set up in workshops and other production units of undertakings having workshop trade union committees.

The number of representatives on each side shall be determined by agreement between the two sides. The said representatives shall be appointed to the board for the duration of the factory, works, or local (workshop) trade union committee's term of office.

The representatives of the trade union shall be appointed to the board from among the trade union committee members.

In undertakings, institutions and organizations having no factory, works, or local trade union committee, the labor disputes board shall consist of the trade union organizer and the director of the undertaking, institution, or organization.

169-1. The labor disputes boards shall be the compulsory agencies of first instance for the examination of all labor disputes arising in undertakings, institutions and organizations between wage and salary earners on the one hand and the management on the other, including disputes relating to the following:

- (a) The application of the prescribed standards of output and the rates therefor, and likewise the working conditions devised to ensure that such standards are fulfilled;
- (b) dismissal or transfer to other work;

(c) payment in respect of stoppages and defective work;

(d) payment for work done in different grades;

(e) payment for unfinished piecework;

(f) payment for time laid off;

(g) payment for overtime;

(h) entitlement to, and amount, of, bonuses payable under the wage system;

(i) payment in the event of failure to fulfill the prescribed standards of output;

(j) rates of pay during periods of probation;

(k) cash compensation for leave not taken;

(l) the provision of working clothes and special meals or, where appropriate, the payment of cash in lieu thereof;

(m) stoppages of pay for material damage to the undertaking, institution or organization;

(n) severance pay.

Workshop labor disputes boards shall not examine disputes relating to the following:

(a) Transfers to work outside a given workshop; or

(b) dismissals due to reductions in staff.

Disputes relating to these questions shall be examined by the factory boards.

The boards shall also be the compulsory agencies for the examination of other disputes relating to the application of labor legislation, collective agreements and contracts and rules of employment, with the exception of disputes relating to the questions listed in section 169-3.

169-2. If there is neither a factory, works or local trade union committee, nor a trade union organizer in the undertaking, institution or organization, any labor disputes shall be examined directly by the courts.

169-3. A labor disputes board shall not be competent to examine disputes relating to the following:

(a) The dismissal, reinstatement or transfer to other work of employees holding the posts specified in the schedule to this section, and likewise the imposition of disciplinary penalties upon such employees;

(b) the imposition of disciplinary penalties on persons subject to disciplinary codes;

(c) the determination of salaries and wage rates;

(d) changes in staffing scales;

(e) the calculation of the period of employment for the purposes of state social insurance benefits and pensions, the rates of such benefits and pensions and the calcula-

tion of the period of employment for the purposes of the privileges and advantages instituted by existing legislation;

(f) the provision and allocation of living accommodation and the satisfaction of the workers' daily needs.

169-4. The decisions of a labor disputes board shall be taken only with the agreement of both sides; such decisions shall be binding and shall not be subject to any confirmation whatsoever.

170. In examining disputes relating to monetary claims, a labor disputes board shall have power to order the payment to the employee of any sums owing to him for the period prior to the submission of the grievance, subject to a maximum of 3 months (or the last 2 working years in the case of disputes relating to compensation for leave not taken).

171. If no agreement is reached by the board during its examination of a labor dispute, the employee concerned shall have the right to apply within 10 days of his receiving an extract from the minutes of the meeting to the factory, works or local trade union committee for a settlement.

An employee shall have the right to appeal within the same time limit to the factory, works or local trade union committee against the decision of the labor disputes board.

Should an employee not agree with a decision on a labor dispute taken by a board consisting of the

trade union organizer and the director of the undertaking, institution or organization or should such a board fail to reach agreement, the said employee may within the same period apply for a settlement to the people's court.

171-1. If no agreement is reached by a workshop board, the dispute may be submitted for examination by the factory board, at the request of the employee concerned, within 10 days of his receiving an extract from the minutes of the meeting of the workshop board.

An employee shall have the right to appeal to the factory board against a decision of the workshop board within 10 days of his receiving an extract from the minutes of the meeting of the latter. The factory board may either uphold the decision of the workshop board or quash it and take a new decision on the substance of the dispute.

If the factory board fails to reach agreement on a dispute on which the workshop board likewise failed to reach agreement, the employee concerned shall have the right to apply within 10 days to the factory, works or local trade union committee for a settlement.

172. In examining an appeal against the decision of the labor disputes board, the factory, works or local trade union committee may either uphold the decision of the board or quash it and take a new decision on the substance of the dispute.

When examining a labor dispute on which the factory board has

failed to reach agreement, the factory, works, or local trade union committee shall take a decision on the substance of the dispute.

172-1. Should an employee not agree with a decision on a labor dispute taken by the factory, works or local trade union committee, he may, within 10 days of receiving notice of the committee's decision, apply to the people's court for an examination of the dispute.

The management of an undertaking, institution or organization may, within the same time limit, apply to the people's court for a settlement of a labor dispute if it considers that the decision taken thereon by the factory, works or local trade union committee conflicts with existing legislation.

173. The decisions of labor disputes boards and factory, works and local trade union committees shall be carried out by the management of the undertaking, institution or organization within 10 days if no other time limit is specified therein.

173-1. If the management of an undertaking, institution or organization fails to carry out, within the period specified in section 173, the decision of a labor disputes board or the decision taken on the substance of a labor dispute by the factory, works or local trade union committee, the factory, works or local trade union committee shall issue the employee concerned with a document having the force of a writ of execution. (See appended schedule to this section.)

The writ for the execution of a decision taken by a board consisting of the trade union organizer and the director of the undertaking, institution or organization shall be issued by the next higher trade union authority.

A writ for the execution of a decision taken by a factory, works or local committee shall not be issued if the employee or the management applies to the people's court within the specified period for a settlement of the labor dispute.

173-2. An employee may apply for the document referred to in section 173-1 within 1 month of his receiving an extract from the minutes of the meeting of the labor disputes board or of his being notified of the decision of the factory, works, or local trade union committee.

173-3. On the basis of the document issued by the factory, works, or local trade union committee a court bailiff shall have power, where such document is presented to him within 3 months, to enforce the decision taken by the labor disputes board or by the factory, works or local trade union committee.

173-4. If there is delay on the part of the management of the undertaking, institution or organization in carrying out a decision by the labor disputes board or the factory, works or local trade union committee to reinstate an employee who has been unjustifiably dismissed or transferred to other work, the factory, works or local trade union committee shall take a decision to pay him his wages for any period of enforced idleness (if he was unjust-

tifiably dismissed) or any difference in his wages (if he was unjustifiably transferred). In this case, the wages or difference in wages shall be payable in respect of the entire period from the date on which the decision on the labor dispute was taken to the date on which it was enforced.

A decision taken within the meaning of this section by a factory, works or local trade union committee shall be enforced by a court bailiff on the basis of an appropriate document issued by the trade union committee (section 173-1).

174. Labor disputes relating to the dismissal, reinstatement and transfer to other work of employees holding the posts specified in the schedule to section 169-3 and likewise the imposition of disciplinary penalties upon such employees shall be settled by the next higher authority.

If the dismissal or transfer of an employee is found to be unjustified, the director of the higher authority shall issue an order to him to be reinstated in his former post and for him to be remunerated, in accordance with existing legislation, for any period of enforced idleness or paid the difference in wages for any period spent in lower paid employment.

XVII. Social Insurance

175. The social insurance system shall cover all persons employed for remuneration, whether the undertakings, institutions or businesses in which they are employed are State,

public, cooperative, established under a concession or lease, of mixed character or private, or whether they are employed by private individuals, and also irrespective of the nature and duration of their employment and the method of remuneration.

176. The social insurance system shall comprise (a) the granting of medical attendance; (b) the granting of benefit in case of temporary loss of working capacity (sickness, injury, quarantine, pregnancy, confinement, care of a sick member of the family); (c) the granting of supplementary benefit (for the nursing of infants, requisites for nursing, funerals); (d) (repealed); (e) the granting of invalidity pensions; (f) the granting of old age pensions; (g) the granting of pensions to members of the family of persons employed for remuneration in case of the loss (death or total disappearance) of the breadwinner.

Note. The procedure and conditions for the assessment, payment, suspension and withdrawal of the above-mentioned forms of benefit, the fixing of the length of the qualifying period for the various classes and age groups, the standards and forms for benefit and the method of assessing the financial situation shall be governed by the legislation of the U.S.S.R. (schedule hereto).

177. For the purpose of effecting social insurance, the insurance contributions shall be fixed as percentages of the wages due. The amounts of the insurance contributions shall be fixed by the legisla-

tion of the U.S.S.R. schedule hereto, according to the degree of danger or unhealthiness involved, and likewise according to the various classes of employees.

Note. The insurance moneys shall be utilized exclusively to meet the requirements of benefit for wage-earning and salaried employees, and shall not be used to meet any other requirements whatever.

178. The insurance contributions shall be borne by the undertakings, institutions, businesses and individuals employing hired labor; they shall not be imposed upon the insured persons or deducted from their wages.

179. Failure of undertakings, institutions, businesses and individuals to pay the insurance contributions due from them (section 178) shall not in any case entail forfeiture by the persons employed by them of the right to the benefits specified in section 176 and subsequent sections of this Code.

180. Any person who is guilty of a contravention of the provisions respecting social insurance contained in this Code or in any other legislation shall be liable at criminal law in accordance with the relevant provisions of the Penal Code.

Schedules to the Labor Code

Schedule 1 (note 2 to section 1).

Order of the CEC and CPC of the U.S.S.R. respecting the conditions of employment in seasonal occupations, dated June 4, 1926.

Schedule 2 (note 3 to section 1).

Order of the CEC and CPC of the U.S.S.R., respecting the conditions of employment of temporary wage-earning and salaried employees, dated January 14, 1927.

Schedule 3 (note 4 to section 1).

Order of the CEC and CPC of the U.S.S.R. respecting the conditions of employment of wage-earning and salaried employees engaged in the lumber industries and in forestry, dated March 7, 1933.

Schedule 4 (note 5 to section 1).

Order of the CEC and CPC of the U.S.S.R. respecting the conditions of employment in constructional work, dated April 4, 1928.

Schedule to section 32.

Order of the ARCEC and the CPC of the R.S.F.S.R. respecting measures to guarantee the due payment of the earnings of wage-earning and salaried employees and peasants engaged in work for private contractors (purveyors), and likewise the due payment of contributions for the said persons to the social insurance authorities, dated January 7, 1929.

Schedule to section 82.

Order of the CEC and CPC of the U.S.S.R. respecting compensation and guarantees for persons transferred to other work, taken into fresh employment or sent to work in other localities, dated November 23, 1931.

Schedule to the note to section 93-3.

Order of the CEC and CPC of the U.S.S.R. respecting the investiga-

tion of labor disputes between agricultural workers and shepherds and their employers, dated March 4, 1931.

Schedule to section 169-3.

List of categories of employees whose labor disputes in connection with dismissal, reinstatement, transfer to other work or the imposition of disciplinary penalties are not subject to examination by labor disputes boards but are settled by higher authorities.

1. Directors of undertakings, institutions, organizations, construction administrations and economic units, and likewise their deputies and assistants; heads (directors) of shops, public catering establishments, public utilities, depots and warehouses, and likewise their deputies (with the exception of heads of shops, public catering establishments and warehouses who have no employees subordinate to them).

2. Chief engineers, senior physicians and chief accountants (senior accountants, where there are no chief accountants) and likewise their deputies; chief designers, chief mechanics, chief electricians, and other senior specialists.

3. Superintendents of workshops (including laboratories and studios having the status of workshops); senior foremen and foremen; superintendents of construction sites and senior overseers; directors (heads) of departments in undertakings; superintendents of production units and services; foresters in forestry undertakings.

4. Directors of administrations, departments and other similar subdivisions of ministries, agencies, and institutions of the Union and of the republics, territories and regions, and likewise their deputies; heads of sections of executive committees of district and city soviets of working people's deputies.

5. Editors-in-chief and their deputies; managing editors of publications.

6. Professors and teachers of higher educational establishments and persons employed in scientific research institutes whose posts are filled by competition.

7. Public prosecutors, assistant public prosecutors, senior investigators and investigators.

8. Elected employees holding remunerated posts in the organizations that elected them.

9. Instructors, inspectors and departmental heads of the trade union authorities.

[Schedule to Section 173-1 (form of document having force of writ of execution).]

Schedule to section 176.

Order of the CEC and CPC of the U.S.S.R.: [regulations for] pensions and benefit under the social insurance system, dated February 13, 1930.

Schedule to section 177.

Extract [sections 1-6] from the Order of the CEC and CPC of the U.S.S.R. respecting the rates of social insurance contributions, dated February 16, 1930.

Violation of Collective Agreement by Employer,^{3/}
January 1, 1927

Article 134. The violation by an employer of collective agreements concluded by him with the trade union, of wage agreements, and of agreements of conciliation chambers—if during the presentation of the case in a criminal or conciliation proceeding there is established a malicious violation—shall be punished by the penalties specified in the first and second parts of article 133.

The penalties of article 133 are: (1) corrective-labor up to 6 months or a fine of up to 300 ru-

bles; or (2)—if three or more workers are involved—deprivation of liberty or corrective labor of up to 1 year or a fine up to 10,000 rubles.

^{3/} Ugolovny Kodeks RSFSR (Criminal Code of Russian Soviet Federated Socialist Republic), Article 134, Moscow, Gosyurizdat (State Publishing House of Juridical Literature), 1957, p. 70. Also in Sbornik zakonodatel'nykh aktov o trude (Collection of Legislative Acts on Labor), Moscow, Gosyurizdat, 1960, p. 64.

The Right of Minors to Conclude Contracts to Work, ^{4/}1927

9. Minors, aged 14^{5/} and over, may conclude contracts with the agreement of their legal representatives (parents, foster parents, guardians). They [the minors] have

the right independently to dispose of wages received by them and are liable for damage caused by their acts to other people.

^{4/} Grazhdanskiy kodeks RSFSR (Civil Code of the Russian Soviet Federated Socialist Republic), Article 9. (Sobranie zakoneni RSFSR (Collection of Decrees of the R.S.F.S.R.)), 1927, No. 115, item 770. Also in Sbornik zakonodatel'nykh aktov o trude (Collection of Legis-

lative Acts on Labor), Moscow, Gosyurizdat, (State Publishing House of Juridical Literature), 1960, p. 409.

^{2/} In connection with labor contracts by minors, the minimum working age is now 15 or 16 (see the decree of December 13, 1956).

Legal Liability of Trade Unions^{6/}
January 23, 1929

1. Trade union organizations and unions affiliated with them which enjoy legal personality rights are liable for their obligations resulting from their economic activity, according to general principles established by civil laws.

2. Trade union organizations are liable for the obligations of higher and lower organizations only in those cases in which they take upon themselves such liability.

^{6/} Postanovlenie Tsentral'nogo Ispolnitel'nogo Komiteta i Soveta Narodnykh Kommissarov SSSR (Decree of the Central Executive Committee and of the Council of People's Commissars of the U.S.S.R.), January 23, 1929. Sobranie Zakonov SSSR (Collection of Laws of the U.S.S.R.), 1929, No. 7, item 63. Also in Sbornik zakonodatel'nykh aktov o trude (Collection of Legislative Acts on Labor), Moscow, Gosyurizdat (State Publishing House of Juridical Literature), 1960, p. 533.

3. Debts shall not be permitted to encumber the following property belonging to trade union organizations: (a) strike and cultural enlightenment funds, as well as funds designed to pay compensation to unemployed union members; (b) buildings and establishments necessary for the normal and unimpeded activities of the organizations.

^{7/} The strike and unemployment funds are no longer in existence. Zakonodatel'stvo o trude (Labor Legislation), by I. T. Goliakov, Moscow, 1947, p. 88. Also Sbornik zakonodatel'nykh aktov o trude (Collection of Legislative Acts on Labor), Moscow, Gosyurizdat (State Publishing House of Juridical Literature), 1960, p. 533. The unemployment funds were abolished by an order of October 9, 1930, by the then existing People's Commissariat for Labor (Izvestia, October 11, 1930).

On the Merging of the U.S.S.R. Commissariat of Labor With the
All-Union Central Council of Trade Unions,^{8/} June 23, 1933
(Excerpts)

In compliance with the proposals of trade-union workers' organizations and for the better performance of the obligations placed upon the Peoples' Commissariat of Labor, it is resolved by the U.S.S.R. Central Executive Committee, the U.S.S.R. Council of Ministers, and the All-Union Central Council of Trade Unions (AUCCTU):

1. To merge the U.S.S.R. Peoples' Commissariat of Labor and all its local organs, including organs of social insurance, with the administrative structure of the AUCCTU at the center and locally, making the

AUCCTU responsible for the performance of the obligations of the Peoples' Commissariat of Labor and its organs.

8/ Resolution of the Central Executive Committee, the Central Council of Peoples' Commissars, and the All-Union Central Council of Trade Unions, June 23, 1933. Sobranie Zakonov SSSR (Collection of Laws of the U.S.S.R.), 1933, No. 40, p. 238. Cited in Sbornik zakonodatel'nykh aktov o trude (Collection of Legislative Acts on Labor), Moscow, 1960, p. 52.

Calculation of a Worker's Wages by the Quantity and Quality
of His Production,^{2/} March 17, 1934

1. In case of nonfulfillment of the established output norm by a worker, due to his own fault, the payment for his work shall be according to the quantity and quality of his production without the guarantee of any minimum wage.

If the nonfulfillment of the norm was not due to the fault of the worker, then the worker in each case must receive not less than two-thirds of his established rate.

Note /This note is part of the order/. Nonfulfillment of the norm as a result of demurrage or waste payment is regulated by the Order of TsIK and SNK of U.S.S.R. of December 30, 1931—"About measures for regulating pay of demurrage and waste in production and transport." (SZ U.S.S.R. 1932, No. 2, article 11 and No. 23, article 144).

2. In case of systematic non-fulfillment of the established norm by the worker under normal conditions of work, the worker can be discharged or transferred to other work.

2/ Postanovlenie Tsentral'nogo Iсполnitel'nogo Komiteta i Soveta Narodnykh Kommissarov SSSR (Decree of the Central Executive Committee and of the Council of People's Commissars of the U.S.S.R.), March 17, 1934. Sbornik Zakonov SSSR (Collection of Laws of the U.S.S.R.), 1934, No. 15, item 109. Also in Sbornik zakonodatel'nykh aktov o trude (Collection of Legislative Acts on Labor), Moscow, Gosyurizdat (State Publishing House of Juridical Literature), 1960, p. 308.

Constitution of the U.S.S.R.^{10/} Adopted December 5, 1936
(Selections)

Article 1. The Union of Soviet Socialist Republics is a socialist state of workers and peasants.

Article 4. The economic foundation of the U.S.S.R. is the socialist ownership of the instruments and means of production, firmly established as a result of the liquidation of the capitalist system of economy, the abolition of private ownership of the instruments and means of production, and the elimination of the exploitation of man by man.

Article 10. The personal property right of citizens in their incomes and savings from work, in their dwelling houses and subsidiary husbandries, in articles of domestic economy and use and articles of personal use and convenience, as well as the right of citizens to inherit personal property, is protected by law.

Article 12. Work in the U.S.S.R. is a duty and a matter of honor for every able-bodied citizen, in accordance with the principle: "He who does not work, neither shall he eat."

The principle applied in the U.S.S.R. is that of socialism: "From each according to his ability, to each according to his work."

Article 118. Citizens of the U.S.S.R. have the right to work, that is, the right to guaranteed employment and payment for their work in accordance with its quantity and quality.

The right to work is ensured by the socialist organization of the national economy, the steady growth of the productive forces of Soviet society, the elimination of the possibility of economic crises, and the abolition of unemployment.

Article 119.^{11/} Citizens of the U.S.S.R. have the right to rest and leisure.

The right to rest and leisure is ensured by the establishment of a 7-hour day for industrial, office, and professional workers, the reduction of the working day to 6 hours for arduous trades and to 4 hours in shops where conditions of work are particularly arduous; by the institution of annual vacations^{12/} with

^{10/} Translation taken from U.S.S.R., December 1960, monthly publication of U.S.S.R. Embassy in Washington, D.C.

^{11/} Article 119: As amended by U.S.S.R. law of May 7, 1960 (Pravda, May 8, 1960).

^{12/} The minimum annual vacation of a Soviet adult worker who has worked in a given enterprise continuously for 11 months is 2 weeks (Spravochnik profsoyuznogo rabotnika (Handbook of the Trade Union Official), Moscow: Profizdat, 1959, p. 190)). Many workers are entitled to longer vacations; for discussion, see "Hours of Work and Leave Provisions in the U.S.S.R.," Monthly Labor Review, September 1957, pp. 1069-1073.

full pay for industrial, office, and professional workers, and by the provision of a wide network of sanatoriums, holiday homes, and clubs for the accommodation of the working people.

Article 120. Citizens of the U.S.S.R. have the right to maintenance in old age and also in case of sickness or disability.

This right is ensured by the extensive development of social insurance of industrial, office, and professional workers at state expense, free medical service for the working people, and the provision of a wide network of health resorts for the use of the working people.

Article 122. Women in the U.S.S.R. are accorded equal rights with men in all spheres of economic, government, cultural, political, and other public activity.

The possibility of exercising these rights is ensured by women being accorded an equal right with men to work, payment for work, rest and leisure, social insurance and education, and by state protection of the interests of mother and child, state aid to mothers of large families and unmarried mothers, maternity leave with full pay, and the provision of a wide network of maternity homes, nurseries and kindergartens.

Article 123. Equality of rights of citizens of the U.S.S.R.,

irrespective of their nationality or race, in all spheres of economic, government, cultural, political and other public activity, is an infeasible law.

Any direct or indirect restriction of the rights of, or, conversely, the establishment of any direct or indirect privileges for, citizens on account of their race or nationality, as well as any advocacy of racial or national exclusiveness or hatred and contempt, are punishable by law.

Article 126. In conformity with the interests of the working people, and in order to develop the organizational initiative and political activity of the masses of the people, citizens of the U.S.S.R. are guaranteed the right to unite in public organizations: trade unions, cooperative societies, youth organizations, sport and defense organizations, cultural, technical and scientific societies; and the most active and politically conscious citizens in the ranks of the working class, working peasants and working intelligentsia voluntarily unite in the Communist Party of the Soviet Union, which is the vanguard of the working people in their struggle to build a communist society and is the leading core of all organizations of the working people, both public and state.

Article 130. It is the duty of every citizen of the U.S.S.R. to abide by the Constitution of the Union of Soviet Socialist Republics, to observe the laws, to maintain labor discipline, to honestly perform public duties, and to respect the rules of socialist intercourse.

Article 131. It is the duty of every citizen of the U.S.S.R. to safeguard and fortify public, socialist property as the sacred and inviolable foundation of the Soviet system, as the source of the wealth and might of the country, as the

source of the prosperity and culture of all the working people.

Persons committing offenses against public, socialist property are enemies of the people.

In order to regulate the registration of workers and employees in enterprises and institutions, the Council of People's Commissars of the U.S.S.R. decides:

1. That beginning on January 15, 1939, workbooks shall be introduced for workers and employees of all state and cooperative enterprises and institutions; these books are to be distributed by the administration of the enterprise (establishment);

2. That the following information concerning the owner of the workbook be entered, namely: family name, given name, patronymic, age, education, occupation; information concerning experience, transfers from one enterprise to another and reasons for such transfers; also information concerning citations and rewards that may have been received.

3. To approve the form of the workbook.

4. That the workbooks shall be prepared in a uniform manner for the entire U.S.S.R. The text of the workbooks shall be printed in Russian and in the language of the given federated or autonomous republic.

5. The workbook shall be filled out in the language in which the affairs of the given enterprise (establishment) are carried on. If the affairs are carried on in the language of the federated or autonomous republic, the workbook shall be filled out in Russian also.

6. That workers and employees reporting for work shall be required

to display their workbooks to the administration of the enterprise (establishment). The administration may hire workers and employees only on presentation of the workbook.

Persons who are starting to work for the first time [as paid workers] are required to present to the administration a certificate concerning their status before employment, from the management committee of the apartment house or from the village soviet.

7. The administrations of the enterprises and institutions are required to complete the issuance of workbooks to workers and employees by January 15, 1939.

In the future, workbooks shall be issued not more than 5 days after

^{13/} Postanovlenie sovieta narodnykh kommissarov SSSR (Decision of the Council of People's Commissars of the U.S.S.R.), December 20, 1938. Sobranie postanovlenii (Collection of Decisions), 1938, No. 58, item 329. Also in Sbornik zakonodatel'nykh aktov o trude (Collection of Legislative Acts on Labor), Moscow, Gosyurizdat (State Publishing House of Juridical Literature), 1960, p. 77.

In addition to the workbook, a worker must also have an internal passport (by the Decree of December 27, 1932 (Pravda December 28, 1932)) and receive permission from the police to settle in any of the major cities.

For discussion, see W. W. Kulski, The Soviet Regime, Syracuse University Press, 1954. pp. 653-659.

a person has been engaged to work for the first time.

8. The workbooks shall be introduced for all workers and employees working in enterprises (establishments) for more than 5 days; also for seasonal and temporary workers.

For workers employed in a number of places, workbooks shall be made out only at the place where the principal work is performed.

9. The workbooks shall be retained by the administration of the enterprise (establishment). Upon the dismissal of the worker or employee, his workbook shall be returned to him.

10. The workbooks shall be filled out by the administration of the enterprise (establishment), according to the following rules:

(a) The year of birth, and the secondary and higher education must be proved by documents; the elementary education may be described on the basis of a verbal statement by the worker or employee.

(b) In the column headed "Occupation," the principal occupation shall be indicated, in accordance with the worker's or employee's own statement.

(c) In the section headed "Information concerning work," the following entry is made first of all in column 3: "The general experience of paid work, up to the time of arrival at the enterprise (establishment) that issues the workbook, amounts to a total of so many years."

In column 4, the corresponding entry shall be made: "The experience of so many years is confirmed by documents; the experience of so many years is entered here on the basis of verbal statement."

(d) The name of the enterprise (establishment) issuing the books shall be written in the form of a heading.

Under this heading are made entries concerning the date of acceptance for work in the given enterprise (establishment), and concerning changes of work that had occurred up to the time of filling out the workbook.

The entries in the section headed "Information concerning work" are made in the following manner: In column 2 are indicated the dates of acceptance for work, of transfer or of dismissal; in column 3 is written: "Hired in such a section (department) for such duty," or "Dismissed for such a reason," or, "Transferred to such a section for such and such duty." The reason for dismissal should be noted in exact uniformity with the provisions of the Code of Laws Concerning Labor, or in the form of a reference to the article (paragraph) of this code. In column 4 is noted the order or decree concerning hiring, transfer or dismissal.

After issuance of the workbook, the administration shall make entries in it immediately after the issuance of any directive or instruction affecting the worker. The entries in subsequent places of work are made in the same way. Penalties are not noted in the workbook.

(e) Citations and rewards are entered from the day of arrival at the enterprise (establishment) which issues the workbook. Only those citations and rewards which are connected with the work in the enterprise (establishment), and which are granted but once, are noted: Bonuses provided by the system of wages are not noted.

(f) All information concerning the work, as well as citations and rewards entered during the period of work in the enterprise (establishment), are, on dismissal, verified by the signature of the director (or by that of a person authorized by him) and by the seal of the enterprise (establishment).

(g) All entries in the workbooks shall be made in ink.

11. For issuing the workbook, the administration of the enterprise (establishment) may collect a fee of 50 kopeks from the holder of the book.

12. In case the workbook is lost as a result of carelessness, an administrative fine of 25 rubles is imposed upon the holder of the book

by the administration of the enterprise (establishment).

The individual losing his workbook is required immediately to report this to the administration of the place where he was employed last. The administration issues a new workbook with the inscription "Duplicate," not later than 15 days after receiving the report.

13. All the sums received, both from the fees collected for the issuance of the book and from the fines collected for its loss, are paid into the public treasury.

14. Illegal use of the workbooks, their transfer to other persons, forgery and alternations are punished according to the criminal code.

15. The enterprises and institutions shall obtain the workbooks from the proper people's commissariats and institutions.

16. The decree of the Council of People's Commissars of the U.S.S.R. of September 21, 1926, "On Labor Registers" (S.Z. U.S.S.R., 1926, No. 66, article 502; 1929, No. 55, article 315) is annulled.

The Title: "Hero of Socialist Labor,"^{14/} December 27, 1938

I. The title, "Hero of Socialist Labor," is to be established as the highest degree of distinction in the field of economic and cultural construction.

II. Persons who are granted this title will simultaneously receive the Order of Lenin.

III. The statute concerning the title, "Hero of Socialist Labor," is approved.

Statute Concerning the Title,
"Hero of Socialist Labor"

1. The rank of Hero of Socialist Labor represents the highest grade of distinction in the sphere of economic and cultural construction, and is awarded to persons who by their especially distinguished pioneer work in the sphere of industry, agriculture, transport, trade, scientific discovery, and technical invention, have rendered exceptional service to the State, promoted the progress of the national economy, culture, science, and the growth of the power and glory of the U.S.S.R.

2. The rank of Hero of Socialist Labor is awarded by the Presidium of the Supreme Council of the U.S.S.R.

3. The Hero of Socialist Labor is awarded:

(a) The highest award in the U.S.S.R.—the Order of Lenin.

(b) A special diploma of the Presidium of the Supreme Council of the U.S.S.R.

4. The Order of Lenin received simultaneously with the rank of Hero of Socialist Labor entitles the recipient to a cash bonus amounting to twice his wages.

5. The Hero of Socialist Labor is entitled to the rights and privileges stipulated in Articles 10-16 of the General Statute of Orders of the U.S.S.R. (Code of Laws of the U.S.S.R., No. 24, article 220-b).

6. The Hero of Socialist Labor may be deprived of his rank only by order of the Presidium of the Supreme Council of the U.S.S.R.

^{14/} Ukaz Prezidiuma Verkhovnogo Soveta SSSR (Decree of the Presidium of the Supreme Soviet of the U.S.S.R.), December 27, 1938. Vedomosti Verkhovnogo Soveta SSSR (Gazette of the Supreme Soviet of the U.S.S.R.), 1938, No. 23. Also in Sbornik zakonodatel'nykh aktov o trude (Collection of Legislative Acts on Labor), Moscow, Gosyurizdat (State Publishing House of Juridical Literature), 1960, p. 413.

The further expansion of Soviet industry demands a continual supply of new workers for labor in coal and other mines, transport, factories, and plants, for without a continual increase of the labor force the successful development of industry is impossible. Unemployment has been eliminated, beggary and poverty in town and country have disappeared, and there are no longer people who are obliged to seek for jobs, people who in former times formed a continuous reserve of labor. Under these conditions it is a task of the Federal Government to prepare in organized fashion new workers from the youth of town and country and to create the necessary labor reserves for industry.

With this purpose in mind, the Presidium of the Supreme Soviet of the U.S.S.R. has decreed as follows:

1. It is recognized that each year 800,000 to 1 million young people shall be trained to form a Federal labor reserve for industry, by being instructed in town and country schools for industrial production by means of courses in trade schools, railroad schools, and the schools connected with factories.

2. In the towns, trade schools with a 2-year course of study shall be organized in order to train skilled workers in metallurgy and handling of metals, in chemistry, in mining, in petroleum recovery, and other complicated professions, as well as skilled labor for ocean and river transport and communications.

3. For the training of skilled workers in railroad transport, such as machinist's helpers, locomotive repair workers, boiler workers, maintenance-of-way and other workers, there shall be organized railroad schools with a 2-year course of study.

4. For the training of workers in the mass professions—in the first instance for the coal industry, the mining industry, metallurgy, petroleum recovery, and industrial construction—schools of the factory category, with a 6-month course of study, shall be organized.

5. The instruction in the above schools shall be free of charge, and students while studying shall be supported by the Government.

6. The labor reserves created by the above steps shall be at the direct disposition of the Council of People's Commissars of the U.S.S.R. and may not be utilized by the commissariats and enterprises without the permission of the Government.

7. The Council of People's Commissars shall each year mobilize from 800,000 to 1 million young men in town and country, of 14 or 15 years of age, for study in the trade and railroad schools, and of 16 or

^{15/} Decree of the Presidium of the Supreme Soviet of the U.S.S.R. *Izvestia*, October 3, 1940.

Translated by International Reference Service, U.S. Department of Commerce, 1941.

17 years for study in the factory schools.^{16/}

8. The directors of collective farms shall each year mobilize, for every 100 collective farm members, including men and women from 14 to 55 years, 2 young men of 14 or 15 years for the trade and railroad schools and 16 or 17 for the factory schools.

9. The municipal councils of workers' deputies shall each year mobilize young men of 14 or 15 years for the trade and railroad schools, and of 16 or 17 for the factory schools, the number to be fixed each year by the Council of People's Commissars.

10. All youths completing the trade, railroad, and factory schools

shall be considered mobilized and obliged to continue to work for 4 years in succession in Federal enterprises, as directed by the Chief Administration of Labor Reserves; the regular rates of wages shall be applied to them at their place of work.

11. All young men completing their courses in the trade, railroad, and factory schools shall be relieved from being drafted into the Red Army or the Navy for a period up to the end of their work in Federal enterprises, as specified in paragraph 10.

^{16/} Mobilization is no longer of the nature of a compulsory draft. See the Repeal Decree of March 18, 1955.

11. Increased privileges for pregnant women and mothers and measures for the extension of the system of institutions for maternity and child welfare.

. . .

Managers of undertakings and institutions shall be bound to grant to pregnant women their ordinary holiday immediately before or after the pregnancy and confinement leave.

7. After 4 months of pregnancy, pregnant women shall not be allowed to perform overtime in undertakings and institutions, and women with in-

fants shall be exempted from night-work during the nursing period.

17/ Ukaz Prezidiuma Verkhovnogo Soveta SSSR (Decree of the Presidium of the Supreme Soviet of the U.S.S.R.), July 8, 1944. Vedomosti Verkhovnogo Soveta SSSR (Gazette of the Supreme Soviet of the U.S.S.R.), 1944, No. 37. Also in Sbornik zakonodatel'nykh aktov o trude (Collection of Legislative Acts on Labor), Moscow, Gosyurizdat (State Publishing House of Juridical Literature), 1960, p. 407.

Translation by the International Labour Office, 1944.

Reintroduction and Conclusion of Collective
Agreements in 1947,^{18/} February 18, 1947

The Council of Ministers of the U.S.S.R. has approved the proposal of the AUCCTU [the All-Union Central Council of Trade Unions] on the conclusion in 1947 of collective agreements, as had been done in earlier years [in 1935 and earlier], between the managements of enterprises of industry, transport, and construction and the factory-plant committees of the trade unions.

The conclusion of collective agreements is the most important measure directed to the preservation of the fulfillment and overfulfillment of the production plans, of the further growth of productivity of labor, the improvement of the organization of work, and also the increase of responsibility of managerial and trade union organizations for the improvement of material living conditions and cultural services of workers, engineering-technical personnel, and white-collar workers of enterprises.

During the past year, the post-war reconstruction of industrial production was basically completed. By comparison with 1945, gross output of civilian production rose in all industries by 20 percent.

In 1947, we will take a big step forward in the further development of all branches of industry, transport, and agriculture.

The enterprises have everything necessary to fulfill and overfulfill the plans and tasks, given to them by the party and the government.

Throughout the country, there has developed with new strength the All-Union Socialist Competition in Honor of the 30th year of the Great October Socialist Revolution for the Fulfillment Ahead of Schedule of the Plan for 1947—the second year of the new 5-year plan period.

^{18/} This decision, which marks the reintroduction of collective agreements in the U.S.S.R. (the last of which were reported in 1935), was approved by the Council of Ministers of the U.S.S.R. Sbornik zakonodatel'nykh aktov o trude (Collection of Legislative Acts on Labor), Moscow, 1960, p. 56.

This is a translation of the text of the decision which appeared in Trud (Labor—the trade union daily), March 16, 1947. Postanovlenie prezidiuma VTs SPS (Decision of the Presidium of the All-Union Central Council of Trade Unions), February 18, 1947.

Note: Similar decisions, with changes of certain provisions, have been approved in subsequent years; for example, on November 25, 1960, the Presidium of the AUCCTU adopted a decision, "Concerning the Conclusion of Collective Agreements in 1961"—Sotsialisticheskii Trud (Socialist Labor—a monthly), No. 3, 1961, p. 147.

For discussion of the reintroduction of the collective agreements, see "Labor Conditions in the Soviet Union (Selected Studies)," Foreign Labor Information Bulletin, October 1955, pp. 22-25.

The conclusion of collective agreements and the checkup on their fulfillment should enable the more active part of the broad masses of workers, engineers, technicians, and white-collar workers to participate in the productive life of the enterprises, and in the struggle for the fulfillment and overfulfillment of the production plan, for the raising of the productivity of labor, and for the utilization of the internal resources of the enterprises.

The regular mass checkup on the fulfillment of the collective agreement obligations in the enterprises should raise the businesslike criticism of inadequacies in the organization of production, labor, and wages, and in living and cultural services to wage and salary earners, and by this means aid in the speedier removal of inadequacies in the work of economic and trade union organs.

The Presidium of the AUCCTU decides:

1. Since it is considered that the conclusion of collective agreements between the administration of enterprises and the workers' collectives is the most important measure for the organization of the efforts of manual workers, engineering-technical personnel, and white-collar workers for the purpose of fulfillment and overfulfillment of the state plans and the further raising of the level of living of the working people, trade union bodies are obligated to carry out during March and April of 1947 the conclusion of collective agreements in all enterprises of industry, transport, and construction.

2. To propose to the central committees of the trade unions that they prepare jointly with the ministries, using one of the leading enterprises of a given branch of industry as an example, a draft of a model collective agreement and of a directive letter and to submit them for approval to the AUCCTU.

3. In the directive letters of the central committees of the trade unions and of the ministries there should be included:

(a) The following indexes, approved in enterprises on the basis of the 1947 plan: of volume of production in absolute terms or as a percentage of the previous year's index; of labor productivity, earnings, costs of production; and of allocations for housing, other construction, and for the protection of workers on the job;

(b) indexes relating to the training of new workers and the raising of their qualifications;

(c) plan indexes approved by the enterprises relating to the work of enterprise-supported farms, including the growth of livestock and poultry raising;

(d) indexes of the planned construction of their own homes by individuals, and also the amounts and types of aid to such individual builders; in the branches of industry where enterprises are subordinate to trusts [aggregations of enterprises under unified control], the indexes are given according to trusts, but the latter adapt them to the enterprises;

(e) instructions to the factory-plant committees of trade unions on the development of socialist competition; on aid to workers, engineering-technical personnel, and white-collar workers in increasing their qualifications for production; on control over the observance of labor legislation and the correct introduction of approved systems of wages; and on measures for strengthening labor discipline and the struggle with work stoppages and defective products.

4. To establish that drafts of collective agreements in enterprises be worked out by the directors and factory-plant committees on the basis of model collective agreements and directive letters.

The central, regional, and factory-plant committees of trade unions must make certain that the reciprocal obligations in collective agreements will be directed to the fulfillment of tasks set by the party and the government for the national economy in 1947.

Concerning Productivity of Labor

5. The trade unions must obligate themselves to enlist all workers in socialist competition, including engineering-technical personnel and office workers; to check regularly on the fulfillment of socialist agreements and to aid lagging workers in raising their qualifications, and the mastering of their output norms; and together with the administration to work out shop plans for the introduction of Stakhanovite i.e., highly productive. Stakhanov was a coal miner

who achieved fame for his high production of coal.⁷ methods of work.

Managerial leaders of enterprises will include in collective agreements plans of organizational and technical measures directed toward the further growth of the productivity of labor, the introduction of new techniques, of assembly lines and of more complete technological processes, the mechanization of labor-consuming work, and the better utilization of equipment.

The factory-plant committees are obligated to render assistance to the administration in the preparation of the plans of organizational-technical measures and regularly to call production conferences or meetings for the discussion of reports on the progress of these plans toward completion.

The administration and the factory-plant committees will take on obligations for the promotion of inventions and efficiency, for faster introduction of accepted efficiency proposals, and for rendering assistance to inventors and to those who recommend efficiency measures. Managerial leaders are obligated to provide inventors and efficiency experts with working space, materials, and instruments for the purpose of carrying on experiments and preparing models and practical patterns.

Concerning Wages and the Fixing of Work Norms

6. Government-established piece rates, progressive piece rates, and wage premiums must be listed in the collective agreements. During the

preparation and conclusion of collective agreements, the administration and the factory-plant committees must review all work paid for on a time basis and establish which work can be changed over to a piece-rate basis of payment. Collective agreements must include concrete steps leading to the introduction into the enterprises in 1947 of technical output norms in the place of outdated norms based on past production figures.

The trade union organizations must systematically check on whether workers are receiving their work orders promptly, and whether wage payments and deductions from wages are made correctly.

The collective agreement must contain the dates on which the administration will make wage payments to its employees.

The trade union organizations must see that the collective agreements do not include any systems of payment to workers, engineering-technical personnel, and white-collar workers which are not approved by the government, and also that violations of the job-description reference books, of wage rate scales, and of wage rates are not permitted.

Concerning the Training of Skilled Workers and Engineering-Technical Personnel

7. The managerial leaders of enterprises have concrete obligations for the training and raising of qualifications of workers, engineering-technical personnel, and white-collar workers.

The administration must supply the factory libraries with technical literature and create conditions for engineering-technical personnel that will enable them to improve their qualifications, and to study and introduce into production the most advanced experience of other enterprises.

The factory-plant committees shall regularly conduct in the shops and clubs, lectures, reports, conferences and consultations on questions of theory and practice of production, attracting to this work scholars, qualified engineers, and Stakhanovites.

Concerning the Strengthening of Work Discipline

8. It is essential to include in the collective agreement the obligation of the administration to acquaint every wage and salary earner with the factory work regulations agreed to by the trade union.

The factory-plant committees must systematically carry on mass-explanation work among the employees for the purpose of strengthening work discipline, instilling in them a feeling of high responsibility for their work, and rendering assistance to the administration in carrying out essential measures toward planning the working day efficiently.

Concerning Labor Protection and Safety Technique

9. Concerning labor protection and safety technique, it is essential to include in the collective a-

greements the obligations of the administration for improving working conditions and fully utilizing the funds allocated for this purpose.

Among the basic measures for labor protection and safety technique there must be included:

The introduction and maintenance in proper condition of machine guards, of ventilation equipment, of showers and other washroom facilities; the equipping of workshop dressing rooms; the prompt supplying of workers with protective devices, special clothing, shoes, and soap according to established norms; the organization of the repairing and washing of special clothes, and of the repairing of special shoes; the uninterrupted supply of special food [for example, a pint of milk daily to workers on certain jobs/];

the systematic instruction of workers in safety techniques (directly at the place of work); the protection of working places and danger zones by means of cautionary signs and posters about safety techniques; the holding of conferences and consultations on labor protection and safety techniques.

The trade union organizations will take the necessary steps to establish stricter control over the observance at the enterprises of legislation on vacations, working time, determination of nonworking days, and the protection of young workers. It is essential to take under strong control the enforcement of the decrees of the Soviet Government on extending aid to pregnant women, women who have recently given birth, mothers with many children

and husbandless mothers, on extending the network of children's institutions, and on improvement in every possible way of the conditions of work and everyday life of Soviet women.

Concerning the Improvement of Living Conditions

10. In the collective agreements, there are listed the funds assigned to construction and repairs; a list of housing and communal construction projects, of capital and ordinary repairs of houses, and of the deadlines for the completion of jobs; and the rendering of aid to individual builders by means of materials and transportation. Enterprises of the Urals, Siberia, and the Far East must include in their collective agreements concrete obligations by the administration of enterprises to implement the decree of the U.S.S.R. Council of Ministers of August 25, 1946, on the granting of housing benefits to workers, the granting of loans for the purchase and supplying of manufactured goods to workers and members of their families.

To establish that the distribution of living space in the houses owned by the enterprises must be carried out by the administration in agreement with the factory-plant committees.

Concerning the Supplying of Workers with Goods and Eating Places

11. For the purpose of further improving the system of supplying workers with goods and eating places

in enterprises, the administration must include in the collective agreements concrete measures for the improvement of the work of enterprise-owned farms, for the construction, repair, and equipping of dining rooms, stores, stalls, and snack bars, for the improvement of the quality and the lowering of prices in eating places, and also for the development of livestock and poultry raising by employees.

It is essential to indicate in the collective agreement the quantity of production of enterprise-owned farms to be allocated in 1947 to consumption by employees.

The factory-plant committees have the duty to strive for the further development of individual and collective vegetable-gardening, for the strengthening of control by the masses over the work of those operating the eating places, stores, and enterprise-owned farms.

Concerning Efficient Consumer Services

12. There must be included in the collective agreements concrete obligations of the administration of enterprises:

For the fulfillment of the plans of construction, repair, and equipping of clubs, red corners /small reading rooms in enterprises/, kindergartens, pioneer camps and children's homes, stadiums, playgrounds, and other cultural and physical cultural establishments (within the limits of allocated appropriations);

for guaranteeing planned construction and repairs, and also equipment and housekeeping services for the network of medico-prophylactic establishments in enterprises (health units, out-patient clinics, polyclinics, hospitals, confinement homes, sanatoriums, dispensaries, and rest homes);

for housekeeping services to cultural and children's institutions and for supplying them with fuel.

The factory-plant committees must list in the collective agreements their own concrete obligations for rendering aid in the acquisition of inventory for cultural institutions, and the amount of their contribution for cultural equipment and the carrying out of mass cultural work.

The factory-plant committees must assume obligations for the improvement of politico-educational and mass-cultural work and the organization of leisure of employees and members of their families.

13. The factory-plant committees and the administration of enterprises are obliged to guarantee the wide discussion of the draft of the collective agreement at general meetings of employees in shops and during shifts.

It is essential to consider attentively every remark and proposal made by employees concerning the draft of the collective agreement.

The factory-plant committees and the administration must give detailed explanations at the meetings in those cases where certain propos-

als cannot be accepted because of their incompatibility with the plan's progress, the allocated funds, or with the established systems of wage payments.

After discussion at the shop meetings there are to be included in the draft of the collective agreement the corrections and additions agreed to with the administration, and the draft of the collective agreement is to be submitted for discussion to the general meeting of employees, and in large-scale enterprises—to the conference.

On the basis of the decision of the general meeting or conference, the factory-plant committee and the administration of the enterprise will make corrections in, approve, and sign the final text of the collective agreements, which then is sent for registration to the central committee of the trade union and to the ministry.

14. The presidium of the AUCCTU requires the central, regional, and factory-plant committees to prepare themselves thoroughly for the conclusion of collective agreements and to carry out the conclusion of agreements in the shortest possible time.

For the purpose of aiding the factory-plant committees in the work of concluding collective agreements, the central committees of the trade unions must send to the enterprises members of its presidium, factory division chiefs, and instructors.

All disputes, arising during the conclusion of collective agreements between the administration of

enterprises and the factory-plant committees, must be resolved on the spot by the representatives of the higher trade union and managerial bodies within a period of not more than 3 days. Unsettled questions will be turned over immediately for a joint decision by the AUCCTU and the responsible ministries.

15. To establish that a registered collective agreement goes into effect on the day it is signed by the parties or at the time specified in the agreement itself.

To approve the instructions concerning the procedure of registration of collective agreements.

16. The leaders of enterprises are obliged to reproduce the collective agreements in the necessary quantity of copies for distribution to employees, and also to post the collective agreements in conspicuous places in the shops, red corners, clubs, and dormitories.

17. Every 3 months the factory-plant committees must carry on mass checkups on the fulfillment of the obligations in the collective agreements and the results of the checkups must be discussed at the meetings of the employees.

The trade union bodies must establish constant control over the fulfillment of the collective agreements and must bring to account, as provided by law, those persons guilty of nonfulfillment of the obligations recorded in the collective agreements.

18. To order the councils of trade unions and the AUCCTU authori-

ties to render practical assistance to the trade unions in the work incident to the conclusion of collective agreements and the checkup on their implementation.

19. To obligate the central committees of the trade unions, the trade union councils, and the AUCCTU authorities to inform the AUCCTU regularly about the progress in the conclusion of collective agreements.

To confirm the procedure and the time when the information is to be submitted.

20. To obligate the trade union bodies to utilize widely all newspapers, factory leaflets, the radio, clubs, and red corners for mass-explanatory work in connection with the conclusion of collective agreements in 1947.

To propose to the editorial board of the newspaper Trud (Labor—a daily), the magazine V Pomoshch' FZMK (To Aid the Factory and Local Committee) which has been supplanted by Biulleten VTsSPS (AUCCTU Bulletin), and the magazine Professional'nye Soyuzy (Trade Unions—a monthly), that they widely publicize the work concerning the conclusion of collective agreements and their implementation.

. . .

The presidium of the AUCCTU expresses confidence that the trade union and managerial bodies will successfully conduct the conclusion of collective agreements and will adopt measures enabling the collective agreement to become the most important measure designed to guarantee the fulfillment of the plan for 1947—the second year of the postwar Stalin 5-year plan—ahead of schedule.

Repeal of the Draft of Youth into Trade and
Railroad Schools, ^{19/} March 18, 1955

In view of the great striving of young people to obtain technical and trade education in trade and railroad schools, it is no longer necessary to draft students for these schools; therefore, the Presidium of the Supreme Soviet of the U.S.S.R. decides:

1. To repeal the draft of young people into the trade and railroad schools of the system of the Main Administration of Labor Reserves under the U.S.S.R. Council of Ministers—the draft which was specified in the Decree of the Presidium of the Supreme Soviet of the U.S.S.R. of October 2, 1940.

2. To establish that, for the purpose of being educated in the trade and railroad schools of the Main Administration of Labor Reserves under the U.S.S.R. Council of Ministers, young persons will be accepted—boys, 14 to 17 years of age and girls, 15 to 17 of age—from the list of persons who had made application to enter the schools.

3. To charge the U.S.S.R. Council of Ministers to work out the order and conditions of acceptance of students into trade, railroad, and other schools of the Main Administration of Labor Reserves under the U.S.S.R. Council of Ministers.

4. ^{19/}Repeals (1) the draft provisions of sections 7, 8, and 9 in the Decree of the Presidium of the U.S.S.R. Supreme Soviet of October 2, 1940; and (2) the age specifications of the Decree of the Presidium of the Supreme Soviet of June 19, 1947.

^{19/} Ukaz Prezidiuma Verkhovnogo Soveta SSSR (Decree of the Presidium of the Supreme Soviet of the U.S.S.R.), March 18, 1955. In Sbornik zakonodatel'nykh aktov o trude (Collection of Legislative Acts on Labor), Moscow, Gosyurizdat (State Publishing House of Juridical Literature, 1958, pp. 74-75.

Creation of the U.S.S.R. Council of Ministers' State Committee
on Questions of Labor and Wages,^{20/} May 24, 1955

For the purpose of strengthening state control of the work of the ministers and departments and improving their work in the areas of labor and wages, and also of preparing drafts of Government laws and decrees on these questions, the Pre-

sidium of the Supreme Soviet of the U.S.S.R. decrees:

That there be created a State Committee of the Council of Ministers of the U.S.S.R. to deal with questions of labor and wages.

^{20/} Ukaz Prezidiuma Verkhovnogo Soveta SSSR (Decree of the Presidium of the Supreme Soviet of the U.S.S.R.), May 24, 1955. Vedomosti Verkhovnogo Soveta SSSR (Gazette of the Supreme Soviet of the

U.S.S.R.), 1955, No. 8, item 196. Also in Sbornik zakonodatel'nykh aktov o trude (Collection of Legislative Acts on Labor), Moscow, Gosyurizdat (State Publishing House of Juridical Literature), 1960, p. 52.

(A) Decree of the Presidium of the Supreme Soviet of the U.S.S.R. of March 8, 1956.

From March 10, 1956, the working day of wage and salary earners in undertakings, institutions, and organizations shall be 2 hours shorter on the days preceding rest days and holidays than on normal working days, that is, it shall be of 6 hours.

(B) Order of the Council of Ministers of the U.S.S.R. concerning the shortening of the working day of wage and salary earners on days preceding rest days and holidays.

In conformity with the Decree of the Presidium of the Supreme Soviet of the U.S.S.R. dated March 8, 1956, the Council of Ministers of the U.S.S.R. orders as follows:

1. From March 10, 1956, the working day of wage and salary earners in undertakings, institutions and organizations shall be 2 hours shorter on the days preceding rest days and holidays than on normal working days, that is, it shall be of 6 hours.

For workers and employees who are at present working a 7-hour day the working day preceding rest days and holidays shall also be fixed at 6 hours. For those whose working day is at present 6 hours or less, the length of the working day preceding rest days and holidays shall remain unchanged.

Work on the said days shall begin at the normal time, and, by ar-

range between the administration of the undertaking, institution, or organization and the works committee or the local trade union committee, may continue without a meal break.

2. In continuous processes and in branches or types of work where production conditions make it impossible to introduce a shorter working day on the day preceding rest days and holidays, workers and employees are to be given an additional rest day for every four 8-hour days worked on days preceding rest days and holidays.

In seasonal occupations in which the granting of additional days off during the season is impossible, permission may be given, as an exception, to accumulate such additional days during the whole season and to take them during the off-season.

The councils of ministers of the federal republics and the Ministers of the Union and federal republic ministries, with the concurrence

21/ Ukaz Prezidiuma Verkhovnogo Soveta SSSR (Decree of the Presidium of the Supreme Soviet of the U.S.S.R.), March 8, 1956. Vedomosti Verkhovnogo Soveta SSSR (Gazette of the Supreme Soviet of the U.S.S.R.), 1956, No. 5, item 135. Postanovlenie Soveta Ministrov SSSR (Decree of the Council of Ministers of the U.S.S.R.), Pravda, March 9, 1956. Also in Sbornik zakonodatel'nykh aktov o trude (Collection of Legislative Acts on Labor) Moscow, Gosyurizdat (State Publishing House of Juridical Literature), 1960, p. 137.

Translation by International Labour Office, 1956.

of the appropriate trade union central committees, shall draw up a list of branches and types of work to which the adjustments mentioned in this section shall apply.

3. The work of wage and salary earners on days preceding rest days and holidays shall be remunerated as follows:

(a) Where payment is by time, remuneration for a full working day shall be paid;

(b) in the case of piecework, the remuneration shall be according to the work completed. Heads of undertakings shall see to it that conditions for more highly productive work are established by improvements in production and the organization of work and by the elimination of holdups and other causes of loss of working time, so that the shortening of working days preceding rest days and holidays will not result in a reduction of the workers' monthly earnings.

4. The heads of ministries, departments, undertakings, and or-

ganizations shall carry out the measures necessary for the transition to the shorter working day within the limits of the ministry and department wage funds: they shall ensure the unconditional fulfillment of the prescribed tasks in respect of volume of production, labor productivity, and unit production costs by eliminating existing shortcomings in production and the organization of work and by using internal reserves and eliminating staff surpluses to the fullest possible extent.

5. All heads of ministries, departments, and local agencies shall ensure that measures are taken to improve the services for workers on days preceding rest days and holidays; this will involve changes in the schedules of suburban and local transport, public catering undertakings, trade and communal undertakings, and institutions and organizations concerned with culture, entertainment and the theater, and also institutions for children and medical institutions.

Extension of Maternity Leave, ^{22/} March 26, 1956

The period of leave for pregnancy and childbirth shall, from April 1, 1956, be extended from 77 to 112 calendar days, composed of 56 days' prenatal leave and 56 days' postnatal leave, with the right throughout this period to the allowances prescribed in the regulations.

^{22/} Ukaz Prezidiuma Verkhovnogo Soveta SSSR (Decree of the Presidium of the Supreme Soviet of the U.S.S.R.), March 26, 1956. Vedomosti Verkhovnogo Soveta SSSR (Gazette of the Supreme Soviet of the U.S.S.R.),

Where the childbirth is abnormal or two or more children are born, postnatal leave shall be extended to 70 calendar days.

March 30, 1956, No. 6, item 154. Also in Sbornik zakonodatel'nykh aktov o trude (Collection of Legislative Acts on Labor), Moscow, Gosyurizdat (State Publishing House of Juridical Literature), 1960, p. 398.

Abolition of Penal Liability of Workers for Unauthorized
Quitting or Absences, ^{23/} April 25, 1956

By virtue of the development of the conscience of the workers and the improvement in their material situation and standard of culture, labor discipline has become stronger in enterprises and establishments. In these circumstances, the penal liability at present incurred by workers and employees who arbitrarily depart from an enterprise or establishment or absent themselves repeatedly or for a prolonged period without valid reason no longer appears to be indispensable and may be replaced by measures for corrective training of a disciplinary and social character.

The Presidium of the Supreme Soviet of the U.S.S.R. decrees:

(1) The penal liability of workers and employees in the event of arbitrary departure from the enterprise or establishment or of repeated or prolonged absence without valid reason is annulled.

(2) The application of the penalty will be suspended in the case of any person sentenced for arbitrary departure from the enterprise or establishment or for absence without valid reason.

(3) Cases of prosecution for arbitrary departure from the enterprise or establishment or for absenteeism which have not yet been examined by the courts by the date on which this decree is promulgated are suspended.

(4) Sentences for arbitrary departure from the enterprise or es-

tablishment or for unjustified absence passed on citizens who have already served their sentences or who are liberated by application of this decree will be expunged from their judicial record.

(5) Workers and employees who wish to leave their employment on their own account must give 2 weeks' notice of their intention to the management of the enterprise or establishment.

(6) Workers and employees freed from their work at their own request lose the benefit arising from an uninterrupted work period, and acquire the right to assistance in the event of temporary incapacity for work only after working in their new posts for at least 6 months.

This provision does not apply to:

(a) Workers and employees who have been authorized to leave their work because of illness, disablement, or retirement on account of age;

23/ Ukaz Prezidiuma Verkhovnogo Soveta SSSR (Decree of the Presidium of the Supreme Soviet of the U.S.S.R.), April 25, 1956. Vedomosti Verkhovnogo Soveta SSSR (Gazette of the Supreme Soviet of the U.S.S.R.), 1956, No. 12, item 242. Also in Sbornik zakonodatel'nykh aktov o trude (Collection of Legislative Acts on Labor), Moscow, Gosyurizdat (State Publishing House of Juridical Literature), 1960, p. 86.

(b) persons who have ceased to work by reason of their admission to an institution for higher or specialized education or because they become candidates for advanced examinations;

(c) persons liberated because of transfer of the husband or wife to work in another locality;

(d) women during pregnancy and to workers who are mothers of children under 12 months of age who change to homework;

(e) persons liberated for other important reasons prescribed by decree of the Council of Ministers of the U.S.S.R.

(7) In the event of the absence without valid reason of a worker or employee, the director of the enterprise or the head of the establishment may take any one of the three following measures:

(a) Impose on the person concerned a disciplinary penalty in accordance with the internal works regulations and, in enterprises and establishments for which special disciplinary statutes exist, in accordance with these statutes;

(b) deprive the person concerned of his right to the seniority allowance for a period not exceeding 3 months or reduce the single seniority bonus which is paid to him by not more than 25 percent;

(c) dismiss him and note in his workbook that the dismissal was ordered because of absence from work without valid reason.

The dismissed worker then loses the benefit accruing from an uninterrupted work period and acquires a right to assistance in the event of temporary incapacity for work only after working in a new post for a period of at least 6 months.

Instead of taking one of the above measures, the director of the undertaking or the head of the institution may submit the documents concerning cases of absence without valid reason to a comrades' tribunal for examination.

(8) The following decrees are deemed to have ceased to have effect:

(a) The Decree of June 26, 1940, of the Presidium of the Supreme Soviet of the U.S.S.R. concerning the change to an 8-hour working day and a 7-day working week, prohibiting workers and employees from arbitrarily leaving the undertaking or institution, with the exception of articles 1 and 2 thereof;

(b) the Decree of June 17, 1945, of the Presidium of the Supreme Soviet of the U.S.S.R. prohibiting the drivers of tractors and combined harvesting machines employed on machine and tractor stations from arbitrarily leaving their work;

(c) the Decree of October 19, 1940, of the Presidium of the Supreme Soviet of the U.S.S.R. concerning the procedure of compulsory transfer of technicians, foremen, employees, and skilled workers from one undertaking or institution to another;

(d) the Decree of July 14, 1951, of the Presidium of the Supreme So-

viet of the U.S.S.R. substituting measures for corrective training of a disciplinary and social character for judicial liability with respect to absenteeism of workers and employees, except in the case of repeated or prolonged absence;

(e) the Decree of November 13, 1952, of the Presidium of the Supreme Soviet of the U.S.S.R. amending and supplementing the Decrees of the Presidium of the Supreme Soviet of the U.S.S.R. dated July 17, 1940 and October 19, 1940.

Six Hour Workday for Youth, ^{24/} May 26, 1956

Decree of the Presidium of the Supreme Soviet of the U.S.S.R. establishing a 6-hour working day for young persons between 16 and 18 years of age.

From July 1, 1956 a 6-hour working day shall be established for wage and salary earners between 16 and 18 years of age.

Concerning the order on wages payable to youths from 16 to 18 years of age, in view of the introduction of a 6-hour workday for them, the U.S.S.R. Council of Ministers decrees (May 26, 1956):^{25/}

That the wages of youths for the reduced workday shall be the same as that received by workers of corresponding categories for a full day's work. Youths from 16 to 18 years of age who are allowed to do piecework are to be paid at the same rates as adult piece rate workers, but they shall receive additional payment according to their wage rates for the time the full workday

established for adult workers exceeds the shorter workday for youths.

^{24/} Ukaz Prezidiuma Verkhovnogo Soveta SSSR (Decree of the Presidium of the Supreme Soviet of the U.S.S.R.), May 26, 1956. Vedomosti Verkhovnogo Soveta SSSR (Gazette of the Supreme Soviet of the U.S.S.R.), 1956, No. 12, item 242. Also in Sbornik zakonodatel'nykh aktov o trude (Collection of Legislative Acts on Labor), Moscow, Gosyurizdat (State Publishing House of Juridical Literature), 1960, p. 412.

^{25/} Postanovlenie Soveta Ministrov SSSR (Decree of the Council of Ministers of the U.S.S.R.), May 26, 1956. Vedomosti Verkhovnogo Soveta SSSR (Gazette of the Supreme Soviet of the U.S.S.R.), 1956, No. 12, item 242. Also in Sbornik zakonodatel'nykh aktov o trude (Collection of Legislative Acts on Labor), Moscow, Gosyurizdat (State Publishing House of Juridical Literature), 1960, p. 314.

I. General Provisions

1. The following persons shall be entitled to state pensions:

(a) Employed persons (manual and nonmanual);

(b) persons serving with the Armed Forces;

(c) persons attending higher and intermediate technical educational institutions, schools or centers, and supervisor training courses;

(d) all other citizens in the event of their becoming invalids in connection with the performance of governmental or community duties;

(e) members of the families of citizens specified in this article, in case of loss of the breadwinner.

2. State pensions in accordance with this act shall be awarded because of:

(a) Old age;

(b) invalidity (disability);

(c) loss of the breadwinner.

3. Any citizen who is simultaneously entitled to more than one pension shall be awarded one pension according to his choice.

4. Any citizen entitled to a state pension may apply for the pension at any time after the date of his qualification, without regard to any time limitation.

5. Pensions shall be awarded by pension award committees set up by the executive committees of the district (or town) councils of workers' deputies.

Against the decision of the pension award committee, an appeal shall lie to the executive committee of the district (or town) council of workers' deputies.

6. The payment of pensions shall be effected by the State out of funds allotted each year in the national budget of the U.S.S.R., including the funds under the state social insurance budget obtained from contributions by undertakings, offices and organizations, without any deductions from workers' earnings.

^{26/} Law of the Supreme Soviet of the U.S.S.R., enacted on July 14, 1956. Vedomosti Verkhovnogo Soveta SSSR (Gazette of the Supreme Soviet of the U.S.S.R.), 1956, No. 15, item 313. Amended December 26, 1959 (Pravda, May 8, 1960). Also in Sbornik zakonodatel'nykh aktov o trude (Collection of Legislative Acts on Labor), Moscow, Gosyurizdat (State Publishing House of Juridical Literature), 1960, pp. 581-593 and (amendment) p. 689.

Translation by the International Labour Office, 1956. Minor changes in wording have been made for purpose of clarification.

Translation of amendments by the compilers. The three short introductory paragraphs of this law have been omitted as nonessential.

7. Pensions shall not be liable to taxation.

II. Old-Age Pensions

8. The right to an old-age pension shall accrue to employed persons as follows:

Men—at age 60 on completion of 25 or more years of employment;

Women—at age 55 on completion of 20 or more years of employment.

9. The following shall be entitled to old-age pensions on privileged conditions:

(a) Persons employed on work below ground, in unhealthful conditions or in workplaces with a high temperature (according to a list of industries, workshops, occupations and posts approved by the Council of Ministers of the U.S.S.R.):

Men—at age 50 on completion of 20 or more years of employment;

Women—at age 45 on completion of 15 or more years of employment.

(b) persons employed on other types of work where the conditions are exacting (according to a list of industries, workshops, occupations, and posts approved by the Council of Ministers of the U.S.S.R.):

Men—at age 55 on completion of 25 or more years of employment;

Women—at age 50 on completion of 20 or more years of employment.

An employed person shall be entitled to an old-age pension on privileged conditions where he or she has spent half or more of the required period of employment on types of work which confer the right to a pension on privileged conditions (regardless of the person's last place of employment).

10. Any woman who has borne five or more children and brought them up to the age of 8 years shall be entitled to an old-age pension at the age of 50 on completion of 15 or more years of employment, where she is not entitled to an old-age pension at an earlier age.

11. A blind employed person who is in receipt of an invalidity pension shall be entitled to receive, in lieu thereof, an old-age pension as follows:

Men—at age 50 on completion of 15 or more years of employment;

Women—at age 40 on completion of 10 or more years of employment.

12. An employed person who in the course of employment reaches the age required for the award of a pension but has not a sufficiently long period of employment for a full pension shall, if he or she has been employed for a period of not less than 5 years including the 3 years prior to making a claim for a pension, be awarded a pension proportional to the period of employment but in no case less than one-fourth of the full pension.

Monthly earnings (in rubles)	Pension			
	Employed persons other than those employed on work below ground, in unhealthful conditions or in workplaces with a high temperature		Persons employed on work below ground, in un- healthful conditions or in workplaces with a high temperature	
	Percentage of earnings	Minimum rate (in rubles) without supplements	Percentage of earnings	Minimum rate (in rubles) without supplements
Up to 350 ^{1/}	100	300	100	300
Over 350-500 ^{1/}	85	350	90	350
Over 500-600 ^{1/}	75	425	80	450
Over 600-800 ^{1/}	65	450	70	480
Over 800-1,000 ^{1/}	55	520	60	560
Over 1,000	50	550	55	600

^{1/} Inclusive.

Note: 1 ruble=US\$0.10, at the tourist rate of exchange which was valid up to January 1, 1961, when the ruble was devalued and all wages, pensions, and prices were divided by 10. The current rate of exchange is 1 ruble=US\$1.11.

13. Old-age pensions shall be awarded at the rates shown in the tabulation above.

The minimum old-age pension rate shall be 300 rubles a month (30 rubles, or US\$33.30, a month since January 1, 1961).

The maximum old-age pension rate shall be 1,200 rubles a month (120 rubles, or US\$133.20, a month since January 1, 1961).

14. The following supplements to old-age pensions shall be payable (within the limits of the maximum rate of pensions):

(a) In the case of uninterrupted employment exceeding 15 years

or of a total of 35 or more years of employment (for a man) or a total of 30 or more years of employment (for a woman)—10 percent of the pension. An employed person entitled to a pension on privileged conditions under (a) of article 9, article 10, or article 11 of this act shall receive the above supplement in respect of the total period of employment where it exceeds the period required for a pension on privileged conditions by 10 or more years.

(b) A nonemployed pensioner with dependents who are incapable of working—10 percent of the pension where there is one such dependent, and 15 percent thereof where there are two or more such dependents.

15. An employed recipient of an old-age pension shall be paid at the rate of 150 rubles a month where his or her earnings, after the award of the pension, do not exceed 1,000 rubles (excluding the pension).

An employed pensioner whose old-age pension was awarded on privileged conditions by reason of employment below ground, in unhealthy conditions or in workplaces with a high temperature shall be paid 50 percent of the old-age pension he is entitled to (if he were not working), regardless of earnings.

The old-age pension awarded before completion of the qualifying period shall not be payable to pensioners who continue to work.

16. When an employed person has the requisite period of employment but ceases work before reaching the age for an old-age pension, such pension shall be awarded when he or she attains that age.

17. Old-age pensions shall be awarded for life, regardless of the pensioner's ability or inability to work.

III. Employees' Invalidity (Disability) Pensions

18. Every employee shall be entitled to an invalidity (disability) pension in the event of invalidity, i.e., permanent or protracted loss of working capacity.

Invalidity pensions shall be awarded without regard to whether

the contingency developed during the employment, before the employment started or after the employment ceased.

19. Every disabled person shall be assigned to one of three groups according to the degree of loss of working capacity.

The decision as to the invalidity group to which a person belongs shall be made by committees of medical and labor experts in such manner as may be prescribed by the Council of Ministers of the U.S.S.R.

20. Invalidity pensions shall be awarded for loss of working capacity due to:

(a) Employment injury or occupational disease;

(b) ordinary (nonoccupational) disease.

Where loss of working capacity is due to an injury unconnected with employment, the same pension shall be awarded as in the case of loss of working capacity due to ordinary (nonoccupational) disease.

21. Invalidity pensions because of work injury or occupational disease shall be awarded to employed persons without regard to length of employment.

Invalidity pensions because of ordinary disease shall be awarded to employed persons who have completed the following periods of employment before claiming a pension:

Age	Years of employment		
	Men	Women	Persons employed on work below ground, in unhealthful conditions or in workplaces with a high temperature
20-23 years.....	2	1	1
Over 23-26 years.....	3	2	2
Over 26-31 years.....	5	3	3
Over 31-36 years.....	7	5	5
Over 36-41 years.....	10	7	6
Over 41-46 years.....	12	9	7
Over 46-51 years.....	14	11	8
Over 51-56 years.....	16	13	10
Over 56-61 years.....	18	14	12
Over 61 years.....	20	15	14

In the case of an employed person who becomes an invalid as a result of ordinary disease before the age of 20, the pension shall be awarded:

(a) Without regard to length of employment, where the person became an invalid during employment or after the employment ceased;

(b) after the person will have worked one or more years, in case his disabling disease started before he was employed.

22. Employees' invalidity pensions in cases of work injury or occupational disease shall be payable at the following rates:

(a) Invalids in group I—100 percent of the earnings up to 500 rubles a month and 10 percent of any earnings in excess of that figure;

(b) invalids in group II—90 percent of the earnings up to 450 rubles a month and 10 percent of any earnings in excess of that figure;

(c) invalids in group III—65 percent of the earnings up to 400 rubles a month and 10 percent of any earnings in excess of that figure.

Persons employed on work below ground, in unhealthful conditions, or in workplaces with a high temperature shall be awarded invalidity pensions for employment injury or occupational disease at the following privileged rates:

(a) Invalids in group I—100 percent of the earnings up to 600 rubles a month and 20 percent of any earnings in excess of that figure;

(b) invalids in group II—90 percent of the earnings up to 600 rubles a month and 20 percent of any earnings in excess of that figure;

(c) invalids in group III—65 percent of the earnings up to 600 rubles a month and 20 percent of any earnings in excess of that figure.

Persons employed on other types of work where the conditions are exacting shall be awarded invalidity pensions in case of work injury or occupational disease at the following privileged rates:

(a) Invalids in group I—100 percent of the earnings up to 500 rubles a month and 15 percent of any earnings in excess of that figure;

(b) invalids in group II—90 percent of the earnings up to 500 rubles a month and 15 percent of any earnings in excess of that figure;

(c) invalids in group III—65 percent of the earnings up to 500 rubles a month and 15 percent of any earnings in excess of that figure.

The minimum rate of pension shall be 360 rubles a month for persons in invalidity group I, 285 rubles a month for those in group II, and 210 rubles a month for those in group III.

The maximum rate of pension shall be, 1,200 rubles a month for persons in invalidity group I, 900 rubles a month for those in group II, and 450 rubles a month for those in group III.

23. Employees' invalidity pensions for ordinary disease shall be awarded at the following rates:

(a) Invalids in group I—85 percent of the earnings up to 500 rubles a month and 10 percent of any earnings in excess of that figure;

(b) invalids in group II—65 percent of the earnings up to 450 rubles a month and 10 percent of any earnings in excess of that figure;

(c) invalids in group III—45 percent of the earnings up to 400 rubles a month and 10 percent of any earnings in excess of that figure.

Persons employed on work below ground, in unhealthful conditions, or in workplaces with a high temperature shall be awarded invalidity pensions for ordinary disease at the following privileged rates:

(a) Invalids in group I—85 percent of the earnings up to 600 rubles a month and 20 percent of any earnings in excess of that figure;

(b) invalids in group II—65 percent of the earnings up to 600 rubles a month and 20 percent of any earnings in excess of that figure;

(c) invalids in group III—45 percent of the earnings up to 600 rubles a month and 20 percent of any earnings in excess of that figure.

Persons employed on other types of work where the conditions are exacting shall be awarded invalidity pensions in case of ordinary disease at the following privileged rates:

(a) Invalids in group I—85 percent of the earnings up to 500 rubles a month and 15 percent of any earnings in excess of that figure;

(b) invalids in group II—65 percent of the earnings up to 500 rubles a month and 15 percent of any earnings in excess of that figure;

(c) invalids in group III—45 percent of the earnings up to 500 rubles a month and 15 percent of any earnings in excess of that figure.

The minimum rate of pension shall be 300 rubles a month for persons in invalidity group I, 230 rubles a month for those in group II, and 160 rubles a month for those in group III.

The maximum rate of pension shall be 900 rubles a month for persons in invalidity group I, 600 rubles a month for those in group II, and 400 rubles a month for those in group III.

An employed person shall be entitled to an invalidity pension in case of ordinary disease at the privileged rate where not less than half of the required period of employment has been on types of work conferring the right to a pension at privileged rates (regardless of the last place of employment).

24. An employed person who during employment has become a group I or II invalid as a result of ordinary disease shall, where the period of employment is insufficient for a full pension, be awarded a pension proportionate to his or her period of employment, but not less than one-fourth of the full pension.

25. The following supplements to invalidity pensions shall be payable (within the limits of the maximum rate of pension):

(a) Invalids in groups I and II whose invalidity is due to ordinary disease:

After uninterrupted employment of 10 to 15 years—10 percent of the pension;

after uninterrupted employment exceeding 15 years—15 percent of the pension;

(b) nonemployed invalids in groups I and II (whatever the cause of invalidity) with dependents who are incapable of working: 10 percent of the pension where there is one such dependent and 15 percent of the pension where there are two or more such dependents;

(c) invalids in group I (whatever the cause of invalidity) for expenses in being cared for—15 percent of the pension.

The total of the supplements for an invalid in group I whose invalidity is due to ordinary disease shall not exceed 30 percent of the pension.

26. The invalidity pension shall be awarded for life to men over 60 and women over 55. Re-examination of such invalids shall take place only on their application.

In the case of other invalids, the invalidity pension shall be awarded for such time as they are unable to work.

27. (As amended on May, 1960). To invalids of group I, having some sort of earnings and also to invalids of group II, whose earnings do not exceed 1,200 rubles a month, the pension shall be paid in full, regardless of the earnings.

To invalids of group II, having earnings above 1,200 rubles (a month), and also to invalids of group III, the pension will be paid in such an amount that the pension

and the earnings received do not together exceed the total earnings before the award of the pension. For those invalids of group III, whose earnings do not exceed 1,200 rubles a month, not less than 50 percent of the designated pension is to be paid.

IV. Employees' Survivors Pensions

28. Surviving dependents of a deceased employed person or pensioner who are incapable of working shall be entitled to a survivor's pension.

The foregoing is applicable to the following dependents incapable of working:

(a) Children, brothers, sisters and grandchildren under age of 16 (18 if studying) or above that age if they have become invalids before reaching the age 16 (18 if studying); in the case of brothers, sisters and grandchildren, subject to the condition that they have no parent capable of working;

(b) father, mother, and wife or husband if aged 60 years or over (for men); or 55 years or over (for women), if incapable of working;

(c) a nonemployed parent or spouse (regardless of age and ability to work) who has the care of one or more children, brothers, sisters, or grandchildren of the deceased who are under the age of 8 years;

(d) grandfather and grandmother in the absence of any person legally responsible for their maintenance.

Even if they were not maintained by him, a child of the de-

ceased or any parent of the deceased who is incapable of working shall be entitled to a pension because of his death if they subsequently lose their source of maintenance.

29. A child maintained by both parents shall be entitled to a pension at the death of either parent, whether or not the surviving parent is working.

30. Children, brothers, sisters and grandchildren shall be paid the pension while studying, regardless of whether they are receiving education grants.

31. A parent shall be entitled to a pension without regard to the date of reaching the retirement age or becoming an invalid (whether this precedes or follows the death of the breadwinner).

The wife or husband of the deceased shall be entitled to a pension if she or he reached the retirement age or became an invalid before the death of the breadwinner, or reaches that age or becomes an invalid within 5 years thereafter. If the widow or widower has no adult child capable of working, she or he shall be awarded a pension without regard to the date of reaching the retirement age or of becoming an invalid.

32. Adoptive parents shall have the same pension rights as natural parents, and adoptive children shall have the same rights as natural children.

Children under age entitled to survivors' pensions shall retain their pension rights even if adopted.

33. A pension shall be awarded to the family of an employed person who dies as a consequence of employment injury or occupational disease, without regard to the breadwinner's period of employment, at the following rates:

(a) Where there are three or more dependents incapable of working 100 percent of the breadwinner's earnings up to 500 rubles a month and 10 percent of any such earnings in excess of that figure;

(b) where there are two dependents incapable of working—90 percent of the breadwinner's earnings up to 450 rubles a month and 10 percent of any such earnings in excess of that figure;

(c) where there is one dependent incapable of working—65 percent of the breadwinner's earnings up to 400 rubles a month, and 10 percent of any such earnings in excess of that figure.

The family of a person who is employed on work below ground, in unhealthful conditions or in workplaces with a high temperature who dies as a result of an employment injury or occupational disease shall be awarded a pension at the following privileged rates:

(a) Where there are three or more dependents incapable of working—100 percent of the breadwinner's earnings up to 600 rubles a month and 20 percent of any such earnings in excess of that figure;

(b) where there are two or more dependents incapable of working—90 percent of the breadwinner's earn-

ings up to 600 rubles a month and 20 percent of any such earnings in excess of that figure;

(c) where there is one dependent incapable of working—65 percent of the breadwinner's earnings up to 600 rubles a month and 20 percent of any such earnings in excess of that figure.

The family of a person employed on other types of work where the working conditions are exacting who dies as a result of work injury or occupational disease shall be awarded a pension at the following privileged rates:

(a) Where there are three or more dependents incapable of working—100 percent of the breadwinner's earnings up to 500 rubles a month and 15 percent of any such earnings in excess of that figure;

(b) where there are two dependents incapable of working—90 percent of the breadwinner's earnings up to 500 rubles a month and 15 percent of any such earnings in excess of that figure;

(c) where there is one dependent incapable of working—65 percent of the breadwinner's earnings up to 500 rubles a month and 15 percent of any such earnings in excess of that figure.

The minimum rate of the pension shall be 300 rubles a month for a family of three or more members; 230 rubles a month for a family of two members; 160 rubles a month for a family of one member.

The maximum rate of the pension shall be 1,200 rubles a month for a

family of three or more members; 900 rubles a month for a family of two members; 450 rubles a month for a family of one member.

34. The family of an employed person who dies as a result of ordinary (nonoccupational) disease after completing the period of employment required for an invalidity pension shall be awarded a pension at the following rates:

(a) Where there are three or more dependents incapable of working—85 percent of the breadwinner's earnings up to 500 rubles a month and 10 percent of any such earnings in excess of that figure;

(b) where there are two dependents incapable of working—65 percent of the breadwinner's earnings up to 450 rubles a month and 10 percent of any such earnings in excess of that figure;

(c) where there is one dependent incapable of working—45 percent of the breadwinner's earnings up to 400 rubles a month and 10 percent of any such earnings in excess of that figure.

The family of a person employed on work below ground, in unhealthy conditions or in workplaces with a high temperature who dies as a result of ordinary disease shall be awarded a pension at the following privileged rates:

(a) Where there are three or more dependents incapable of working—85 percent of the breadwinner's earnings up to 600 rubles a month and 20 percent of any such earnings in excess of that amount;

(b) where there are two dependents incapable of working—65 percent of the breadwinner's earnings up to 600 rubles a month and 20 percent of any such earnings in excess of that amount;

(c) where there is one dependent incapable of working—45 percent of the breadwinner's earnings up to 600 rubles a month and 20 percent of any such earnings in excess of that amount.

The family of a person employed on other types of work where the working conditions are exacting who dies as a result of ordinary disease shall be awarded a pension at the following privileged rates:

(a) Where there are three or more dependents incapable of working—85 percent of the breadwinner's earnings up to 500 rubles a month and 15 percent of any such earnings in excess of that figure;

(b) where there are two dependents incapable of working—65 percent of the breadwinner's earnings up to 500 rubles a month and 15 percent of any such earnings in excess of that figure;

(c) where there is one dependent incapable of working—45 percent of the breadwinner's earnings up to 500 rubles a month and 15 percent of any such earnings in excess of that figure.

The minimum rate of the pension shall be 300 rubles a month for a family of three or more members; 230 rubles a month for a family of two members; and 160 rubles a month for a family of one member.

The maximum rate of the pension shall be 900 rubles a month for a family of three or more members; 600 rubles a month for a family of two members; and 400 rubles a month for a family of one member.

The family of an employed person who dies as a result of ordinary disease shall be entitled to a pension at privileged rates where the employed person spent at least half of the period required for an invalidity pension in types of work conferring the right to a pension at privileged rates (regardless of the breadwinner's last place of employment).

Where the family consists of one or more fatherless and motherless children (orphans), or of one or more children of a deceased unmarried mother, the pension shall be payable at the rate prescribed for families who have lost their breadwinner as a result of employment injury or occupational disease.

35. The dependents of an employee who dies in the course of employment as a result of ordinary disease, without having completed the period required for a full invalidity pension, shall receive a pension proportional to the breadwinner's period of employment, but in no case less than one-fourth of the full pension.

36. The following supplements to the survivors' pensions shall be payable (without exceeding the maximum rate of pension):

(a) For the family of an employed person who dies as a result of employment injury or occupational

disease, where there are three or more dependents incapable of working—15 percent of the pension;

(b) for the family of an employed person who dies as a result of ordinary disease after an uninterrupted period of employment of 10 to 15 years—10 percent of the pension; after uninterrupted employment exceeding 15 years—15 percent of the pension.

37. The recipients of a survivor's pension shall be paid the pension at the full rate regardless of any earnings that they may have.

V. Pensions for Persons Serving With the Armed Forces, and Their Families

38. Persons serving with the Armed Forces as national service privates, sergeants or other senior Non-Commissioned Officers shall be entitled to a pension in case of invalidity, and their families shall be entitled to a pension in the event of loss of the breadwinner.

The pensions shall be awarded to the said persons and to their families without regard to the length of military service and previous employment.

Pensions to former partisans and their families shall be payable on the same basis as to persons serving with the Armed Forces and their families.

The family of a deceased pensioner who was a national service private, sergeant or other senior N.C.O. and the family of a former

partisan shall be entitled to a pension in the event of loss of breadwinner.

39. Any person serving with the Armed Forces as a national service private who was an employed person prior to being called up and who becomes an invalid as a result of wound, contusion, or injury incurred in the defence of the U.S.S.R. or while performing other military service duties, or as a result of disease connected with service at the front, shall be awarded a pension at one of the following percentages of his earnings before being called up:

(a) If he is an invalid in group I—100 percent of the earnings up to 500 rubles a month and 10 percent of any earnings in excess of that figure;

(b) if he is an invalid in group II—90 percent of the earnings up to 450 rubles a month and 10 percent of any earnings in excess of that figure;

(c) if he is an invalid in group III—65 percent of the earnings up to 400 rubles a month and 10 percent of any earnings in excess of that figure.

Any person serving with the Armed Forces as a national service private who before being called up was employed on work below ground, in unhealthful conditions or in workplaces with a high temperature, and who becomes an invalid from any of the above-mentioned causes, shall be awarded a pension at the following privileged rates:

(a) If he is an invalid in group I—100 percent of the earnings up to 600 rubles a month and 20 percent of any earnings in excess of that figure;

(b) if he is an invalid in group II—90 percent of the earnings up to 600 rubles a month and 20 percent of any earnings in excess of that figure;

(c) if he is an invalid in group III—65 percent of the earnings up to 600 rubles a month and 20 percent of any earnings in excess of that figure.

Any person serving with the Armed Forces as a national service private who before being called up was employed on other types of work where the working conditions are exacting, and who becomes an invalid as a result of any of the above-mentioned causes, shall be awarded a pension at one of the following privileged rates:

(a) If he is an invalid in group I—100 percent of the earnings up to 500 rubles a month and 15 percent of any earnings in excess of that figure;

(b) if he is an invalid in group II—90 percent of the earnings up to 500 rubles a month and 15 percent of any earnings in excess of that figure;

(c) if he is an invalid in group III—65 percent of the earnings up to 500 rubles a month and 15 percent of any earnings in excess of that figure.

The minimum rate of the pension shall be 385 rubles a month for in-

validity group I, 285 rubles a month for group II, and 210 rubles a month for group III.

The maximum rate of the pension shall be 1,200 rubles a month for invalidity group I, 900 rubles a month for group II and 450 rubles a month for group III.

40. Any person serving with the Armed Forces as a national service private who was an employed person prior to conscription and who becomes an invalid as a result of any injury unconnected with the performance of military service duties, or as a result of disease unconnected with service at the front, shall be awarded a pension at the following percentage of his earnings before being called:

(a) If he is an invalid in group I—85 percent of the earnings up to 500 rubles a month and 10 percent of any earnings in excess of that figure;

(b) if he is an invalid in group II—65 percent of the earnings up to 450 rubles a month and 10 percent of any earnings in excess of that figure;

(c) if he is an invalid in group III—45 percent of the earnings up to 400 rubles a month and 10 percent of any earnings in excess of that figure.

Any person serving with the Armed Forces as a national service private who before being called up was employed on work below ground, in unhealthful conditions or in workplaces with a high temperature, and who becomes an invalid from any of

the above-mentioned causes, shall be awarded a pension at the following privileged rates:

(a) If he is an invalid in group I—85 percent of the earnings up to 600 rubles a month and 20 percent of any earnings in excess of that figure;

(b) if he is an invalid in group II—65 percent of the earnings up to 600 rubles a month and 20 percent of any earnings in excess of that figure;

(c) if he is an invalid in group III—45 percent of the earnings up to 600 rubles a month and 20 percent of any earnings in excess of that figure.

Any person serving with the Armed Forces as a national service private who before being called up was employed on other types of work where working conditions are exacting and who becomes an invalid from any of the above-mentioned causes shall be awarded a pension at the following privileged rates:

(a) If he is an invalid in group I—85 percent of the earnings up to 500 rubles a month and 15 percent of any earnings in excess of that figure;

(b) if he is an invalid in group II—65 percent of the earnings up to 500 rubles a month and 15 percent of any earnings in excess of that figure;

(c) if he is an invalid in group III—45 percent of the earnings up to 500 rubles a month and 15 percent of any earnings in excess of that figure.

The minimum rate of the pension shall be 330 rubles a month for invalidity group I, 230 rubles a month for group II, and 160 rubles a month for group III.

The maximum rate of the pension shall be 900 rubles a month for invalidity group I, 600 rubles a month for group II, and 400 rubles a month for group III.

41. As amended on May 7, 1960. For nonworking invalids of group I and II of the group of servicemen specified in articles 39 and 40 of this law, having dependents unable to work in their family, there is established an increase (in the limit of the maximum size of pensions): for one member of the family unable to work—10 percent of the pension; for two or more members of the family unable to work—15 percent of the pension.

For invalids of group I of the group of servicemen, designated in those same articles of this law, there is established an addition for the care of the invalid in the amount of 15 percent of the pension, and for nonworking invalids of group II—an increase in the amount of 10 percent of the pension (within the limits of the maximum sizes of the pensions).

42. The family of a person with the Armed Forces as a national service private who was employed before being called up and who died as a result of wounds, contusion or injury incurred in the defense of the U.S.S.R. or while performing other military service duties, or as a result of disease connected with service at the front, shall be awarded a

pension at the appropriate rate under article 33 of this Act according to the breadwinner's last type of employment and his earnings prior to being called up.

43. The family of a person serving with the Armed Forces as a national service private who was employed before being called up and who died as a result of an injury received in an accident unconnected with the performance of military service duties, or as a result of disease unconnected with service at the front, shall be awarded a pension at the appropriate rate under article 34, according to the breadwinner's last type of employment and his earnings before being called up.

44. In the case of a person serving with the Armed Forces as a national service sergeant or senior N.C.O., corporal or petty officer who was employed before being called up, or the family of such person, the pension calculated under article 39, 40, 41, 42 or 43 shall be increased by 10 percent (without exceeding the maximum rate of pension) and the minimum rate shall likewise be 10 percent higher.

45. Any person serving with the Armed Forces as a national service private who was not employed before being called up and who becomes an invalid as a result of wound, contusion or injury incurred in the defense of the U.S.S.R. or when performing other military service duties or as a result of a disease connected with service at the front shall be awarded a pension at the following rates:

(a) If he is an invalid in group I—385 rubles a month;

(b) if he is an invalid in group II—285 rubles a month;

(c) if he is an invalid in group III—210 rubles a month.

46. Any person serving with the Armed Forces as a national service private who was not employed before being called up and who becomes an invalid as a result of an injury received in an accident not connected with the performance of military service duties or as a result of a disease not connected with service while at the front shall be awarded a pension at one of the following rates:

(a) If he is an invalid in group I—330 rubles a month;

(b) if he is an invalid in group II—230 rubles a month;

(c) if he is an invalid in group III—160 rubles a month.

47. As amended on May 7, 1960. For nonworking invalids of groups I and II of the group of servicemen, designated in articles 45 and 46 of this law, having dependent members of the family unable to work, there is established an increase: for one member of the family unable to work—10 percent of the pension; for two or more members of the family unable to work—15 percent of the pension.

For invalids of group I of the group of servicemen, designated in those same articles of this law, there is established an increase in the care for invalids in the amount of 15 percent of the pension, and for invalids of group II unable to

work—an increase in the amount of 10 percent of the pension.

48. The family of a person serving with the Armed Forces as a national service private who was not employed before being called up shall be awarded a pension at the following rates (regardless of the cause of the breadwinner's death):

(a) Three or more dependents incapable of working—300 rubles a month;

(b) two dependents incapable of working—230 rubles a month;

(c) one dependent incapable of working—160 rubles a month.

49. In the case of a person serving with the Armed Forces as a national service sergeant, senior N.C.O., corporal or petty officer who was not employed before being called up, or the family of such person, the pension under article 45, 46, 47, or 48 shall be increased by 10 percent.

50. Any person serving with the Armed Forces as a national service private, sergeant or senior N.C.O. who before being called up worked as a member of a cooperative craft society (artel) shall be awarded a pension on the same basis as a member of the Armed Forces who was previously an employed person.

The family of a person serving with the Armed Forces who before being called up worked as a member of a cooperative craft society shall receive a pension on the same basis as the family of such person who was previously an employed person.

51. [As amended on May 7, 1960]. In the granting of pensions to persons serving as regular privates, sergeants, and senior non-commissioned officers in the Armed Forces, or to their families, the provisions of articles 18 (first paragraph), 19, 26, 27, 28, 29, 30, 31, 32, and 37 of this law shall apply, where appropriate. Article 36(a) shall apply when appropriate in cases of families of persons in the Armed Forces who were wage and salary earners or members of industrial co-operatives before being called up for military service.

For invalids of groups I and II, having some sort of earnings, the pension will be paid in full, regardless of the earnings.

For working invalids of group III, the pension is paid in such an amount that the pension and the earnings received do not together exceed the total earnings before the award of the pension; but in all cases, not less than 50 percent of the designated pension will be paid.

52. Pensions for generals, admirals, officers and persons serving as privates, sergeants and senior N.C.O.'s on voluntarily extended service and equivalent personnel, and pensions for their families, shall be provided in such manner and at such rates as may be laid down by the Council of Ministers of the U.S.S.R.

If the persons mentioned in this article have not at the time when they cease service acquired rights to the pensions established for army personnel of their rank, they and their dependents may have

pensions attributed to them within the limits established by this act for employed persons and their dependents, irrespective of whether they formerly worked as employed persons.

VI. Calculation of Pensions

53. Pensions shall be calculated on the average monthly net earnings. The said earnings shall include all types of pay on which insurance contributions are calculated, with the exception of overtime pay, pay for concurrent subsidiary employment, and all forms of nonrecurrent payment. Annual seniority bonuses shall be included in the earnings on which the pension is calculated.

The average monthly earnings shall be calculated on the last 12 months of employment or, if the pension claimant so desires, on any consecutive period of 5 years during the last 10 years preceding the pension claim.

54. If an employee pensioner or Armed Forces pensioner works after the award of the pension for 2 years or more at a rate of earnings higher than the rate of pension, his pension shall be recalculated on the higher earnings.

55. Pensions, together with all supplements, shall not exceed the maximum pension rates and shall not be more than 100 percent of the earnings on which the pension is calculated. In no case shall the pension, together with all supplements, be less than the minimum pension rate.

The pensions awarded to invalids in group I, and to families with three or more persons incapable of working who have lost their breadwinner, may exceed 100 percent of the earnings on which the pension is calculated.

56. In the case of pensioners permanently resident in rural localities and engaged in agriculture, the pensions (and the minimum and maximum rates thereof) shall be 85 percent of the standard rates laid down in this Act.

VII. Mode of Bringing the Act into Effect

57. Old-age, invalidity, and survivors' pensions awarded prior to the enactment of this Act shall be paid on the following basis:

(a) In the case of pensioners entitled to a higher rate under this act, the pension shall be increased to the rate prescribed in this act;

(b) the pensions of other pensioners shall continue at the previously established rate, but shall not be lower or higher than the minimum and maximum rates laid down in this act;

(c) employed pensioners shall be paid their pensions in accordance with articles 15, 27, and 37 of this act.

58. The pensions at the end of a specified period of service, as established in Orders of the Government of the U.S.S.R. for certain categories of specialists (teachers, medical personnel, etc.), that have

been awarded prior to the commencement of this act shall be maintained.

The Council of Ministers of the U.S.S.R. shall be responsible for prescribing the future mode of granting and paying such pensions (the categories of workers entitled to such pensions; minimum and maximum rates of pensions previously awarded and of those reawarded; the rate of pension payable to employed pensioners, etc.).

59. The pension provisions for scientific workers and their families, as laid down in the regulations for the pension scheme for scientific workers confirmed by the Council of Ministers of the U.S.S.R., shall be maintained. In the future, pensions to scientific workers and their families shall be either awarded in accordance with the said regulations or, if the recipient so desires, in accordance with this act.

60. The Council of Ministers of the U.S.S.R. shall on the basis of this act issue regulations for the award and payment of state pensions. The said regulations shall, among other things, specify the pension rates payable to citizens covered by items (c) and (d) of article 1 of this act and to their families.

The Council of Ministers shall also be responsible for issuing Regulations as to the mode of providing personal pensions for citizens who have given outstanding services to the state and pensions for their families.

61. This act shall become effective on October 1, 1956.

For the purpose of further improvement of the material well-being of the workers, the Council of Ministers of the U.S.S.R., the Central Committee of the Communist Party of the Soviet Union and the All-Union Central Council of the Trade Unions (AUCCTU) decide:

1. That until the measures for the general regulation of wages, of wage and salary earners are put into effect, the wages of the lower paid wage and salary earners be fixed from January 1, 1957, as follows:

(a) For wage and salary earners occupied directly in industrial enterprises, construction, and enterprises of transportation and communication—not less than 300-350 rubles per month.

(b) for other wage and salary earners, and also for junior service personnel and for workers guarding industrial enterprises, construction sites, and enterprises of transportation and communication in cities and in workers' settlements—not less than 300 rubles and in rural areas, not less than 270 rubles per month.

An increase in wages will go to wage and salary earners whose wages or salaries are below the indicated minimums.

2. That premiums to workers and employees for fulfillment and overfulfillment of the norms of production, the payment for overtime work, for work on holidays and at night, the wage increment for long service, and also the wage increment

for work in the regions of the Far North and areas placed on the same footing with them, in waterless and high mountain regions, will be paid in addition to the minimums indicated in section 1 of this Decree.

These payments are calculated according to the prevailing wage rates and salary schedules of enterprises and establishments.

3. To instruct the ministries and administrators of departments of the U.S.S.R. and the councils of ministers of the union republics to establish within a month's time the minimum wages for various branches within the limits indicated in subsection (a) of section 1 of this Decree in agreement with the U.S.S.R. Council of Ministers' State Committee on Questions of Labor and Wages and the AUCCTU.

4. To establish that in those cases where the wage and salary earners have worked less than a month, the amount of earnings is fixed in proportion to the time worked in the given month.

5. To pay the wages of students in enterprises, construction, organizations, and establishments in accordance with existing regulations.

To pay the wages of wage and salary earners in training for new jobs in accordance with section 1 of this Decree.

^{27/} Trud, September 9, 1956, p. 1. Also, Sobranie Postanovlenii SSSR (Collection of Decisions of the U.S.S.R.), 1957, No. 2, item 5.

6. To recognize that it is essential to abolish from January 1, 1957, the collection of income tax and the tax on U.S.S.R. bachelors, single people, and citizens with small families as well as wage and salary earners and students receiving wages or a stipend of less than 370 rubles a month.

To submit for approval to the Presidium of the Supreme Council of the U.S.S.R. a draft of a law providing for the raising of the amount

of the minimum wage of wage and salary earners not subject to taxation.

7. To provide in the national economic plan and in the state budget for 1957 the funds needed to implement the measures providing for the increase in wages of low-paid wage and salary earners in the amount of 8 billion rubles, which will assure an increase in wages of about 33 percent on the average for the indicated group of wage and salary earners.

With a view to further strengthening the protection of young workers, the Presidium of the Supreme Soviet of the U.S.S.R. decrees:

1. To forbid the hiring for work of persons under 16 years of age.

In exceptional cases, where the factory, plant, or local trade union committees approve, persons 15 years of age may be hired.

The Presidiums of the Supreme Soviets of the union republics must enact corresponding changes in their labor codes.

2. In partial change of the Decree of the Presidium of the Supreme Soviet of the U.S.S.R. of August 15, 1955, "Vacations and Condi-

tions of Work of Youths," article 1 of this decree is amended to read as follows:

"To establish for 15-year-old apprentices in individual and brigade training, as well as for other 15-year-old workers a working day of 4 hours."

28/ Ukaz Prezidiuma Verkhov-nogo Soveta SSSR (Decree of the Presidium of the Supreme Soviet of the U.S.S.R.), December 13, 1956. Vedomosti Verkhovnogo Soveta SSSR (Gazette of the Supreme Soviet of the U.S.S.R.), 1956, No. 24, item 529. Also in Sbornik zakonodatel'nykh aktov o trude (Collection of Legislative Acts on Labor), Moscow, Gosyurizdat (State Publishing House of Juridical Literature), 1960, p. 408.

Standard Factory and Office Regulations Concerning Employees
in State, Cooperative, and Public Enterprises and Estab-
lishments, 29/ January 12, 1957

I. General Provisions

1. In conformity with article 130 of the Constitution of the Union of Soviet Socialist Republics, every citizen of the U.S.S.R. is obliged to observe labor discipline.

In the Soviet Union, labor discipline is based on the conscientious attitude of citizens toward work.

2. The purpose of factory and office regulations is to assure the strengthening of Socialist discipline of labor, the proper organization and the safe conditions of work, the full and efficient utilization of working time, the increase in productivity of labor, and the production of good quality merchandise.

II. Procedure for Hiring and Dismissing Employees

3. At the time of hiring, the management of the enterprise (establishment) must demand from the new employee:

(a) The submission of his workbook [see the Decision of December 20, 1938] and, if the employee is beginning his first job, the submission of a reference from the manager of the house in which he lives or from the village Council concerning his present status (e.g., student);

(b) the submission of a passport, in conformity with the law on passports.

It is not permitted to hire anyone who has not submitted these documents.

When the job calls for special training, the management may demand from the employee the submission of a diploma or other document attesting his graduation from a higher or secondary specialized educational institution.

Hiring is formalized by an order (directive) or by a record made by the management.

4. When an employee begins his new job, management is obliged:

(a) To explain to him his rights and duties, how he will be paid for his work, to acquaint him with his work, how he is to handle his lathe, machine, or tools;

(b) to acquaint him with factory or office work regulations, to instruct him in safety techniques, production sanitation, and fire prevention.

29/ Approved by a decision of January 12, 1957, of the U.S.S.R. Council of Ministers' State Committee on Wage and Labor Questions, after consultation with the All-Union Central Council of Trade Unions. Sbornik zakonodatel'nykh aktov o trude (Collection of Legislative Acts on Labor). Moscow, Gosyurizdat (State Publishing House of Juridical Literature), 1960, pp. 416-421.

5. Persons beginning their first job must be given a workbook within 5 days after being hired.

Management must give a wage-record book to all employees 5 days after they are hired, if they are paid according to piece rates.

6. Dismissal is formalized by an order (directive) or by a record of dismissal made by the management.

7. Employees who desire to quit their jobs must give 2 weeks' notice to the management of the enterprise or establishment. After the 2 weeks have passed, management does not have the right to hold up the settlement of wage accounts and the release of the employee desiring to quit.

8. On the day the employee is separated from his job, management must give him his workbook, in which has been noted his separation from the job, and settle accounts with him. At this time, the reason for separation must be noted (in the workbook) precisely in conformity with the provisions of effective labor legislation or with citation of the appropriate article (clause) of effective legislation.

III. Basic Obligations of Management and Employees

9. The management of an enterprise (establishment) is obligated:

(a) To organize the work of employee properly, so that every employee will work according to his specialty and qualification;

(b) to supply the employee before he begins his new job—when regulations call for it—with work clothing, instruments, materials, and spare parts;

(c) to assign to every employee a definite working place, lathe, machine, etc.;

(d) to ensure the good condition of machines, lathes, and other equipment;

(e) to create conditions for every kind of growth of labor productivity, for the promotion of inventions by employees, for the wide dissemination of the experience of leading workers, for the acquisition of more than one trade by workers; to introduce technically determined work quotas, new techniques and technology, to modernize existing equipment, to mechanize arduous and labor-consuming work;

(f) to strengthen labor and production discipline;

(g) to observe the laws and regulations relating to the protection of labor, including the strict observance of the established routine of daily work, to implement the measures relating to safety techniques and production sanitation (to instruct employees on safe methods of work, to supply factory and office employees with drinking water, to equip washrooms and cloakrooms, to supply special work clothing, protective devices, etc.);

(h) to pay wages on fixed dates;

(i) to ensure a systematic rise in the work and business qualifications of factory and office employees;

(j) to adopt measures for improving the living conditions of employees, to consider carefully their needs and demands.

10. Employees are obliged:

(a) To work honestly and conscientiously;

(b) to observe labor discipline and factory and office regulations; to come to work on time; to put in a full day's work; to utilize all the working time exclusively for production work and official duties; to execute promptly and accurately the instructions of management;

(c) to perform assigned or required work promptly and thoroughly; to fulfill work quotas and to try to overfulfill them; to observe technological discipline strictly, to permit no waste and to achieve high-quality results in work;

(d) to protect socialist property: machines, lathes, tools, materials, special work clothing, etc.;

(e) to observe fully the requirements of safety techniques, production sanitation, and fire prevention, as prescribed by applicable regulations and instructions, to use the issued special work clothing and protective devices;

(f) to keep one's working place in order and clean, and also to maintain cleanliness in the workshop and on the grounds of the enterprise, and to pass on one's workplace to the worker on the next shift in an orderly and clean condition.

IV. Working Time and Its Utilization

11. [This article indicates that every enterprise or establishment will have fixed times for the beginning and closing of each shift, and for the meal break; as many as three shifts are indicated.]

12. Where there are shifts, workers will take turns regularly. The change from one shift to another must, as a rule, take place every week.

13. The beginning and the end of work in an enterprise (establishment), and also the break in work, shall be announced by whistles or other signals.

14. Every employee must sign in before beginning work, and sign out at the end of the workday, as prescribed by the enterprise (establishment).

15. Timeboards and other means of recording arrivals and departures shall be available a half hour before the beginning of work and a half hour after close of work. Management is responsible for the accurate recording of arrivals and departures of workers.

There must be a clock in correct operation near the place of recording.

16. In enterprises where the work is continuous, an employee on one shift is forbidden to leave work before the arrival of the worker taking over his work on the next shift.

In case the worker scheduled to work on the next shift fails to ap-

pear, the employee on the job will inform his foreman who will immediately take steps to find someone to relieve the employee.

17. At jobs where breaks in work do not take place, employees must be allowed to eat on working time at designated places.

18. It is forbidden, during working time:

(a) To divert employees from their regular work, to summon or take them off their jobs for the purpose of performing public duties;

(b) to call general meetings, special meetings, or any type of conference on public matters.

V. Incentive Measures

19. Management will reward employees for conscientious and exemplary performance of their job requirements, for innovation in work, for inventions and efficiency suggestions, for length of service and irreproachable work in the same enterprise, and for other achievements in work.

20. The following incentive measures are established:

(a) An expression of appreciation;

(b) an award of an honorary certificate;

(c) the placing of the name in the book of honor, on the board of honor;

(d) the granting of the title of best worker in his type of job;

(e) a money award;

(f) an award of a valuable gift.

The awards will be made by the manager of the enterprise (establishment) after agreement with the factory (or local) trade union committee.

The rewards will be announced in orders or directives and will be recorded in the employee's workbook, as prescribed by regulations.

VI. Measures to Counter Violations of Labor Discipline

21. A violation of labor discipline entails a disciplinary penalty:

22. Management may impose the following disciplinary penalties for the violation of labor discipline:

(a) A warning (a formal recognition of the violation);

(b) a reprimand;

(c) a severe reprimand;

(d) the transfer of the employee to a lower paid job, or one with lesser responsibilities, for a period of up to 3 months.

The indicated disciplinary penalties are to be imposed by the manager of the enterprise (establishment), or by other responsible officials, a list of whom is approved by the ministry (department).

23. In case an employee is absent without a valid reason the man-

ager of the enterprise (establishment) will apply one of the following measures;

(a) The disciplinary penalties enumerated in article 22 of these regulations;

(b) the suspension for 3 months of the employee's right to receive a percentage wage increment for length of service, or the reduction up to 25 percent of the one-time reward for length of service in enterprises or establishments where wage increments and rewards for length of service are established;

(c) the dismissal of the employee with a note in his workbook that he was dismissed for being absent from work without a valid reason.

Absence ("progul") means the nonappearance at work without a valid reason during the whole day of work.

Employees reporting to work in a drunken condition will be considered absent.

24. The manager of the enterprise (establishment) has the right, at his discretion, not to use any one of the penalties prescribed in articles 22 and 23, but to transmit documents involving the violation of labor discipline to the comradely court for review [the comradely court of 5 to 15 members is elected at a general meeting of employees in enterprises with at least 100 employees].

25. The penalties are to be imposed by management immediately upon the discovery of a violation.

The violator of labor discipline must be heard before a penalty is imposed.

Management must impose a penalty within a month from the day the violation has been discovered.

A disciplinary penalty cannot be imposed if 6 months have elapsed after the occurrence of the violation [i.e., if the violation has not been discovered within 6 months].

26. Only one disciplinary penalty can apply to each violation of labor discipline.

27. The penalties are announced in orders or directives and are delivered to employees who must sign an acknowledgment of their receipt.

28. If for 1 year after the day of the imposition of the penalty, the employee shall receive no other disciplinary penalty, he shall be considered as not having undergone a disciplinary penalty.

29. If an employee has not committed an additional violation of labor discipline and has shown himself to be a good and conscientious worker, then the manager of the enterprise (establishment) can issue an order (directive) canceling the penalty that had been imposed, without waiting for a year to pass.

The factory regulations must be posted in workshops (divisions) in conspicuous places.

(A) Decree of the Presidium of the Supreme Soviet of the U.S.S.R. to approve regulations for the procedure to be followed in examining labor disputes.

The Presidium of the Supreme Soviet of the U.S.S.R. hereby resolves to:

1. Approve the regulations presented by the Council of Ministers of the U.S.S.R. and the All-Union Central Council of Trade Unions for the procedure to be followed in examining labor disputes;

2. recognize that the regulations for dealing with labor disputes by conciliation and arbitration and judicial procedure, approved by the Order of August 29, 1928, of the Central Executive Committee and the Council of People's Commissars of the U.S.S.R. have ceased to have effect.

(B) Regulations for the procedure to be followed in examining labor disputes.

I. General Provisions

1. Labor disputes shall be examined by:

(a) Labor disputes boards;

(b) factory, works, and local^{31/} trade union committees; and

(c) people's courts.

2. Labor disputes boards shall be set up in undertakings, institu-

tions, and organizations and shall operate on the basis of these regulations.

3. The procedure for the examination of labor disputes by factory, works, and local trade union committees shall be governed by the rules set forth herein.

4. The procedure for the examination in people's courts of cases involving labor disputes shall be determined by these regulations and by the Code of Civil Procedure of the Union Republic.

II. Organization of Labor Disputes Boards

5. The labor disputes boards set up in undertakings, institutions, and organizations shall be composed of an equal number of permanent representatives of the factory, works, or local trade union committee on

^{30/} Ukaz Prezidiuma Verkhovnogo Soveta SSSR (Decree of the Presidium of the Supreme Soviet of the U.S.S.R.), January 31, 1957. Vedomosti Verkhovnogo Soveta SSSR (Gazette of the Supreme Soviet of the U.S.S.R.), 1957, No. 4, item 58. Also in Sbornik zakonodatel'nykh aktov o trude (Collection of Legislative Acts on Labor), Moscow, Gosyurizdat (State Publishing House of Juridical Literature), 1960, pp. 447-453.

Translation by the International Labour Office, 1957.

^{31/} The term "local" is applied here to committees set up in the nonindustrial sector.

the one hand and of the management of the undertaking, institution, or organization on the other.

The number of representatives on each side shall be determined by agreement between the factory, works, or local trade union committee and the management.

Workshop labor disputes boards may be set up in workshops and other production units of undertakings having workshop trade union committees.

6. The representatives of the trade union shall be appointed to the labor disputes board by decision of the factory, works, or local trade union committee (or by decision of the workshop trade union committee in the case of a workshop labor disputes board) from among the trade union committee members; the representative of the management shall be appointed by order of the director of the undertaking, institution or organization (workshop).

The director of the undertaking, institution or organization (workshop) may sit on the board as a representative of management, and the chairman of the factory, works, or local (workshop) trade union committee as a representative of the trade union organization.

The representatives of both sides shall be appointed to the board for the duration of the factory, works, or local (workshop) trade union committee's term of office.

7. In undertakings, institutions and organizations having no factory, works, or local trade union

committee, the labor disputes board shall consist of the trade union organizer and the director of the undertaking, institution, or organization.

8. The duties of chairman and secretary at meetings of the board shall be performed in turn by a representative of the trade union committee and a representative of management: Provided that the duties of chairman and secretary shall not be performed at one and the same meeting by representatives of the same side.

At each meeting, the two sides shall appoint a chairman and secretary for the next meeting, who shall be responsible for its preparation and convocation.

9. The technical services required by the labor disputes board (clerical work, custody of files, distribution of extracts from minutes of the meetings, etc.) shall be provided by the undertaking, institution, or organization. The management shall appoint an employee of the undertaking, institution, or organization (workshop) to be responsible for the provision of such services.

III. Questions Examined by Labor Disputes Boards

10. The labor disputes boards shall be the compulsory agencies of first instance for the examination of all labor disputes arising in undertakings, institutions and organizations between wage and salary earners on the one hand and the management on the other, including disputes relating to the following:

(a) The application of the prescribed standards of output and the rates therefor, and likewise the working conditions devised to ensure that such standards are fulfilled;

(b) dismissal or transfer to other work;

(c) payment in respect of stoppages and defective work;

(d) payment for work done in different grades;

(e) payment for unfinished piecework;

(f) payment for time laid off;

(g) payment for overtime;

(h) entitlement to, and amount of, bonuses payable under the wage system;

(i) payment in the event of failure to fulfill the prescribed standards of output;

(j) rates of pay during periods of probation;

(k) cash compensation for leave not taken;

(l) the provision of working clothes and special meals or, where appropriate, the payment of cash in lieu thereof;

(m) stoppages of pay for material damage to the undertaking, institution or organization;

(n) severance pay.

The boards shall also be the compulsory agencies for the examina-

tion of other disputes relating to the application of labor legislation, collective agreements, and contracts, and rules of employment, with the exception of disputes relating to the questions listed in section 11.

11. A labor disputes board shall not be competent to examine disputes relating to the following:

(a) The dismissal, reinstatement or transfer to other work of employees holding the posts specified in Schedule 1, and likewise the imposition of disciplinary penalties upon such employees;

(b) the imposition of disciplinary penalties on persons subject to disciplinary codes;

(c) the determination of salaries and wage rates;

(d) changes in staffing scales;

(e) the calculation of the period of employment for the purposes of state social insurance benefits and pensions, the rates of such benefits and pensions and the calculation of the period of employment for the purposes of the privileges and advantages instituted by existing legislation;

(f) the provision and allocation of living accommodation and the satisfaction of the workers' daily needs.

IV. Procedure to be Followed in the Work of Labor Disputes Boards

12. A labor dispute shall be examined by the board if the em-

ployee has failed to settle his differences in the course of direct negotiation with the management of the undertaking, institution or organization.

13. Grievances submitted to the board shall be received by the factory, works, or local (workshop) trade union committee.

14. Every labor dispute shall be examined by the board within 5 days of the submission of the grievance.

15. Every dispute shall be examined by the board in the presence of the employee submitting the grievance. A dispute may be examined in the absence of the employee only with the written consent of the latter.

Should an employee who has submitted a grievance fail to appear at the meeting of the board, the examination of the grievance shall be postponed until the next meeting. Should the employee again fail to appear without a valid reason, the board may decide to abstain from examining the grievance.

16. The board shall have power to summon witnesses, instruct individual persons to verify technical details and bookkeeping records and require the management to produce documents and accounts.

17. Meetings of the board shall be held outside working hours.

In undertakings, institutions, and organizations working two or three shifts, the times of meetings shall be so arranged that the employ-

ees and witnesses concerned may attend such meetings outside their hours of work.

18. At the beginning of any meeting of a board, the employee concerned shall have the right to object to the participation of any member in the examination of the dispute, and shall cite his reasons for so doing.

A decision on the objection shall be taken:

(a) In the case of a representative of management, by the director of the undertaking, institution or organization (workshop);

(b) in the case of a representative of the trade union, by the factory, works, or local (workshop) trade union committee.

19. The decisions of the board shall be taken only with the agreement of both sides; such decisions shall be binding and shall not be subject to any confirmation whatsoever.

The decisions of the board shall be substantiated and shall be based on existing labor legislation, the collective agreement, the contract and rules of employment, and existing regulations and instructions.

20. The decisions of the board with respect to monetary claims shall indicate the exact sum payable to the employee.

21. In examining disputes relating to monetary claims, the board shall have power to order the pay-

ment to the employee of any sums owed him for the period prior to the submission of the grievance, subject to a maximum of 3 months (or the last 2 working years in the case of disputes relating to compensation for leave not taken).

22. Minutes shall be taken in the prescribed form (Schedule 2) at every meeting of the board; these minutes shall be signed at the meeting itself. If agreement is not reached, the minutes of the meeting shall indicate the proposals submitted by each side and shall record that agreement was not reached.

Copies of the minutes of the meeting shall be presented within 3 days to the factory, works, or local trade union committee and to the management of the undertaking, institution or organization. Extracts from the minutes shall be presented or posted to the employee concerned within the same period.

Minutes of meetings of the board shall be displayed in prominent places for the information of the wage and salary earners.

23. If no agreement is reached by the board during its examination of a labor dispute, the employer concerned shall have the right to apply within 10 days to the factory, works, or local trade union committee for a settlement.

24. An employee shall have the right to appeal to the factory, works, or local trade union committee against the decision of the labor disputes board within 10 days of his receiving extracts from the minutes of the meeting.

Should an employee not agree with a decision on a labor dispute taken by a board consisting of the trade union organizer and the director of the undertaking, institution, or organization (section 7), he may within the same period apply for a settlement to the people's court.

V. Workshop Labor Disputes Boards

25. Workshop labor disputes boards shall be set up and shall operate on the same principles as factory boards.

Workshop labor disputes boards shall not be competent to examine disputes relating to the following:

(a) Transfers to work outside a given workshop; or

(b) dismissals due to reductions in staff.

Disputes relating to these questions shall be examined by the factory boards.

26. If no agreement is reached by the workshop board, the dispute may be submitted for examination by the factory board, at the request of the employee concerned, within 10 days of his receiving extracts from the minutes of the meeting of the workshop board.

27. An employee shall have the right to appeal to the factory board against a decision of the workshop board within 10 days of his receiving extracts from the minutes of the meeting of the latter. The factory board may either uphold the decision of the workshop board or quash it

and take a new decision on the substance of the dispute.

If the factory board fails to reach agreement on a dispute on which the workshop board likewise failed to reach agreement, the employee concerned shall have the right to apply within 10 days to the factory, works, or local trade union committee for a settlement.

VI. Procedure to be Followed in the Examination of Labor Disputes by Factory, Works, and Local Trade Union Committees

28. Factory, works, and local trade union committees shall examine:

(a) Applications for the settlement of labor disputes on which the factory board has failed to reach agreement;

(b) appeals by employees against decisions of the factory board.

Factory, works, and local trade union committees shall examine applications and appeals relating to labor disputes within 7 days.

29. In examining appeals against decisions of the labor disputes board, the factory, works, or local trade union committee may either uphold the decision of the board or quash it and take a new decision on the substance of the dispute.

Where the factory, works, or local trade union committee takes a new decision on the substance of a dispute, it shall consult the views of

the management of the undertaking, institution or organization on the point at issue.

The decisions taken on labor disputes by the factory, works, or local trade union committee shall be substantiated and shall be based on existing labor legislation, the collective agreement, the contract and rules of employment, and existing regulations and instructions.

30. When examining a labor dispute on which the factory board has failed to reach agreement, the factory, works, or local trade union committee shall acquaint itself with all the evidence in the case, hear a statement by the employee concerned and consult the views of the management of the undertaking, institution or organization, after which it shall take a decision on the substance of the dispute.

The decisions taken by the factory, works, or local trade union committee on labor disputes relating to monetary claims shall indicate the exact sum payable to the employee.

31. Should an employee not agree with a decision on a labor dispute taken by the factory, works, or local trade union committee, he may, within 10 days of receiving notice of the committee's decision, apply to the people's court for an examination of the dispute.

32. The management of an undertaking, institution, or organization may, within the period specified in section 31, apply to the people's court for a settlement of a labor dispute if it considers that

the decision taken thereon by the factory, works, or local trade union committee conflicts with existing legislation.

VII. Examination by Higher Authorities of Labor Disputes Relating to the Dismissal and Transfer to Other Work of Various Categories of Employees and the Imposition of Disciplinary Penalties Upon Them

33. Labor disputes relating to the dismissal, reinstatement and transfer to other work of employees holding the posts specified in Schedule 1 and likewise the imposition of disciplinary penalties upon such employees shall be settled by the next higher authority.

34. The director of the higher authority shall examine the grievance within 5 days and shall immediately inform the employee concerned of the results of such examination.

If the dismissal or transfer of an employee is found to be unjustified, the director of the higher authority shall issue an order for him to be reinstated in his former post and for him to be remunerated, in accordance with existing legislation, for any period of enforced idleness or paid the difference in wages for any period spent in lower paid employment.

VIII. Enforcement of Decisions Taken by Labor Disputes Boards and Factory, Works, and Local Trade Union Committees

35. The decisions of labor disputes boards and factory, works, and local trade union committees shall be carried out by the management of the undertaking, institution,

or organization within 10 days if no other time limit is specified therein.

36. If the management of an undertaking, institution, or organization fails to carry out the decision of a labor disputes board within the period specified in section 35, the factory, works, or local trade union committee shall issue the employee concerned with a document having the force of a writ of execution (Schedule 3 not appended in this compilation).

37. A document having the force of a writ of execution (Schedule 3) shall likewise be issued to the employee concerned if the management of the undertaking, institution, or organization fails to carry out, within the period specified in section 35, a decision taken on the substance of a labor dispute by the decision of the factory, works, or local trade union committee.

The document referred to in this section shall not be issued if the employee or the management applies to the people's court within the specified period for a settlement of the dispute.

38. An employee may apply for the document referred to in sections 36 and 37 within 1 month of his receiving extracts from the minutes of the meeting of the labor disputes board or of his being notified of the factory, works, or local trade union committee

39. On the basis of the document issued by the factory, works, or local trade union committee a court bailiff shall have power, where such document is presented to him within 3 months, to enforce the

decision taken by the labor disputes board or by the factory, works, or local trade union committee.

40. If there is delay on the part of the management of the undertaking, institution, or organization in carrying out a decision by the labor disputes board or the factory, works, or local trade union committee to reinstate an employee who has been unjustifiably dismissed or transferred to other work, the factory, works, or local trade union committee shall take a decision to pay him his wages for any period of enforced idleness (if he was unjustifiably dismissed) or any difference in his wages (if he was unjustifiably transferred).

In this case, the wages or difference in wages shall be payable for the entire period from the date on which the decision on the labor dispute was taken to the date on which it was enforced.

A decision taken within the meaning of this section by a factory, works, or local trade union committee shall be enforced by a court bailiff on the basis of an appropriate document issued by the trade union committee (Schedule 3).

Schedule 1

List of Categories of Employees Whose Labor Disputes in Connection With Dismissal, Reinstatement, Transfer to Other Work or the Imposition of Disciplinary Penalties Are Not Subject to Examination by Labor Disputes Boards But Are Settled by Higher Authorities

1. Directors of undertakings, institutions, organizations, con-

struction administrations, and economic units, and likewise their deputies and assistants; heads (directors) of shops, public catering establishments, public utilities, depots and warehouses, and likewise their deputies (with the exception of heads of shops, public catering establishments, and warehouses who have no employees subordinate to them).

2. Chief engineers; senior physicians, and chief accountants (senior accountants, where there are no chief accountants) and likewise their deputies; chief designers, chief mechanics, chief electricians, and other senior specialists.

3. Superintendents of workshops (including laboratories and studios having the status of workshops); senior foremen and foremen; superintendents of construction sites and senior overseers; directors (heads) of departments in undertakings; superintendents of production units and services; foresters in forestry undertakings.

4. Directors of administrations, departments, and other similar subdivisions of ministries, agencies, and institutions of the Union and of the republics, territories and regions, and likewise their deputies; heads of sections of executive committees of district and city soviets of working people's deputies.

5. Editors-in-chief and their deputies; managing editors of publications.

6. Professors and teachers of higher educational establishments and persons employed in scientific

research institutes whose posts are filled by competition.

7. Public prosecutors, assistant public prosecutors, senior investigators, and investigators.

8. Elected employees holding remunerated posts in the organizations that elected them.

9. Instructors, inspectors, and departmental heads of trade union authorities.

[Schedule 2 (form of minutes of board meetings) and Schedule 3 (form of document referred to in sections 36 to 40)]⁷.

Ensuring the Unbroken Length of Service of Workers Transferred From
One Enterprise or Establishment to Another, ^{26/} May 27, 1957

The U.S.S.R. Council of Ministers resolves:

1. To establish that when wage or salary earners are transferred from one enterprise (or establishment, or organization) to another in any branch of the economy with the agreement of the managements of the enterprises (or establishments, or organizations) their length of service shall be considered uninterrupted, for purposes of determining their social insurance benefits and the long-service increments to their state pensions.

When the transfer is made in the manner indicated, continuity of service will be considered uninter-

rupted for purposes of determining percent increments or a one-time award for length of service, if the type of work before and after the transfer is of the kind that entitles a worker to receive an increment or an award.

2. Cancels earlier regulation on this subject.

32/ Decision of the U.S.S.R. Council of Ministers, May 27, 1957, Sobranie Postanovlenii SSSR (Collection of U.S.S.R. Resolutions), 1957, No. 6, p. 70. Cited in Sbornik zakonodatel'nykh aktov o trude (Collection of Legislative Acts on Labor), Moscow, 1960, p. 84.

Ban on Underground Mining Work, by Women, ^{33/} July 13, 1957
(Excerpts)

For the purpose of further improving the working conditions and the health of women workers the Council of Ministers of the U.S.S.R. decides:

1. To consider it imperative to discontinue the employment of women in underground work in the mining industry and in the construction of underground installations, with the following exceptions:

(a) Women in supervisory positions not requiring physical work;

(b) women performing sanitary and certain other services;

(c) women taking a training course requiring a period of probation in the underground sections of the enterprise;

(d) women who occasionally may have to enter the underground sec-

tions of the enterprise in the performance of nonphysical work.

. . .

Section 3 of this decree provides for the gradual elimination of employment of women in underground work: In the coal and slate industry, by January 1, 1959; in ferrous and nonferrous metallurgy, by July 1, 1958; etc. Section 5 protects the work seniority and the housing rights of women workers released from underground work, and guarantees them their average earnings for a period of 3 months of retraining for other work.]

^{33/} Decision of the Council of Ministers of the U.S.S.R. of July 13, 1957. Sbornik zakonodatel'nykh aktov o trude (Collection of Legislative Acts on Labor), Moscow, Gosyurizdat (State Publishing House of Juridical Literature), 1960, pp. 400-402.

(A) Order of the Council of Ministers of the U.S.S.R. and the All-Union Central Council of Trade Unions to approve regulations respecting standing production conferences for industrial undertakings, construction sites, state farms, machine and tractor stations, and technical repair centers.

1. The attached regulations respecting standing production conferences for industrial undertakings, construction sites, state farms, machine and tractor stations, and technical repair centers are hereby approved.

2. All regulations issued hitherto in connection with production conferences are recognized as having ceased to have effect with the publication of these regulations.

(B) Regulations respecting standing production conferences for industrial undertakings, construction sites, state farms, machine and tractor stations, and technical repair centers.

Standing production conferences are one of the basic ways of associating the mass of wage and salary earners in the management of production; their work is subordinated to the tasks of fulfilling and exceeding the state plans, making the fullest use of the intrinsic resources of production, creating conditions for the achievement of high labor productivity, and improving the methods of managing the undertaking or construction site.

I. Organization of Production Conferences

Standing production conferences shall be organized in undertakings, on construction sites and in workshops employing 100 persons or more. The membership of such conferences shall consist of wage and salary earners and of representatives of the factory, works, local and workshop trade union committees, the managements of the undertakings, construction sites and workshops concerned, the Party and Young Communist League organizations, and the primary organization of the scientific and technical society and the society of inventors and rationalizers, who shall be chosen for the duration of the term of office of the factory, works, or local trade union committee by general meetings of the wage and salary earners employed in the workshops and departments and by the social organizations concerned.

To carry out its current work, the production conference shall appoint an executive board of between

^{34/} Sobranie Postanovlenii SSSR (Collection of Decisions of the U.S.S.R.), 1958, No. 13, item 101. Also in Sbornik zakonodatel'nykh aktov o trude (Collection of Legislative Acts on Labor), Moscow, Gosyurizdat (State Publishing House of Juridical Literature), 1960, p. 41.

Translation by International Labour Office, 1958.

For discussion of this order, see the Monthly Labor Review, December 1958, pp. 1391-1392.

5 and 15 members, depending on the number of persons working in the undertaking, on the construction site or in the workshop; this number shall include the chairman and secretary of the production conference.

The executive board shall fix the agenda and prepare the meetings of the conference, notify the conference members and all employees of the program of work and of any decisions taken by the conference and ensure that decisions and proposals adopted by the conference are carried out.

No standing production conferences shall be organized in undertakings, on construction sites, or in workshops employing less than 100 persons; production questions shall be examined at general meetings of the wage and salary earners.

II. Functions and Rights of Production Conferences

The production conference shall:

Direct its entire work towards ensuring the successful operation of the undertaking or construction site, fulfilling and exceeding the production plan, developing socialist competition, increasing labor productivity in every way, and spreading a knowledge of the experience acquired by innovators and outstanding production workers;

take part in preparing and discussing the drafts of current and long-term production plans and suggestions for the improvement of in-plant planning and hear reports from the responsible chiefs of the under-

taking, construction site, or workshop on the current work and results of economic activity for a given period;

examine questions of production organization, labor, wages, and technical standard-setting, and consider suggestions for ensuring that each worker fulfills the output standards set and that quality is improved and production costs are cut;

devise measures to eliminate defective output, stoppages, and variations in the rate of working and to improve the utilization of equipment;

discuss plans for organizational and technical changes, the introduction of new techniques, the mechanization of production, and the incorporation of suggestions made by rationalizers and inventors;

examine plans for the construction of industrial premises, housing, cultural facilities and amenities, and consider measures to ensure that effective use is made of the funds appropriated for capital investment;

submit proposals for improving in-plant management and the work of the managerial staff;

examine measures for improving labor protection and industrial safety and ensuring that proper use is made of the funds allocated for these purposes;

examine questions connected with the training and upgrading of personnel and with the correct use of workers in accordance with their trades and qualifications, and dis-

cuss measures for strengthening labor and production discipline.

The production conference shall take decisions on the questions before it in strict accordance with the legislation currently in force and with the plans approved for the undertaking, construction site or workshop.

The members of the production conference shall play an active part in explaining the decisions of the conference to the wage and salary earners and in arranging for these decisions to be carried out.

The management of the undertaking or construction site shall do everything within its power to ensure the success of the production conference, to eliminate such shortcomings as the conference may note in the work of the undertaking or construction site or in that of any workshop or individual employee, and to act on suggestions for allocating additional manpower to departments that are lagging.

To ensure that the production conference makes a comprehensive and thorough study of the questions submitted to it for discussion, the management of the undertaking, construction site or workshop shall assist in the preparation of such questions, acquaint the conference members with the actual position obtaining in the undertaking or on the construction site and supply the necessary reference material.

III. Procedure Followed by Production Conferences

The production conference shall operate under the direction of the

factory, works, local or workshop trade union committee in accordance with a prearranged program. The conference shall be convened as necessary, but no less than once or twice a quarter in the case of an undertaking or construction site and not less than once a month in the case of a workshop.

The production conference shall examine the questions placed on its program of work and shall also consider any proposals submitted by the factory, works, local or workshop trade union committee, the management, the council of the scientific and technical society and the council of the society of rationalizers and inventors of the undertaking or construction site and by individual workers, engineers, and technicians.

Decisions of the production conference shall be taken by a majority vote of the members of the conference. For this purpose, at least two-thirds of the members of the conference must be present at the meeting.

The management of the undertaking, construction site or workshop shall arrange for the decisions and proposals adopted by the conference to be carried out and shall report on the action taken to give effect to them at the next ordinary meeting of the conference.

The economic councils, ministries, and other higher economic authorities shall be required to give the production conferences every possible assistance in their work and in the implementation of their decisions.

The production conference shall report on its work at least once every 6 months to a general meeting or conference of the wage and salary earners of the undertaking, construction site or workshop. The body which chose the members of the conference shall have the right to remove and replace individual members of the production conference before the expiration of their term of office.

The governmental, trade union, and economic authorities of the republics, territories, and regions shall have power to vary certain provisions of these regulations by agreement with the All-Union Central Council of Trade Unions and in the light of local conditions and features of production.

Decree of the Presidium of the Supreme Soviet of the U.S.S.R. to approve regulations respecting the rights of factory, works and local trade union committees.

1. The factory, works, or local trade union committee elected on the basis of the rules of the appropriate trade union shall represent the wage and salary earners of the undertaking, institution or organization in all questions of work, living conditions and culture, and shall be invested with the rights of a body corporate.

2. The factory, works, or local committee shall participate in drawing up both the draft production and capital construction plans of the undertaking, institution, or organization and the draft plans for the construction and repair of housing, cultural services, and amenities.

3. The factory, works, or local committee shall conclude the collective agreement with the management of the undertaking on behalf of the wage and salary earners, arrange for the commitments under the agreement to be discharged, and maintain a systematic check to ensure that the measures envisaged in the agreement are taken within the stipulated time.

In cooperation with the management, it shall approve estimates for the expenditure of money from the works fund on improvements to the amenities and cultural facilities available to employees, on improvements to production and on individual bonuses and one-time grants.

4. The factory, works, or local committee shall have the right to hear reports from the responsible chiefs of the undertaking, institution or organization on the fulfillment of the production plan, the discharge of commitments under the collective agreement, and the progress of measures for the organization and improvement of working conditions, amenities, and cultural facilities for the wage and salary earners, and may also demand that shortcomings be removed.

5. The factory, works, or local committee shall submit proposals to the higher economic and governmental authorities on problems of improving the work of the undertaking, institution, or organization, and on problems of working conditions, amenities, and cultural facilities for the working population. The said authorities shall be required to examine these proposals and inform the factory, works, or local

^{35/} Ukaz Prezidiuma Verkhovnogo Soveta SSSR (Decree of the Presidium of the Supreme Soviet of the U.S.S.R.), July 15, 1958. Vedomosti Verkhovnogo Soveta SSSR (Gazette of the Supreme Soviet of the U.S.S.R.), 1958, No. 15, item 282. Also in Sbornik zakonodatel'nykh aktov o trude (Collection of Legislative Acts on Labor), Moscow, Gosyurizdat (State Publishing House of Juridical Literature), 1960, p. 38.

Translation by International Labour Office, 1958.

For discussion of this decree, see the Monthly Labor Review, December 1958, pp. 1390-1391.

committee of the results of their examination.

6. In agreement with the factory, works, or local committee, the management of the undertaking shall:

Draw up lists of the trades and jobs that have to be remunerated at prescribed time or piece rates or at the rates fixed for work done in high temperatures or in arduous or unhealthful conditions, in accordance with the model lists currently applicable to such jobs in the different branches of production;

fix wage categories for the jobs done and assign the workers to these categories in accordance with the wage and skill manuals currently in force;

fix new output standards and revise those currently in force in the light of the technical and administrative steps that have been taken, substitute permanent output standards for temporary ones as soon as production has been finalized, and rectify standards that are obsolete;

make regulations for progressive piece-rate and bonus systems of remuneration in accordance with the model regulations currently in force and determine the range of employees concerned and the rates of the bonuses to be paid as incentives of other kinds;

determine the rates of the bonuses to be paid to managerial staff, engineers, technicians and salary earners on the basis of the model bonus regulations currently in force.

7. The factory, works, or local committee shall run production meetings in the undertaking or on the construction site, arrange workers' assemblies and technical production conferences, and maintain a systematic check to ensure that action is taken on the decisions they adopt and on the proposals made by wage and salary earners.

In cooperation with the management, it shall organize socialist competition, assess its results, determine the winners, award prizes in the form of Red Banners and certificates of merit to the workers employed in the leading workshops and departments, spread a knowledge of the most progressive methods, decide on the certificates and cash prizes to be awarded, select the names of the outstanding production workers to be inscribed on the Board of Honor or the Roll of Honor, and widely publicize the results achieved through Socialist competition.

8. The factory, works, or local committee shall give every encouragement to inventions and efficiency schemes and maintain a check to ensure that, where inventions, technical improvements and suggested efficiency schemes have been approved, they are introduced without delay. In cooperation with the management of the undertaking it shall examine complaints by wage and salary earners regarding the rejection of efficiency schemes they had suggested and shall also examine complaints regarding the calculation and rapidity of payment of compensation for efficiency schemes and technical improvements that have been adopted.

9. The factory, works, or local committee shall maintain a check to ensure that the management of the undertaking, organization or institution gives effect to labor legislation and to the rules and regulations governing industrial safety and health. A representative of the trade union committee shall take part in the work of the commission responsible for the inauguration of new workshops and production sections.

The working of overtime in the exceptional cases provided for in the legislation currently in force shall not be permitted without the authorization of the factory, works, or local committee.

The admission to employment of persons between the ages of 15 and 16 years shall be decided by the management, in agreement with the trade union committee.

The management of the undertaking, institution, or organization, in agreement with the factory, works, or local committee, shall draw up lists of the jobs and trades entitling wage and salary earners to receive milk (on account of the unhealthful working conditions) and of those entitling them to receive soap, and shall also prepare the annual leave rosters.

10. Wage and salary earners shall not be dismissed from the undertaking, institution, or organization by order of the management without the consent of the factory, works, or local committee.

The factory, works, or local committee shall examine complaints

by wage and salary earners against decisions taken by the labor disputes board set up in the undertaking, institution or organization. In so doing it shall have power to uphold the board's decision or overrule it and take a decision on the merits of the labor dispute.

11. The factory, works, or local committee shall administer the state social insurance scheme for the wage and salary earners in the undertaking, institution, or organization, award social insurance benefits, participate through its representatives in the award by the social security authorities of pensions to wage and salary earners, send wage and salary earners to rest homes and for treatment in sanatoria and spas and inspect the way in which medical services are organized for wage and salary earners and the members of their families.

The factory, works, or local committee shall check to ensure that social insurance contributions are paid by the undertaking, institution or organization within the stipulated time and shall, where necessary, exact payment of such contributions in accordance with the established procedure.

Where the factory, works, or local committee establishes that an industrial injury or occupational disease suffered or contracted by a wage or salary earner is due to a violation by the management of the rules laid down for the protection of labor and the maintenance of industrial safety, it shall take a decision, which shall be binding on the management, requiring the undertaking, institution, or organization

to reimburse any sums paid out under the state social insurance budget by way of temporary disability benefits in connection with the injury or disease.

12. The factory, works, or local committee shall check to ensure that plans for the construction of housing, cultural services, and amenities are carried out and shall supervise the use made of the available accommodation and public utility undertakings. A representative of the trade union committee shall participate as a full member in the work of the commission responsible for handing over the housing accommodation reserved for the wage and salary earners of the undertaking, institution or organization and for inaugurating buildings and plant constructed to meet their cultural and daily needs.

The housing accommodation available to the undertaking, institution or organization shall be distributed by joint decision of the management and the factory, works, or local committee.

13. The factory, works, or local committee shall exercise public supervision over the work of the state and cooperative trading and public catering establishments serving the wage and salary earners of the undertaking, institution, or organization.

Decisions as to increases in the price of meals and food products and the hours of business of canteens, buffets, shops, and kiosks shall be taken in consultation with the factory, works, or local committee.

14. Where necessary, the factory, works, or local committee shall approach the competent organizations with a view to the removal or punishment of managerial staff who fail to carry out obligations under the collective agreement, display a bureaucratic attitude, permit red tape or infringe the labor laws. The appointment of workers to managerial positions in the undertaking, institution or organization shall be effected by the management, due account being taken of the views expressed by the factory, works, or local committee.

15. The undertaking, institution, or organization shall be required to provide the factory, works, or local committee, free of charge, with the necessary premises and with all the equipment, heating, lighting, cleaning, and caretaker services requisite to the committee's work and to the conduct of meetings of the wage and salary earners. The management shall provide the factory, works, or local committee with transport and communication facilities free of charge.

16. The buildings, premises, installations, gardens, and parks intended for cultural, educational, health-building, athletic, and sports activities among the wage and salary earners of the undertaking, institution, or organization and the members of their families shall, like the Young Pioneer camp, be included in the budget of the undertaking, institution, or organization and shall be placed at the disposal of the factory, works, or local committee free of charge. Where buildings, premises, and installations intended for such purposes are rented by the

undertaking, institution, or organization, they shall likewise be placed at the disposal of the trade union committee free of charge.

The maintenance, repair, heating, lighting, cleaning, caretaker services and equipment both of the buildings, premises, and installations mentioned in this section and of the Young Pioneer camp shall be chargeable to the undertaking, institution or organization.

The factory, works, or local committee shall ensure that proper use is made of the buildings, premises, installations, gardens, parks and Young Pioneer camps placed at its disposal, keep them in due order and organize cultural, educational, health-building, athletic, and sports activities among the wage and salary earners and the members of their families.

17. Wage and salary earners who are released from their work in

the undertaking, institution, or organization as a result of their election to the factory, works, or local committee shall, on the expiration of their term of office, be reinstated in their former job, or in some other job carrying at least an equal rate of pay in the same undertaking, institution, or organization.

Members of the factory, works, or local committee who are not released from their main job shall not be dismissed from the undertaking, institution, or organization or transferred to other work, nor shall they be subject to disciplinary measures by the management without the consent of the trade union committee.

These regulations shall also apply to the workshop committees of the undertaking, in so far as such committees have jurisdiction.

In the Soviet trade unions, which are a mass nonparty public organization, workers and other employees of all occupations are united on a voluntary basis without distinction of race, nationality, sex, or religious beliefs.

The Soviet trade unions conduct all their activities under the guidance of the Communist Party, the organizing and directing force of Soviet society. The trade unions of the U.S.S.R. rally the masses of workers around the Party, mobilizing them for the struggle to build a communist society.

. . .

. . . The trade unions "are an educational organization, an organization for enlisting and training forces; they are a school, a school of administration, a school of management, a school of Communism." (Lenin.)

. . .

The central task of trade unions is the mobilization of the masses for the struggle to achieve a further powerful upsurge of all branches of the national economy, to strengthen the economic strength and defensive power of the Soviet State, to fulfill and overfulfill the national economic plans, to achieve technical progress, the constant growth of labor productivity, and the strictest economizing and thrift in all sectors of the national economy, to make the maximum use of all reserves and possibilities that promote the

rapid growth of industrial and agricultural production, and to raise continuously the level of material welfare and culture of the workers.

. . .

The trade unions foster in their membership the spirit of Soviet patriotism and a communist attitude to work and to public, socialist property; they strive to raise the cultural and professional level of the workers to the level of engineering and technical personnel. . . .

The trade unions:

Represent workers before Government and public bodies in matters concerning labor, welfare, and culture, and participate in the planning of the national economy;

organize socialist competition (emulation) movement among workers and guide the standing production conferences;

^{36/} Ustav professional'nykh soyuzov SSSR (Constitution of the Trade Unions of the U.S.S.R.). As approved by the 12th Congress of the Trade Unions of the U.S.S.R. on March 27, 1959. Moscow, Profizdat (Trade Union Publishing House), 1959.

In the preparation of the translation of these excerpts, use was made of the English translation of the constitution adopted by the 10th Congress of Trade Unions in April 1949: Constitution of the Trade Unions of the U.S.S.R., Foreign Language Publishing House, Moscow, 1951.

take part in planning and regulating wages and in framing systems of pay in accordance with the socialist principle of payment by the amount and quality of work performed; promote the introduction of progressive, technically determined work quotas, and check on the work quotas and the correct computation and payment of wages;

promote the mass movement of inventors and employees making suggestions to improve efficiency, guide scientific-technical societies, help employees increase their job qualifications, publicize the methods of work of leading workers and innovators in production, assist in introducing advanced technology in industry and agriculture;

conclude collective agreements with management;

check on the implementation of labor legislation, including that relating to safety techniques and industrial sanitations; and settle labor grievances;

administer the system of state social insurance, determine and issue benefits to employees, including cases of temporary disability; strive for improved medical service to workers and their families; supervise the work of sanatoriums and rest homes;

check on the construction and allocation of available housing space; seek to improve service in stores, restaurants, transportation, and other public utilities; render material aid to employees and form mutual-aid societies;

conduct educational and recreational work among the employees and their families; help trade union members to raise their level of politico-ideological understanding and technical and general education; organize their own press;

establish clubs, houses, and palaces of culture, sport centers, recreation rooms, and libraries; arrange art, physical culture, sport, and tourist activities for employees;

promote the widespread participation of women in the work of the state, industry, and community life; improve the working and living conditions of women and assist in the communist training of children.

All trade union activity is based on the principle of persuading the masses, of developing the activity and initiative of the employees. Trade unions must encourage criticism and self-criticism on a wide scale, infuse all in everyday life with a sense of concreteness, matter-of-factness, and full responsibility for the performance of assigned duties; they must fight bureaucracy and shortcomings in work, and sympathetically respond to the needs and demands of workers.

I. Trade Union Members, Their Rights and Duties

1. Membership in a trade union is open to every wage and salary earner . . . , and also to every student at an institution of higher learning and at a secondary trade or technical educational establishment.

2. The trade union member has the right:

(a) To elect others and to be elected to all trade union bodies, including trade union conferences and congresses;

(b) to participate in the discussion of questions at trade union meetings;

(c) to bring before trade union bodies issues and suggestions relating to the improvement of the activities of trade unions and economic organizations;

(d) to criticize at trade union meetings, conferences, congresses, and in the press, the activities of trade union, economic, and institutional organs and of their officials;

(e) to present to any trade union body representations concerning any questions of production or living conditions and also appeals for the protection of his rights whenever the management fails to implement the collective agreement or violates labor legislation;

(f) to be present whenever a trade union body makes a decision concerning his activities or conduct;

(g) to be a member of the trade union mutual-aid fund.

3. The trade union member is in duty bound:

(a) Unremittingly to strive for the further advance of the economy, science, and culture of the Soviet State, for the fulfillment of production plans and tasks by his enterprise, workshop, and brigade, for the continuous growth of labor productivity; to participate active-

ly in socialist competition (emulation);

(b) to safeguard and fortify public, socialist property as the sacred and inviolable foundation of the Soviet system, the source of the wealth and might of the country, the source of a life of prosperity and culture for all the working people;

(c) strictly to observe civic and labor discipline, to fight against all violations of it, keeping in mind that the violation of discipline damages the interests of the state and the people;

(d) to raise his cultural-technical level, his productive and business qualifications, to master the technical details of his job and the advanced methods of work; to strive for the improvement of living conditions;

(e) to expose shortcomings in production and remove them;

(f) to attend trade union meetings and to execute social tasks imposed by trade union bodies;

(g) to observe the Constitution of the Trade Unions of the U.S.S.R. and to pay membership dues punctually.

4. The trade union member enjoys the following advantages:

(a) He receives benefits from the state social insurance funds in a larger amount than nontrade unionists, in conformity with the legislation on the subject;

(b) he receives priority in the distribution of passes to rest homes,

sanatoriums, and health resorts, and also in the placing of his children in nurseries, kindergartens, and Young Pioneer camps;

(c) he receives legal assistance from trade union bodies free of charge;

(d) he receives, in case of need, financial assistance from trade union funds;

(e) he and his family have the use of the trade union's cultural and sports facilities on terms specified by the trade union bodies;

(f) for active participation in community life, and dependent upon the period of time he has been a trade union member, he is eligible to receive a trade union honorary certificate and other awards.

. . .

12. For infringing the Constitution of the Trade Unions, for failing to pay membership dues for more than 3 months, for nonobservance of discipline, and also for unruly behavior, the trade union member may, by decision of the trade union bodies, be cautioned, warned, reproached, reprimanded, and as the extreme measure, expelled from the trade union.

. . .

13. The trade unions are built on the foundation of democratic centralism, which means that:

(a) All trade union bodies, from top to bottom, are elected by the trade union members and are responsible to them;

(b) trade union bodies decide all issues of trade union activity in conformity with the Constitution of the Trade Unions of the U.S.S.R. and the decisions of higher trade union bodies;

(c) decisions in trade union bodies are made by a majority vote of the membership;

(d) lower trade union organs are subordinate to higher ones.

14. The trade unions are organized on the industrial principle; all persons employed in the same factory or establishment belong to the same union; each trade union embraces employees of one or of several branches of the national economy.

15. For the purpose of coordinating the activities of trade union bodies in regions, territories, and republics, there have been created interunion bodies—regional, territorial, and republic trade union councils.

16. The highest controlling organs of the trade unions and their constituent parts are the general meeting (on the factory or workshop level), the conference (on the district, city, regional, territorial, republic, and railroad levels), and the congress (on the republic or national level).

The general meeting, the conference, and the congress each elects its own executive committee. The interunion conference elects a trade union council.

17. All executive committees and also delegates to conferences and congresses are elected by secret ballot.

Trade union members have the right to nominate candidates and to challenge or criticize any of them.

. . .

21. The supreme trade union body is the U.S.S.R. Congress of Trade Unions.

The U.S.S.R. Congress of Trade Unions is convened not less than once in 4 years. This provision has been violated twice: The 12th Congress (March 1959) convened about 4 years and 9 months after the 11th Congress (June 1954); and the 11th, over 5 years after the 10th (April 1949).⁷

. . .

24. In the interim between U.S.S.R. congresses, all trade union activities are directed by the All-Union Central Council of Trade Unions (AUCCTU).

25. The All-Union Central Council of Trade Unions:

(a) Specifies the current tasks of the trade union generally, and also separate trade union tasks;

(b) participates in the drafting of the national-economic plans;

(c) directs the socialist competition (emulation) movement;

(d) hears reports from trade union committees and councils, and also other reports from the national economic councils, the ministries, and the departments on the subjects of production, labor, and the provision of cultural and welfare facilities to all employees;

(e) participates in the preparation and review by the Government of legislative bills on wages, labor protection, social insurance, welfare and cultural services to workers; checks on the enforcement of the laws and resolutions of the Government on this subject; issues instructions, regulations, and elucidations on the operation of existing labor legislation;

(f) administers the state social insurance system;

(g) arranges nationwide cultural, sports, and other mass programs;

(h) guides the national society of inventors and efficiency experts, the council of scientific-technical societies, and the voluntary trade union sport societies;

(i) establishes trade union schools and study courses;

(j) approves the trade union budget and the State social insurance budget;

(k) determines the general trade union organizational structure and its personnel;

(l) represents the Soviet trade unions in the international trade union movement and affiliates them with international trade union associations;

(m) has its own press—the newspaper Trud (Labor), and the trade union publishing house (Profizdat); issues trade union magazines and bulletins.

26. The All-Union Central Council of Trade Unions elects a Presidium to direct trade union activities in the periods between AUCCTU plenary meetings, and a Secretariat for the day-to-day work of an organizational-administrative character.

27. The AUCCTU plenary meetings must be held at least once every 6 months.

. . .

41. The primary trade union bodies are the foundation of the trade union. The primary body is made up of trade union members employed at the same place or studying at one educational institution. The general meeting makes the decisions for the primary trade union body.

. . .

42. The tasks of the primary trade union body are to:

(a) Arouse the entire personnel of the enterprise or establishment to fulfill and overfulfill the state plan, to enforce labor discipline and promote socialist competition (emulation);

(b) prepare and implement the practical measures designed to increase labor productivity, to make the maximum use of available production reserves, to improve the quality and lower the cost of production;

(c) enlist all employees to participate in the administration of production;

(d) discharge the obligations assumed in the collective agreement;

(e) organize the work of making widely known all new, advanced working methods and the latest scientific and technical developments, and to promote an increase in the number of inventors and efficiency experts;

(f) work day by day to improve working and living conditions, and to develop on a mass scale, educational, cultural, and physical culture work;

(g) put into effect the decisions of higher trade union bodies and the resolutions adopted at general meetings;

(h) attract all employees into the trade unions;

(i) encourage criticism and self-criticism and the education of trade union members in the spirit of implacable dissatisfaction with shortcomings.

43. To conduct current activities, the primary trade union body, having no fewer than 25 members, will elect a factory or local committee and an Auditing Commission; if there are fewer than 25 members, a trade union organizer will be elected for a term of 1 year

. . .

44. The factory or local committee:

Represents the employees in all matters relating to working and living conditions and recreation;

concludes a collective agreement with the management, organizes mass checkups on its implementation,

and takes steps to enforce its provisions; participates in the preparation of industrial-financial plans of the enterprise and of plans for the construction of industrial, dwelling, and recreational buildings, and in the establishment of new work quotas and the review of old work quotas, in the preparation of wage scales and the classification of jobs according to grades; checks on the fairness of the prevailing system of wage payments and on the accuracy and promptness of wage payments; directs the work of the production conference (see the Decision of the Council of Ministers of July 9, 1958);

jointly with management, organizes socialist competition and designates winners of such competition; approves (1) estimates of expenditures drawn from factory and other funds for the purpose of giving incentives to employees, and (2) lists of employees to receive bonuses and one-time assistance grants; promotes the acquisition of higher skills by employees; directs the councils of the scientific-technical societies and also the societies of inventors and efficiency experts; checks on the introduction of inventions, technical improvements, and efficiency suggestions;

checks on the observance of labor legislation, the regulations and standards of industrial sanitation and safety technique; settles labor grievances; gives its opinion concerning candidates for managerial positions within the enterprise or establishment; does not permit management to dismiss any employee without its consent;

fixes social insurance benefits, sends employees to sanatoriums, rest homes, and tourist places, checks on the medical services to employees, participates in the fixing of pensions, expends the trade union funds according to the approved budget;

conducts welfare and cultural services to employees, promotes physical, culture, sport, tourism, and the introduction of calisthenics at the places of work; organizes public checkups on (1) the fulfillment of the plans for the construction of housing and recreational buildings, and (2) on the work of stores and restaurants;

jointly with the management of the enterprise or establishment allocates housing space;

convokes general meetings and conferences of workers; listens to reports of the manager of the enterprise or establishment concerning the fulfillment of the production plan, the obligations of the collective agreement, and the measures taken to improve working and living conditions; and takes steps to remove exposed shortcomings;

executes the decisions of higher trade union bodies, draws trade union members into community work, creates standing and special commissions for different branches of trade union work and approves the membership of these commissions;

the factory or local committee elects from its membership, a chairman, a vice chairman, and a treasurer.

46. With a view to meeting more fully the wants of trade union

members working in the same brigade, mill, unit, section, etc., trade union groups are formed.

A group trade union organizer is elected for a term of 1 year at a general meeting of the group. To assist the group organizer, the trade union group elects from among its members a (social) insurance steward, a recreational organizer, and a public inspector for the protection of persons at work.

The trade union organizer:

Draws all employees into trade union membership, collects membership dues; actively supports the advanced production undertakings of employees, promotes and publicizes their creative efforts, sees to it that highly productive methods of work are brought to the attention of the workers in his group;

together with the foreman and brigade leader, he promotes socialist competition (emulation) among the workers to fulfill and overfulfill the production tasks, to improve the quality of production, and to economize on the use of materials;

carries on work among the employees to create in them a conscientious attitude toward work and public property;

convokes general meetings of the trade union group and helps the factory, workshop, or local trade union committee to introduce meas-

ures for the protection of labor and the improvement of living conditions.

VI. Trade Union Funds

47. Trade union funds consist of entrance fees, monthly membership dues, proceeds from cultural, educational, and sports institutions, auxiliary establishments, buildings, and structures, and other receipts.

48. The monthly trade union membership dues are as follows:

Those who have earnings (or a student stipend) of less than 500 rubles will pay 50 kopecks for each 100 rubles of earnings (that is, 0.5 percent); they will pay an extra 4 rubles for the earnings between 501 and 600 rubles inclusive; 5 rubles for the earnings between 601 and 700 rubles; and 1 percent of the earnings above 700 rubles a month. (On January 1, 1961, the ruble was devaluated and all wages and prices were divided by 10; so that now, for example, membership dues will be 0.5 percent of every 10 rubles under 50 rubles a month, and 1 percent of the earnings above 70 rubles a month).

. . .

49. The entrance fee charged at the time of joining the trade union is 1 percent of the (monthly) earnings or (student) stipend; for students not receiving a stipend, it is one ruble (one-tenth of the new ruble, since January 1, 1961).

Temporary Disability Benefits to Wage and Salary Earners Who Have
Quit Their Former Jobs at Their Own Request, ^{37/}January 25, 1960

For the purpose of further improving the security of wage and salary earners through temporary disability benefits, the Presidium of the Supreme Soviet of the U.S.S.R. decrees:

1. To establish that for wage and salary earners who have left their former jobs at their own request, there will be paid benefits in all cases of temporary disability, regardless of the length of time worked at the new place.

2. Wage and salary earners, who have been released at their own request, maintain their unbroken length of service status in case they begin to work again within a period of 1 month from the day of release. ^{38/}

The unbroken length of service status is preserved regardless of the date of starting new work for the following:

(a) Wage and salary earners who are released in connection with illness, invalidity, or retirement on an old age pension;

(b) persons who discontinue work in connection with enrollment in a higher or secondary specialized educational institution, or in post-graduate work;

(c) persons who leave in connection with the transfer of a husband or wife to work in a different place;

(d) pregnant women and mothers with children up to 1 year of age,

in connection with their transfer to work at their place of residence;

(e) persons, who leave for other valid reasons, recognized by decrees of the Council of Ministers of the U.S.S.R.

3. To consider as no longer in effect article 6 of the Decree of the Presidium of the Supreme Soviet of the U.S.S.R. of April 25, 1956, "Abolition of legal liability of workers and employees for quitting jobs at enterprises and establishments and for absence without serious reason. . . ."

4. To charge the Council of Ministers of the U.S.S.R. to introduce the changes arising from this Decree into the decrees of the Government of the U.S.S.R.

5. This Decree to take effect from January 1, 1960.

^{37/} Ukaz Prezidiuma Verkhovnogo Soveta SSSR (Decree of the Presidium of the Supreme Soviet of the U.S.S.R.), January 25, 1960. Sbornik zakonodatel'nykh aktov o trude (Collection of Legislative Acts on Labor), Moscow, Gosyurizdat (State Publishing House of Juridical Literature), 1960, p. 688.

^{38/} On August 5, 1960, the Presidium of the Supreme Soviet of the U.S.S.R. made this provision retroactive to before January 1, 1960 (i.e., the time limitation was removed). Sotsialisticheskii Trud (Socialist Labor), November 1960, p. 141.

Changeover to the 7- and 6-Hour Workday, ^{39/}May 7, 1960

Law of the U.S.S.R. on the completion of the changeover in 1960 of all wage and salary earners to the 7- and 6-hour workday.

The Supreme Soviet of the U.S.S.R. resolves:

Article 1. To approve the measures prepared by the Central Committee of the Communist Party of the Soviet Union, by the Council of Ministers of the U.S.S.R. and by the All-Union Central Council of Trade Unions, and now being implemented, for the changeover of workers and employees to the 7- and 6-hour workday and for the adjustment of wages.

Article 2. To establish for all wage and salary earners a workday of not more than 7 hours, and for workers in leading (i.e., essen-

tial) underground jobs not more than 6 hours. To complete the changeover of wage and salary earners to the 7- and 6-hour workday in 1960.

^{39/} Law of the Supreme Soviet of the U.S.S.R. of May 7, 1960. Pravda, May 8, 1960. Most Soviet workers work 6 days a week, but the workday on Saturday and the days before holidays (which are January 1, May 1 and 2, November 7 and 8, and December 5) has been 6 hours long since March 10, 1956. (Decree of the Presidium of the Supreme Soviet, March 8, 1956. Cited in Sbornik zakonodatel'nykh aktov o trude, Moscow, 1960, p. 137.) For discussion of hours of work and leave provisions in the U.S.S.R., see Monthly Labor Review, September 1957, pp. 1069-1073.

Law of the U.S.S.R. on Abolition of Taxes on Earnings of Wage and Salary Earners, ^{40/}May 7, 1960

The U.S.S.R. Supreme Soviet notes that in accordance with the decisions of the 21st Party Congress and on the basis of the successful fulfillment of national economic plans, an extensive program of raising the Soviet people's living standard is being carried out in the U.S.S.R. The changeover of workers and employees in all branches of the national economy to a 7-hour working day and of workers in leading trades engaged in underground work to a 6-hour working day will be completed in 1960; measures for raising and adjusting the wages of workers and employees are being carried out in a planned manner; the production of consumer goods is being increased substantially and cultural and everyday services for the working people are being improved; and housing construction is being developed on an ever wider scale.

Measures have been carried out in recent years to reduce taxes on the population: The agriculture tax has been reduced by 60 percent; collective farmers and a considerable part of the workers and employees have been exempted from the tax on U.S.S.R. bachelors, single citizens, and citizens with small families; and the minimum nontaxable wage has been raised.

At present, measures for developing the national economy and culture and raising the people's living standard are being carried out in our country mainly through the accumulations of socialist enterprises. As the 7-year plan is fulfilled, these accumulations will steadily increase.

With a view to further raising the working people's living standard, the U.S.S.R. Supreme Soviet resolves:

Article 1. To discontinue the collection of the income tax, and the tax on U.S.S.R. bachelors, single citizens, and citizens with small families, from workers and employees earning wages at their main place of work as follows:

(a) Up to 500 rubles a month as of October 1, 1960;

(b) up to 600 rubles a month as of October 1, 1961;

(c) up to 700 rubles a month as of October 1, 1962.

Article 2. To reduce the existing income tax, and the tax on U.S.S.R. bachelors, single citizens, and citizens with small families, on the wages of workers and employees at their main place of work by an average of 40 percent as follows:

(a) As of October 1, 1960—on earnings from 501 to 600 rubles a month;

(b) as of October 1, 1961—on earnings from 601 to 700 rubles a month;

^{40/} Pravda, May 8, 1960. Translation by The Current Digest of the Soviet Press. Published weekly at Columbia University by the Joint Committee on Slavic Studies. Volume XII, No. 17 (June 15, 1960).

(c) as of October 1, 1962—on earnings from 701 to 800 rubles a month;

(d) as of October 1, 1963—on earnings from 801 to 900 rubles a month;

(e) as of October 1, 1964—on earnings from 901 to 1,000 rubles a month.

Article 3. To abolish completely as of October 1, 1965, the collection of the income tax, and the tax on U.S.S.R. bachelors, single citizens and citizens with small families, from the wages of workers and employees. The abolition of the collection of the income tax from workers and employees with wage and salary scales of up to 1,000 rubles a month will be accompanied by an increase in take-home pay equal to the full amount of the tax on these wages and salaries; the abolition of the collection of the income tax from workers and employees with wage and salary scales of from 1,001 to 2,000 rubles a month will be accompanied by an increase in take-home pay under the wage and salary scales as follows:

(a) From 1,001 to 1,200 rubles a month—an average of 79 percent of the amount of the tax on these wages and salaries;

(b) from 1,201 to 1,400 rubles a month—an average of 46 percent of the amount of the tax on these wages and salaries;

(c) from 1,401 to 1,600 rubles a month—an average of 29 percent of the amount of the tax on these wages and salaries;

(d) from 1,601 to 1,800 rubles a month—an average of 15 percent of the amount of the tax on these wages and salaries;

(e) from 1,801 to 2,000 rubles a month—up to 10 percent of the amount of the tax on these wages and salaries.

The wage and salary scales for these workers and employees will simultaneously be lowered by the remaining part of the tax calculated for these wages and salaries.

The collection of the income tax from workers and employees with wage and salary scales of more than 2,000 rubles a month will be discontinued with a simultaneous reduction of these scales by the full amount of the tax calculated for them.

The exaction of the tax on U.S.S.R. bachelors, single citizens and citizens with small families will be completely discontinued at the expense of the state for all workers and employees.

Article 4. As of October 1, 1965, to discontinue collection of the income tax, and the tax on U.S.S.R. bachelors, single citizens and citizens with small families, from the earnings of writers and workers in the arts, with a corresponding reduction in the amounts of royalties and other types of remuneration under the procedure being established by the U.S.S.R. Council of Ministers.

Article 5. The final collection of taxes from workers and employees under the procedure specified in articles 1 and 3 of this law is

to be made from earnings for September of the corresponding year.

Article 6. To establish that this law also applies to servicemen,

students, lawyers, and handicraftsmen and artisans belonging to cooperatives who pay the income tax on the same basis as workers and employees.

Decree "Concerning the Intensification of the Fight Against Persons Who Avoid Socially Useful Work and Lead an Antisocial Parasitic Way of Life,"^{41/} May 4, 1961

Under the leadership of the Communist Party, our country has entered the period of the full-scale building of communism. Soviet people are working with enthusiasm at enterprises, construction projects, collective and state farms and institutions, performing socially useful work in the family, observing the law and respecting the rules of socialist society.

However, in cities and in the countryside there are still individuals who are stubbornly opposed to honest work. Such people frequently hold jobs for appearance's sake while in actual fact living on unearned income and enriching themselves at the expense of the state and the working people; or, although able bodied, they may hold no job at all but engage in forbidden businesses, private enterprise, speculation and begging, derive unearned income from the exploitation of personal automobiles, employ hired labor and obtain unearned income from dacha and land plots, build houses and dachas with funds obtained by nonlabor means and using illegally acquired building materials, and commit other antisocial acts. On the collective farms, such persons, enjoying the benefits established for collective farmers, avoid honest work, engage in home brewing, lead a parasitic way of life, undermine labor discipline, and thereby harm the artel's economy.

The parasitic existence of these persons is as a rule accompanied by drunkenness, moral degrada-

tion, and violation of the rules of socialist society, which have an adverse influence on other unstable members of society.

It is necessary to wage a resolute struggle against antisocial, parasitic elements until this disgraceful phenomenon is completely eradicated from our society, creating around such persons an atmosphere of implacability and general condemnation.

Taking into account the many expressions of desire on the part of the working people that the struggle against antisocial elements be intensified, the Presidium of the Russian Republic Supreme Soviet resolves:

1. To establish that able-bodied, legally adult citizens who do not wish to perform a major Constitutional duty—to work honestly according to their capabilities—and who avoid socially useful work, derive unearned income from the exploitation of land plots, automobiles or housing, or commit other antisocial acts that enable them to

^{41/} Ukaz Prezidiuma Verkhovnogo Soveta RSFSR (Decree of the Presidium of the Supreme Soviet of the Russian Soviet Federated Socialist Republic), May 4, 1961. Sovetskaya Rossia (Soviet Russia), May 5, 1961, p. 3.

Translation taken from The Current Digest of the Soviet Press. Vol. XIII, No. 17 (May 24, 1961).

lead a parasitic way of life are subject, upon the order of a district (or city) people's court, to deportation to specially designated localities for a period of from 2 to 5 years, with confiscation of the property acquired by nonlabor means, and to mandatory enlistment in work at the place of deportation.

Persons who take jobs at enterprises, state and public institutions or who are members of collective farms only for the sake of appearance and who, while enjoying the benefits and privileges of workers, collective farmers and employees, are in actual fact undermining the discipline of labor, engaging in private enterprise, living on funds obtained by nonlabor means or committing other antisocial acts that enable them to lead a parasitic way of life are also subject to these same measures of influence, prescribed either by order of a district (city) people's court or by public sentence handed down by the working people's collective of an enterprise, shop, institution, organization, collective farm, or collective farm brigade.

An order of a district (city) people's court or a public sentence calling for deportation is handed down if, despite the warning of a public organization or state agency, the person who is leading a parasitic way of life has not taken the path of an honest life of labor within the period established in the warning.

2. The order of a district (city) people's court with respect to a person who is avoiding socially useful work and leading an anti-

social, parasitic way of life is final and is not subject to appeal.

A public sentence calling for deportation is subject to approval by the district (city) Soviet executive committee, whose decision is final.

3. The exposure of persons leading an antisocial, parasitic way of life and the verification of all the relevant circumstances are carried out by agencies of the militia and the prosecutor's office on the basis of materials in their possession, at the initiative of state and public organizations, or on the basis of declarations by citizens. Upon completion of the verification, the material is sent with the prosecutor's sanction to a district (city) people's court or to a working people's collective for consideration.

4. If during the verification and examination of materials concerning a person who is leading a parasitic way of life, signs of a crime are established in his actions, this person's case must be sent to agencies of the prosecutor's office.

5. Orders of a district (city) people's court, as well as public sentences calling for deportation, are executed by militia agencies.

Persons who avoid work in the places of deportation are subject, upon representation of the militia agencies to the district (city) people's court, to corrective labor with retention of 10 percent of their earnings; in cases of evasion of corrective labor, the court may substitute for such labor deprivation of freedom under the procedure stipulated in Art. 28 of the Russian

Republic Criminal Code. The term of corrective labor or deprivation of freedom is not considered a part of the term of deportation.

Escape from the place of deportation or en route to it is punished in accordance with Art. 186 of the Russian Republic Criminal Code.

6. If a person who has been deported proves by his exemplary conduct and honest attitude toward work that he has reformed, he may, after expiration of at least half of

the term of deportation, be released without completing the term upon the petition of public organizations to the district (city) people's court at the place of deportation, with the consent of the district (city) Soviet executive committee at the deported person's former place of residence.

7. To instruct the Russian Republic Council of Ministers to adopt a resolution on carrying out the necessary measures stemming from this decree.

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^{42/} For an extended bibliography on Soviet legisla-
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