THE LABOR LAWS OF SOVIET RUSSIA: WITH AN ANSWER TO A CRITICISM

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The Labor Laws of Soviet Russia: With an Answer to a Criticism by Mr. William C. Redfield

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MR. WILLIAM C. REDFIELD

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The Labor Laws of Soviet Russia

WITH AN ANSWER TO A CRITICISM BY MB. WILLIAM C. REDFIELD

THIRD EDITION, REVISED AND ENLARGED

Containing a Supplement, "The Protection of Labor in Soviet Russia," by S. Kaplun, of the Commissariat of Labor

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THE BASIC PRINCIPLES OF THE LABOR LAWS OF SOVIET RUSSIA

(Summary by the Russian Soviet Government Bureau in the United States)

THE fundamental principle underlying the labor laws of Soviet Russia is that society owes. everybody a living. The community is like one family, every member of which is supported out of the family income. The labor law speaks of "citizens." In practice, however, there is no difference between citizens and aliens because any person may become a citizen by a mere declaration of intention to become one.

It goes without saying that since everyone is entitled to a seat at the community table, every able-bodied person is required to contribute his or her share towards the work which is necessary to provide the community with the means for the support of its members. This is described as "compulsory labor."

The obligation to work for the community begins with the age of sixteen and terminates at the age of fifty. Old persons are supported by the community; likewise all persons who are permanently or temporarily incapacitated for work. This includes women for a period of eight weeks before and eight weeks after confinement. School children are required to take manual training at school,

As far as practicable, every worker must be assigned to work at his trade or profession, if he has any, and at his usual place of residence. If there is no opening in a person's chosen field of work, he may be assigned to and must accept another class of work. If, however, the work is of a lower grade, the worker is nevertheless entitled to his regular compensation which he would receive if employed at his own trade or profession. If no employment can be found for a worker within the district where he resides, he may be assigned to work in another district.

Night work is prohibited for all persons under the age of eighteen, and for women of all ages. The same classes are excluded from all kinds of employment which are considered "especially hard or dangerous."

In nationalized industries the terms of employment are regulated by rules framed by the labor organizations, subject to the approval of the People's Commissariat of Labor, which corresponds to the Department of Labor of the United States. In establishments operated by private capital the terms of employment are regulated by rules agreed upon between the owners or directors of the establishments and the labor unions, likewise subject to approval by the People's Commissariat of Labor. If no agreement can be reached between capital and labor the terms of employment are drawn up by the trade unions and submitted for approval to

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the People's Commissariat of Labor. This provision of the Soviet labor laws is theoretically tantamount to compulsory arbitration. It must be borne in mind, however, that the People's Commissariat of Labor is a Soviet institution, in the election of which labor has a dominating vote.

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A normal working day must not exceed eight hours for day work and seven hours for night work. The normal working day for persons under eighteen years of age must not exceed six hours. In especially hard and dangerous occupations the normal day must likewise not exceed six hours. If the character of the work is such that it cannot be dropped at the end of a normal working day, two or more labor shifts must be engaged. Overtime is permitted only in emergencies. Where the emergency would not endanger human life or involve interruption in water supply, lighting, sewerage, or transportation, overtime work is permitted only with the consent of the labor unions whose membership is affected. No persons under eighteen years of age, nor any women are permitted to work overtime. In no case may overtime exceed four hours in the course of two consecutive weeks, nor may overtime work be resorted to more than on fifty days during the year. The guiding idea is that whenever it may be foreseen that the work of any establishment cannot be completed with the regular force within a normal working day, additional shifts of workers must be provided for.

Every worker is entitled to a vacation with pay of two weeks in every six months,

In order to avoid as far as possible disputes between individual wage earners and the employers of labor over the performance of the term of em-

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ployment, every worker is provided with a "labor booklet," in which must be entered the terms of his employment, the quantity of work performed, the amount of wages received by him, and all other particulars relating to his work and payment.

The right to "hire and fire" is not left to the discretion of the employer. Before any person is permanently engaged he must undergo a probation period of one week; in nationalized establishments the probation period is two weeks for unskilled labor and one month for skilled labor. If any employee is rejected after probation he may appeal to his union. If his union considers his complaint justified it may enter into negotiations with his employer. Should negotiations fail the matter may be submitted to the local office of the Commissariat of Labor, which may order the appointment of the complainant to a permanent position or may dismiss his complaint. After a person has been appointed to a permanent position he may be discharged for unfitness only with the consent of his labor union. Both the employer and the employee may appeal the matter to the local and the district office of the Commissariat of Labor, respectively. The decision of the district office is final.

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Every wage earner is required to turn out the standard output fixed for his class and grade of work by the valuation committee of his labor union, subject to the approval of the Commissariat of Labor, representing the interests of labor, and the Council of National Economy, representing the interests of national industry. A wage earner, who falls below the standard may be demoted by decision of the valuation committee of his union, but he may appeal from that decision to the local and