

PUBLICATIONS OF THE
INTERNATIONAL FEDERATION OF TRADE UNIONS
No. 3

The Protection of Young Workers throughout the World

A Summary of the protective
legislative measures for Young Workers
in the various countries

1922

Published by the International Federation of Trade Unions
Amsterdam

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Appendix I.

Table of most important Laws and Orders relating to the Legal Protection of young persons.*

Countries and References to Laws and Orders	Contents**	Scope of application
<i>Austria</i>		
Order of 12. 2. 1918 and Laws of 18. 7. 1905 16. 1. 1895	Sunday rest.	Industrial undertakings.
Act of 19. 12. 1918	Eight-hours day.	Industrial undertakings conducted as factories.
Act of 19. 12. 1918	Child labour	General.
Act of 14. 5. 1919	Prohibition of night work for young persons.	Workshops.
Act of 15. 5. 1919	Works' councils	
Act of 28. 7. 1919	Employment of young persons.	Mining.
Act of 30. 7. 1919	Workers holidays.	Trades, mines, transport, etc.
Act of 17. 12. 1919	Eight-hours day for workers and salaried employees.	
Order of 23. 1. 1920	Provisions for supervising employment of children.	
Decree of 6. 3. 1920	Night work for young persons.	Hotels, restaurants, public houses, etc.
Decree of 28. 7. 1920	First order granting exemptions from 8 hours day.	General.
Decree of 9. 11. 1920	Second order granting exemptions from 8 hours day.	General.
Act of 11. 5. 1921	Law relating to salaried employees.	Clerks, commercial em- ployees, etc.
Act of 14. 7. 1921	Factory inspection.	Industry.
<i>Belgium</i>		
Laws of 13. 12. 1889 and 26. 5. 1914 Codified by Decree of 28. 2. 1919	Employment of women and children.	Industrial undertakings, mines, etc.
Law of 25. 5. 1914	Sunday rest.	Industrial undertakings, commercial establish- ments, etc.

* Inclusive of general protective regulations, so far as they are of importance for young persons. Exclusive of laws and orders concerning education. ** so far as children and young persons are concerned.

Countries and References to Laws and Orders	Contents	Scope of application
Decree of 1. 6. 1920	Supervision of measures for protecting the health of young persons.	All concerns coming under the "Safety Act" of Juli 2nd 1899.
Law of 14. 6. 1921	Eight-hours day.	Industrial undertakings, mining, transport, building trades, offices in commercial establishments, etc. (establishments employing only members of the family excluded).
<i>Bulgaria</i>		
Laws of 26. 3. 1905 and 10. 4. 1905	Employment of women and children.	All industrial undertakings
Law of 7/20. 2. 1911	Rest on Sundays and Holy-days.	Industrial undertakings, handicrafts, commercial establishments, building trades, transport (establishments employing only members of the family excluded).
Law of 1. 6. 1917	Hygiene and Safety of the workers.	
Law of 5/18. 4. 1917	Protective Measures for children and young persons.	
<i>Czechoslovakia</i>		
Act of 19. 12. 1918	Eight-hours day.	Trades, mines, public services, agriculture (except undertakings employing only members of the family, etc.)
Act of 17. 7. 1919	Employment of children.	
Act of 1. 7. 1921	Holidays.	Mining.
<i>Denmark</i>		
Law of 8. 6. 1912	Working hours, etc.	Bakeries and confectionery establishments.
Factory Act of 29. 4. 1913	Working hours, Provisions for Safety, etc.	Handicrafts, factories and undertakings conducted as factories.
Law of 12. 2. 1919	Eight-hours day.	Concerns where work is carried on continuously day and night.
Law of 6. 5. 1921	Apprenticeship.	Industrial and commercial undertakings, etc.
<i>Finland</i>		
Decree of 25. 5. 1917	Protective regulations.	Printing works' quarries, stonecutting tobacco factories.

Countries and References to Laws and Orders	Contents	Scope of application
Decree of 18. 8. 1917	Prohibition against employment of children and young persons.	Factories, handicrafts, building trades, etc.
Law of 27. 11. 1917	Eight-hours day.	Factories, handicrafts, home work employing only members of the family excluded.
<i>France</i>		
Code of Labour, Book II, Section I, 54a, 65 of 21. 12. 1910 and 26. 11. 1912	a) General provisions b) Hygiene and Safety.	Industrial undertakings, home work employing only members of the family excluded.
Act of 28. 3. 1919 Act of 23. 4. 1919 Act of 2. 8. 1919	} General protective provisions.	Trade, industry, commerce etc.
<i>France and French Colonies</i>		
Act of 23. 4. 1919	Eight-hours day.	Industrial and commercial establishments.
<i>Germany</i>		
Industrial Code of 26. 7. 1900	Regulation of Industry (Apprenticeship)	Industrial undertakings in general (without exact definition) where at least 10 persons are employed.
Employment of children Act of 30. 3. 1903	Protection of children.	All industrial work.
Law relating to home work of 20. 12. 1911	Home work.	Home work.
Decree of 23. 11. 1918 Decree of 17. 12. 1918	Eight-hours day.	Industrial undertakings.
Decree of 24. 1. 1919	Provisional Decree relating to Agricultural work (employment of young persons).	Agriculture.
Decree of 5. 2. 1919	Sunday rest.	Trade and commerce.
Act of 15. 1. 1920	Protective regulations.	Female employees in hotels, restaurants, etc.
Decree of 23. 1. 1920	Employment of young persons.	Glass factories, etc.
Factory Councils Act of 4. 2. 1920	Tasks and Rights of the Factory Councils (Control of apprenticeship).	
Decree of 21. 4. 1920	Prohibition against the tearing up, cutting and sorting of rags, etc. of every description.	Home work.

Countries and References to Laws and Orders	Contents	Scope of application
Decree of 28. 6. 1920	Safety regulations.	Working with compressed air
Decree of 1. 2. 1921	Prohibition against preparation and packing of prophylactics, etc.	Home work.
<i>Great Britain</i>		
Metalliferous Mines Regulation Act of 1872 and 1875, as amended by the Mines (Prohibition of Child Labour Underground), Act of 1900 and the Quarries Act of 1894	Employment of young persons on the surface and of boys below ground.	Quarries and all mines, except coal mines.
Act of 1901	Work in factories and workshops.	All industries, except home work, employing only members of the family.
Employment of Children Act of 14. 8. 1903	Child labour.	General.
Coal Mines Act of 1911	Employment of young persons on the surface and of boys below ground.	Mines of coal, stratified ironstone, scale and fireclay.
Act of 8. 8. 1918	Education.	
Act of 15. 8. 1919	Working hours, etc.	Coal-mines.
Act of 23. 12. 1920	Employment of children and young persons.	Factories and workshops.
Act of 23. 12. 1920	Lead poisoning; protective measures for young persons under 18.	Certain specified occupations.
<i>Greece</i>		
Act of 24. 1. 1912	Age limit for employment of children.	} Workshops in a general sense; mines, quarries, commercial undertakings, hotels and restaurants.
Act of 6. 2. 1912	Regulation of working hours; Sunday work.	
Decree of 14/27. 8. 1913	Prohibition of Night work.	The Decree applies to "industrial factories and workshops"; some sections expressly apply to commercial firms and stores.
<i>Holland</i>		
Labour Law of 6.12.1911	Employment of young persons and absolute or conditional prohibitions of employment.	Factories and workshops; does not apply to agriculture and homework; only members of the family are employed.
Safety Act of 1915	Regulations concerning safety.	Factories and workshops where there is machinery, and at least 5 persons are employed.

Countries and References to Laws and Orders	Contents	Scope of application
Law of 1. 11. 1919	Regulation relating to the hours of labour and the prohibition in certain cases of work in dangerous trades.	Factories.
Decree of 10. 8. 1920	Employment of young persons.	Factories and workshops, shops and stores, offices, places of amusement.
Decree of 23. 9. 1920	Administrative provisions for regulating working hours and granting exemptions from the Labour Law of 1919.	Factories.
<i>Hungary</i>		
Act of 1891	Sunday rest.	General.
Act of 1911	Night work.	General.
<i>Italy</i>		
Act of 10. 11. 1907	Employment of children.	Industrial workshops or workrooms, building trades, quarries and mines.
Regulation of 14. 6. 1909		
Decree of 14. 6. 1909	Complete prohibition of work for children under 15, and for women under 21 years of age.	A number of unhealthy occupations especially in chemical factories, mines, etc.
Law of 31. 8. 1910	Employment of children.	General.
Addendum thereto of 6. 7. 1912		
Decree of 9. 3. 1919	Holidays.	General.
<i>Lithuania</i>		
Law of 30. 9. 1919	Eight-hours day.	Factories and workshops.
<i>Luxemburg</i>		
Decree of 14. 12. 1918	Eight-hours day.	Factories, foundries, mines, etc. Does not apply to railways and establishments employing only members of the family.
<i>Norway</i>		
Act of 1913	Measures relating to apprentices.	Handicrafts.
Act of 18. 9. 1915	Protection of industrial workers.	Factories, mines, etc.
Act of 11. 7. 1919	Eight-hours day.	Factories, handicrafts, mines.

Countries and References to Laws and Orders	Contents	Scope of application
<i>Poland</i>		
Act of 18. 12. 1919	Eight-hours day.	Industrial and commercial undertakings, mines, transport, etc.
<i>Portugal</i>		
Decree of 8. 3. 1911 Decree of 24. 6 1911	Sunday rest. Night work.	
Act of 22. 1. 1915 Regulation of 16. 3. 1893 and Decree of 14. 4. 1891	Employment of children and young persons.	All industries without exception, mines, quarries, ship-yards (homework employing only members of the family excluded).
Decree of 7. 5. 1919	Eight-hours day.	Industrial and commercial establishments.
<i>Rumania</i>		
Act of 1902	Protection of children and young persons.	Handicrafts and mines.
Act of 11/24. 2. 1906 and Regulations of 11. 8. 1906	Employment of children.	
Act of 10/23. 4. 1910	Sunday rest.	
Act of 25. 1. 1912	Measures relating to protection.	A long list of handicrafts.
<i>Russia</i>		
Decree of 29. 10. 1917 Decree of 2. 11. 1917	Eight-hours day and distribution of working hours.	All manufacturing and commercial undertakings without exception.
Order of 17. 6. 1920	Wages, working hours, etc.	All undertakings without exception.
<i>Spain</i>		
Act of 13. 3. 1900 Act of 8. 1. 1907 Regulation of 13. 11. 1900	General protective measures.	All occupations except agriculture and undertakings employing only members of the family.
Act of 11. 7. 1912	Employment of women at night.	Factories and workshops.
Decree of 10. 10. 1919	Working hours.	Coal mines.
Decree of 15. 1. 1920	Eight-hours day.	Manual workers, salaried employees, foremen, etc. in trades and professions; wage earners of every description. Does not include home work and salaried employees in responsible positions.

Countries and References to Laws and Orders	Contents	Scope of application
Sweden		
Act of 20. 11. 1909	Employment of women at night.	Industrial undertakings: trades or any occupation of like nature.
Act of 29. 6. 1912	a) General provisions relating to accidents, hygiene, etc. b) Employment of women and children. c) Working hours of young persons.	All occupations except homework and agriculture (where machinery is not employed).
Act of 17. 6. 1916		Industrial work.
Act of 22. 6. 1921		Eight-hours day.
Switzerland		
Act of Federal Council of 13. 12. 1897	Prohibition of certain kinds of work.	A number of unhealthy and dangerous occupations.
Act of 27. 6. 1919	Protective measures.	Factories.
Act of 8. 4. 1920	Working hours.	Applies to all wage earners, including home work; but not including higher officials, employees, etc.
Yugoslavia		
Decree of 12. 9. 1919	Working hours.	Factories, handicrafts mining, commercial undertakings, transport.
Decree of 8. 4. 1921	Altering and supplementing the Decree of 12. 9. 1919, concerning working hours.	Handicrafts in which mechanical power is not employed, and in which not more than 5 persons are engaged.
United States *		
Federal Child Labor Law of 25. 4. 1919 (declared invalid by United States Supreme Court of 15. 5. 1922)	Special taxation of employers who employ children	Mines, quarries, mills, canneries, workshops, factories and manufacturing establishments.

* In Canada and in the United States legislation relating to the protection of workers comes within the competence of the individual States or provinces, and not within that of the Federal or Dominion Government.

Countries and References to Laws and Orders	Contents	Scope of application
Canada		
Dominion Law of 13. 7. 1906	Sunday rest.	All occupations with a few exceptions.
British Columbia	}	
Act of 27. 3. 1907		
Act of 7. 3. 1908		
Act of 1. 3. 1913		
Manitoba		
Act of 8. 2. 1904	}	
Act of 24. 3. 1911		
New Brunswick		
Act of 8. 4. 1905		
Act of 13. 4. 1911		
Act of 20. 4. 1912	}	
New Scotland		Protection of children and young persons. } Factories, etc.
Act of 4. 4. 1901		
Act of 23. 4. 1909		
Ontario		
Act of 6. 5. 1913	}	
Quebec		
Act of 4. 6. 1910		
Act of 14. 3. 1912		
Act of 21. 12. 1912		
Saskatschewan	}	
Act of 18. 12. 1909		
Act of 23. 3. 1911		
Manitoba		
Act of 18. 3. 1910		
Act of 10. 3. 1911	}	
Ontario		Protection of children.
Act of 13. 4. 1909		
Act of 5. 5. 1913		
Ontario		
Argentine		
Act of 14. 10. 1907	Employment of children.	No definition, merely "work" and "occupations". For the capital of the Republic: "Industrial occupations".
Brazil		
Sao-Paulo		
Act of 29. 12. 1917	Employment of children.	Industrial occupations of every kind.

Countries and References to Laws and Orders	Contents	Scope of application		
<p><i>South Africa</i> Factories Act of 1918</p>	<p>Employment of children and young persons.</p>	<p>Industry in general.</p>		
<p><i>Japan</i> Act of 28. 3. 1911 Order of 2. 8. 1916 Regulations of 3. 8. 1916</p>	<p>Employment of children and young persons.</p>	<p>Factories, where more than 15 persons are employed, or where the work, from its nature, is dangerous or injurious to health.</p>		
<p><i>British India</i> Act of 24. 3. 1911</p>	<p>Protection of children and young persons.</p>	<p>Factories in which at least 50 persons are employed.</p>		
<p><i>Australia</i> New South Wales Act of 26. 11. 1912 Act of 9. 2. 1915</p>	<p>Protection of children and young persons.</p>	<p>Factories and workshops, including bakeries and laundries.</p>		
<p>Queensland Act of 28. 12. 1900 Act of 15. 4. 1908 Act of 1914</p>				
<p>South Australia Act of 21. 12. 1907 Act of 23. 12. 1908 Act of 7. 12. 1910 Act of 1915</p>				
<p>Tasmania Act of 13. 1. 1911 Act of 10. 1. 1912 Act of 1917</p>				
<p>Victoria Act of 31. 12. 1912 Act of 2. 11. 1914</p>				
<p>West Australia Act of 16. 1. 1904 Act of 24. 12. 1904 Act of 1911</p>				
<p><i>New Zealand</i> Act of 1908 Act of 3. 12. 1910</p>			<p>Protection of children and young persons.</p>	<p>Factories, workshops, including bakeries and laundries.</p>

Appendix II.

Extracts from the decisions of the International Labour Conferences of Washington 1919, Genoa 1920, and Geneva 1921.

Conference of Washington.

Draft Convention fixing the Minimum Age for Admission of Children to Industrial Employment.

Article 1.

(Enumerates the establishments included by the term "industrial undertaking.")

Article 2.

Children under the age of fourteen years shall not be employed or work in any public or private industrial undertaking, or in any branch thereof, other than an undertaking in which only members of the same family are employed.

Article 3.

The provisions of Article 2 shall not apply to work done by children in technical schools, provided that such work is approved and supervised by public authority.

Article 4.

In order to facilitate the enforcement of the provisions of this Convention, every employer in an industrial undertaking shall be required to keep a register of all persons under the age of sixteen years employed by him, and of the dates of their births.

Article 8.

Each member of the International Labour Organisation which ratifies this Convention engages to apply it to its colonies, protectorates, and possessions which are not fully self-governing:

- a) Except where owing to the local conditions its provisions are inapplicable; or
- b) Subject to such modifications as may be necessary to adapt its provisions to local conditions.

Article 11.

Each member which ratifies this Convention agrees to bring its provisions into operation not later than July 1st 1922 and to take such action as may be necessary to make these provisions effective.

Article 13.

At least once in ten years, the Governing Body of the International Labour Office shall present to the General Conference a report on the working of this Convention, and shall consider the desirability of placing on the agenda of the Conference the question of its revision or modification.

Draft Convention concerning the Night Work of Young Persons Employed in Industry.

Article 1.

(Enumerates the establishments included by the term "industrial undertaking.")

Article 2.

Young persons under eighteen years of age shall not be employed during the night in any public or private industrial undertaking, or in any branch thereof other than an undertaking in which only members of the same family are employed, except as hereinafter provided for.

Young persons over the age of sixteen may be employed during the night in the following industrial undertakings on work which by reason of the nature of the process, is required to be carried on continuously day and night:

- a) Manufacture of iron and steel; processes in which reverberatory or regenerative furnaces are used, and galvanizing of sheet metal or wire (except the pickling process);
- b) Glass works;
- c) Manufacture of paper;
- d) Manufacture of raw sugar;
- e) Gold mining reduction work.

Article 3.

For the purpose of this Convention, the term "night" signifies a period of at least eleven consecutive hours, including the interval between ten o'clock in the evening and five o'clock in the morning. In coal and lignite mines work may be carried on in the interval between ten o'clock in the evening and five o'clock in the morning, if an interval of ordinarily fifteen hours, and in no case of less than thirteen hours, separates two periods of work.

Where night work in the baking industry is prohibited for all workers, the interval between nine o'clock in the evening and four o'clock in the morning may be substituted in the baking industry for the interval between ten o'clock in the evening and five o'clock in the morning.

In those tropical countries in which work is suspended during the middle of the day, the night period may be shorter than eleven hours if compensatory rest is accorded during the day.

Article 4.

The provisions of Article 2 and 3 shall not apply to the night work of young persons between the ages of sixteen and eighteen years in cases of emergencies which could not have been controlled or foreseen, which are not of a periodical character, and which interfere with the normal working of the industrial undertaking.

Article 7.

The prohibition of night work may be suspended by the Government, for young persons between the ages of sixteen and eighteen years, when in case of serious emergency the public interest demands it.

(Articles 9, 12 and 14 correspond to articles 8, 11 and 13 of the preceding Convention.)

Recommendation concerning the Protection of Women and Children against Lead Poisoning.

The General Conference recommends to the members of the International Labour Organisation that in view of the danger involved to the function of maternity and to the physical development of children, women and young persons under the age of eighteen years be excluded from employment in the following processes:

- a) in furnace work in the reduction of zinc or lead ores;
- b) in the manipulation, treatment, or reduction of ashes containing lead and in the desilverizing of lead;
- c) in melting lead or old zinc on a large scale;
- d) in the manufacture of solder or alloys containing more than ten per cent of lead;
- e) in the manufacture of litharge, massicot, red lead, white lead, orange lead, or sulphate, chromate or silicate (frit) of lead;
- f) in mixing and pasting in the manufacture or repair of electric accumulators;
- g) in the cleaning of work rooms where the above processes are carried on.

It is further recommended that the employment of women and young persons under the age of eighteen years in processes involving the use of lead compounds be permitted only subject to the following conditions:

- a) Locally applied exhaust ventilation, so as to remove dust and fumes at the point of origin;
- b) Cleanliness of tools and workrooms;
- c) Notification to Government authorities of all cases of lead poisoning, and compensation therefor;
- d) Periodic medical examination of the persons employed in such processes;

- e) Provision of sufficient and suitable cloakroom, washing, and mess-room accomodation, and special protective clothing:
- f) Prohibition of bringing food or drink into workrooms.

It is further recommended that in industries where soluble lead compounds can be replaced by non-toxic substances, the use of soluble lead compounds should be strictly regulated.

Conference of Genoa.

Draft Convention fixing the minimum age for admission of children to employment at sea.

Article 1.

For the purpose of this Convention, the term "vessel" includes all ships and boats, of any nature whatsoever, engaged in maritime navigation, whether publicly or privately owned; it excludes ships of war.

Article 2.

Children under the age of fourteen years shall not be employed or work on vessels, other than vessels upon which only members of the same family are employed.

Article 3.

The provisions of article 2 shall not apply to work done by children on school-ships or training ships, provided that such work is approved and supervised by public authority.

Article 4.

In order to facilitate the enforcement of the provisions of this Convention, every shipmaster shall be required to keep a register of all persons under the age of sixteen years employed on board his vessel, or a list of them in the articles of agreement, and of the dates of their births.

(Articles 5, 9 and 11 correspond to articles 8, 11 and 13 of the Draft Convention concerning admission of children to industrial employment.)

Conference of Geneva.

Draft Convention concerning the age for admission of children to employment in agriculture.

Article 1.

Children under the age of fourteen years may not be employed or work in any public or private agricultural undertaking, or in any branch thereof, save outside the hours fixed for school attendance. If they are employed outside the hours of school attendance, the employment shall not be such as to prejudice their attendance at school.

Article 2.

For purposes of practical vocational instruction the periods and the hours of school attendance may be so arranged as to permit the employment of children on light agricultural work and in particular on light work connected with the harvest, provided that such employment shall not reduce the total annual period of school attendance to less than eight months.

Article 3.

The provisions of Article 1 shall not apply to work done by children in technical schools, provided that such work is approved and supervised by public authority.

Article 7.

Subject to the provisions of Article 5, each member which ratifies this Convention, agrees to bring the provisions of Articles 1, 2 and 3 into operation, not later than January 1st 1924 and to take such action, as may be necessary to make these provisions effective.

(Articles 8 and 10 correspond to articles 8 and 13 of the Convention concerning admission of children to industrial employment.)

Draft Convention fixing the minimum age for the admission of young persons to employment as trimmers or stokers.

Article 1.

For the purpose of this Convention, the term "vessel" includes all ships and boats, of any nature whatsoever, engaged in maritime navigation, whether publicly or privately owned; it excludes ships of war.

Article 2.

Young persons under the age of eighteen years shall not be employed or work on vessels as trimmers or stokers.

Article 3.

The provisions of Article 2 shall not apply:

- a) to work done by young persons on school-ships or training-ships, provided that such work is approved and supervised by public authority;
- b) to the employment of young persons on vessels mainly propelled by other means than steam;
- c) to young persons of not less than sixteen years of age, who, if found physically fit after medical examination, may be employed as trimmers or stokers on vessels exclusively engaged in the coastal trade of India and of Japan, subject to regulations made after consultation with the most representative organisations of employers and workers in those countries.

Article 4.

When a trimmer or stoker is required in a port where young persons of less than eighteen years of age only are available, such young persons may be employed and in that case it shall be necessary to engage two young persons in place of the trimmer or stoker required. Such young persons shall be at least sixteen years of age.

Article 5.

In order to facilitate the enforcement of the provisions of this Convention, every shipmaster shall be required to keep a register of all persons under the age of eighteen years employed on board his vessel, or a list of them in the articles of agreement, and of the dates of their births.

Article 6.

Articles of agreement shall contain a brief summary of the provisions of this Convention.

Article 10.

Subject to the provisions of Article 8, each member which ratifies the Convention agrees to bring the provisions of Articles 1, 2, 3, 4, 5 and 6 into operation not later than January 1st 1924 and to take such action as may be necessary to make these provisions effective.

(Articles 11 and 13 correspond to Articles 8 and 13 of the Convention concerning admission of children to industrial employment.)

Draft Convention concerning the compulsory medical examination of children and young persons employed at sea.

Article 1.

For the purpose of this Convention, the term "vessel" includes all ships and boats, of any nature whatsoever, engaged in maritime navigation, whether publicly or privately owned; it excludes ships of war.

Article 2.

The employment of any child or young person under eighteen years of age on any vessel, other than vessels upon which only members of the same family are employed, shall be conditional on the production of a medical certificate attesting fitness for such work, signed by a doctor who shall be approved by the competent authority.

Article 3.

The continued employment at sea of any such child or young person shall be subject to the repetition of such medical examination at intervals of not more than one year, and the production,

after each such examination, of a further medical certificate attesting fitness for such work. Should a medical certificate expire in the course of a voyage, it shall remain in force until the end of the said voyage.

Article 4.

In urgent cases, the competent authority may allow a young person below the age of eighteen years to embark without having undergone the examination provided for in Articles 2 and 3 of this Convention, always provided that such an examination shall be undergone at the first port at which the vessel calls.

Article 8.

Subject to the provisions of Article 6, each member which ratifies this Convention agrees to bring the provisions of Article 1, 2, 3 and 4 into operation not later than January 1st 1924 and to take such action as may be necessary to make these provisions effective.

(Articles 9 and 11 correspond to Articles 8 and 13 of the Convention concerning the admission of children to industrial employment.)

Recommendation concerning night work of children and young persons in agriculture.

The general Conference of the International Labour Organisation recommends:

I.

That each member of the International Labour Organisation take steps to regulate the employment of children under the age of fourteen years in agricultural undertakings during the night, in such a way as to ensure to them a period of rest compatible with their physical necessities and consisting of not less than ten consecutive hours.

II.

That each member of the International Labour Organisation take steps to regulate the employment of young persons between the ages of fourteen and eighteen years in agricultural undertakings during the night, in such a way as to ensure to them a period of rest compatible with their physical necessities and consisting of not less than nine consecutive hours.

Extracts from the German Child Welfare Act.

Part I.

General.

§ 1.

Every German child has the right to receive a good physical, moral and social education.

The rights and the duties of the parents in regard to the education of their children are not affected by this Act.

An intervention against the wishes of those legally responsible for the education of the child is only permissible, when the existing laws allow it.

In so far as the child's claim to education is not fulfilled by the family, the public Child Welfare shall intervene without prejudice to the services of private child welfare institutions.

§ 2.

The public Child Welfare authorities shall be: the Local Child Welfare Boards, the States Child Welfare Boards, and the National Child Welfare Board, that is to say in so far as the competence of other public bodies or institutions, especially the schools, is not established by law.

Public Child Welfare comprises all public activities for the promotion of the Welfare of Young Persons, and shall be regulated, subject to the existing laws, in accordance with the following stipulations: —

Part II.

Juvenile Boards.

1. Local Juvenile Board.

§ 3.

The tasks of the Local Juvenile Board are:

1. the protection of foster children;
2. Co-operation in guardianship especially in regard to the activity of the local orphanage authority;
3. the care of needy minors;
4. Co-operation with the Reformatory Institutions;
5. Co-operation with the Juvenile Courts;

6. Co-operation in regard to the supervision of the work of children and young workers in accordance with more specified regulations as laid down by the authorities of the individual States;
7. Co-operation in regard to the care of war orphans and children of disabled soldiers;
8. Co-operation in regard to Child Welfare with the police authorities.

§ 4.

It is furthermore the task of the Local Child Welfare Board to suggest, encourage, and, if necessary, to create institutions and arrangements for:

1. Advice in matters affecting young persons;
2. Protection of the mother before and after child-birth;
3. Welfare of suckling babies;
4. Welfare of children before school-going age;
5. Welfare of children of school-going age, outside school hours;
6. Welfare of young persons who have left school.

More detailed provisions may be regulated by the competent States authorities.

§ 6.

It shall furthermore be the task of the Local Juvenile Board to give its support to, and secure the co-operation of, private child welfare activities with a view to a systematic and coordinated functioning of all public and private bodies and institutions connected with Child Welfare and Juvenile Movement.

§ 8.

Local Juvenile Boards shall be established throughout the whole of the German Empire as institutions belonging to municipalities, etc. or groups of municipalities, etc.

§ 9.

In addition to the leading officials of the Child Welfare, there shall be appointed as members of the Local Juvenile Board, with full voting powers, experienced and qualified men and women of all classes of society, especially from those voluntary societies for child welfare and juvenile movement which are operating in the district of the Local Juvenile Board. The latter societies have the right of making proposals in regard to such appointments.

As a general rule there shall be appointed as full time officials in the Local Juvenile Board only such persons as have had an adequate training for activities connected with Child Welfare, such training to consist chiefly of at least one years practical experience in such work.

2. States Juvenile Board.

§ 12.

With a view to ensuring a uniform fulfilment to the tasks incumbent upon the Local Juvenile Boards as well as with a view to aiding the work of the latter, States Juvenile Boards shall be set up.

§ 13.

It shall be the duty of the States Juvenile Board:

1. to formulate general directives and take other necessary measures with a view to the effective and co-ordinated activity of the Local Juvenile Boards in its district;
2. to advise the Local Juvenile Boards and to impart to the latter the experiences gained in the domain of Child Welfare;
3. to create joint institutions and make joint arrangements for the Local Juvenile Boards concerned;
4. to co-operate in the task of finding homes for Minors.
5. to co-ordinate all institutions and arrangements concerned in reformatory work for minors, who are either neglected or exposed to evil influences;
6. to co-operate in reformatory educational work in pursuance of § 71;
7. to make suggestions for, and promote voluntary activity, and to further voluntary associations in the various domains of Child Welfare; to further and encourage the systematic co-operation of such associations both with one another and with the Local Juvenile Boards within the district of the States Juvenile Board;
8. to grant permission for the taking in charge of foster children by certain institutions, as well as to supervise these institutions in pursuance of § 29.

Further tasks may be entrusted to the States Juvenile Boards by the competent States authorities.

Part III.

Protection of Foster Children.

§ 19.

"Foster Children" are children under 14 years of age who are continuously cared for by persons other than their parents unless it is ascertained at the outset that they are cared for by such persons only temporarily and without payment.

§ 20.

A person who takes a foster child under his care must have the permission of the Local Juvenile Board.

§ 22.

This permission may be revoked if the physical, mental, or moral welfare of the child necessitates such a course.

§ 24.

Foster children come under the supervision of the Local Juvenile Board. The same applies to illegitimate children living with the mother.

§ 25.

Illegitimate children, so long as they live with the mother, shall be conditionally freed from supervision provided the welfare of the child is assured.

§ 26.

A person who in accordance with the provisions of § 24 Part I, has in his charge a child coming under the supervision is obliged to report immediately to the Local Juvenile Board the time at which he takes the child in care, the time the child ceases to be under his care, as well as change of abode and death of the child.

§ 27.

In case of danger the Local Juvenile Board has the power to immediately remove the child from where he is being cared for and have him temporarily cared for in some other place.

§ 30.

A person who adopts a foster child without having obtained the required permission or without reporting such adoption or who, after such permission has been cancelled or revoked, retains the child, is liable to a fine up to 100 000 marks or to imprisonment for a period not exceeding 3 months.

Part IV.

Position of the Local Juvenile Board in connection with the protection of Wards.

§ 35.

On the birth of an illegitimate child the guardianship devolves upon the Local Juvenile Board.

§ 42.

The Local Juvenile Board shall be the Municipal Orphanage Council.

§ 43.

The Local Juvenile Board shall assist the Guardianship Court in regard to all measures concerning the care of Minors, especially by giving expert advice in connection with the fixing of fees for the maintenance of Minors.

§ 45.

The Local Juvenile Board shall advise the Guardians, Foster Parents, etc. of its district and shall aid them in the discharge of their official functions.

Part V.

Public aid for needy Minors.

§ 49.

Minors without visible means of support shall be provided with the necessary means of subsistence including education and preparation for a trade, together with the necessary attendance in case of illness.

All decisions in regard to the necessity of granting aids shall be based upon the requirements of the young person in question in regard to a timely, permanent, and thorough remedy against all obstacles which tend to hinder his physical, intellectual and moral development.

§ 54.

In discharging their duties in regard to the granting of relief, the States Boards of Guardians may call in the aid of the Local Juvenile Boards and the States Juvenile Boards.

Part VI.

Surveillance and Reformatory Institutions.

§ 56.

A Minor is to be placed under Surveillance when such Surveillance is considered to be both necessary and adequate for the purpose of guarding against the physical, intellectual or moral neglect of such Minor.

§ 57.

The Wards' Protection Court shall decree Surveillance either on its own authority or in response to a special application. Such application may be submitted by the Parents, the Legal Representatives or the Local Juvenile Board. Before taking a decision in regard to the question of Surveillance the Wards' Protection Court shall consult the Local Juvenile Board.

§ 58.

Surveillance shall consist of the protection and supervision of the Minor. The person who discharges the duty of Surveillance (the Helper) shall aid and supervise the person responsible for the education of the Minor in regard to the care of the person of such Minor.

In the discharge of his official duties the "Helper" shall have the right of free access to the Minor. The parents, the legal Representative and the persons charged with the upbringing of the Minor are required to give the "Helper" all necessary information.

§ 59.

The Surveillance lapses on the Minor coming of age or when a duly authorised order to that effect is issued by the Reformatory Authority.

The Surveillance is to be discontinued when its aim has either been attained or when such attainment is assured in some other way.

§ 60.

The functions of Surveillance shall be transferred by the Wards' Protection Court to the Local Juvenile Board, or after consultation with the latter either to a child welfare society or to an individual person in so far as the two latter are ready and willing to assume the duties of Surveillance.

§ 62.

A Minor who has not yet completed his (her) 18th year shall, by a decisions of the Wards' Protection Court, be placed under the Reformatory Authority, in the following cases:

1. if the removal of the Minor from his (her) present surroundings is necessary as a precaution against the neglect of such Minor.
2. if reformatory educational measures are necessary as a means of putting a stop to the neglect arising from inadequate education. In the case where they have prospects of success such measures can be decreed, when the Minor has completed his (her) 18th year but has not yet completed his (her) 20th year.

§ 70.

As far as possible, the functions of the Reformatory Authority and of the States Juvenile Board shall be combined.

The Reformatory Authority shall be regarded as the Legal Representative of the Minor in regard to the conclusion of agreements relating to work and apprenticeship.

§ 71.

The States Juvenile Board, in so far as its functions are not combined with those of the Reformatory Authority, shall in accordance with specified regulations issued by the Competent State Authorities participate in regard to the application of the reformatory educational measures; it shall especially be consulted in connection with the issuing of general decrees or orders relating to the application of such measures and shall have the right to make proposals in regard to such application; it may also be charged with the task of co-operating in regard to important measures of the Reformatory Authority and in regard to the control over Minors living in reformatory institutions within its district.

§ 72.

The Reformatory Educational Measures terminate on the Minor coming of age.

Berlin, June 14th 1922.

The Child Welfare Act comes into operation on April 1st 1924.

Appendix IV.

Programmes of Young Workers' Organisations in regard to legal protection.

I.

Demands for legal protection.

Drawn up at the first International Conference of Young Workers,
in Stuttgart, 1907.

1. Prohibition of employment of young persons before the completion of their 16th year and extension of compulsory education up to that age.
2. A maximum 6-hours working day for all workers of either sex under 18 years of age.
3. Prohibition of night work for all workers of either sex under 18 years of age.
4. An un-interrupted Sunday rest period of 36 hours, for all workers of either sex under 18 years of age.
5. Prohibition of the compulsory "living-in" system in regard to all workers under 18 years of age. Agreements involving such compulsion are invalid.
6. Introduction of compulsory continuation schools for all workers under 18 years of age engaged in commerce, transport, industry, agriculture and in connection with the "liberal professions."
7. Compulsory introduction of day-time instruction on work days in all technical and industrial continuation schools.
8. Abolition of the right of the master to take the place of the father in regard to the administering of punishment, especially corporal punishment.
9. Appointment of special inspectors for young workers.
10. Extension of the Factory Inspection to handicrafts and "home industries."
11. The period of apprenticeship may not exceed 2 years, including the probationary period.
12. Prohibition of the employment of apprentices for domestic service or for any occupation not connected with their own trade, or in fact for any occupation not expressly specified in their indentures.
13. Abolition of all stipulations which tend to hamper the freedom of the apprentice in regard to the termination of the indenture. The concluding of all such stipulations, especially those concerning penalties are invalid.
14. Severe punishments for those employers, masters, &c., who transgress any of the above regulations.

II.

Programme for the legal protection of young workers, put forward by the "National Committee of the Young Workers' organisations of Germany".)*

Berlin 1921.

General Demands.

1. Those provisions for the legal protection of young persons, which relate to working hours, rest periods, a 36-hours Sunday rest period, the prohibition of night work and employment in particularly dangerous occu-

*) In this National Committee are comprised the trade union, socialdemocratic and independent socialist young workers' unions of Germany, numbering altogether more than 850,000 organised young workers.

- pations, are to be extended so as to apply to all young persons until they have reached their 18th year. The employment of children under 14 years in any industrial or commercial undertaking is prohibited.
- II. The wages and working conditions of all young workers shall be regulated by tariff agreements.
 - III. Introduction of a 6-hours working day for all young workers until they have completed their 16th year; prohibition against exceeding the Eight-Hours Day in regard to young workers over 16 years of age. Inclusion of the compulsory school hours, as well as all time spent in preparing and winding up work, in the ordinary working hours; a Saturday half holiday; total number of working hours per week, including school time, not to exceed 45 hours.
 - IV. Adequate consecutive holidays of at least 14 days; for young persons below 17 years of age at least 3 weeks in the year, full remuneration being retained (wages, salaries, board and lodging, as stipulated in contract).
 - V. Control of all concerns, in regard to the observance of provisions for the legal protection of young persons, by the Shops- and Factory Inspectors, who shall carry out their duties in close co-operation with special trade union representatives. Also as regards complaints which do not relate only to the legal protection of young persons, these special trade union representatives have the legal right to negotiate with the owners of the industrial or commercial establishments in question in regard to the complaints made by the young workers; in these negotiations they shall be assisted by such representatives as the workers may have in the form of works councils, etc.
 - VI. All regulations which tend to restrict the young workers rights of assembly and association shall be discontinued.
 - VII. Jurisdiction in regard to all disputes concerning the working conditions of the young workers shall be transferred to special Labour Courts (Industrial and Commercial Courts).
The existing "Trades Courts" ("Innungschiedsgerichte") shall cease to have jurisdiction in such cases.
 - VIII. All young persons who have completed their ordinary school education and who can find no employment shall receive adequate legal unemployment benefits. Especially, the scales of benefits hitherto prevailing shall be increased as they are too low, even as compared with the inadequate benefits paid to unemployed adults.

Reform of the Apprenticeship System.

- I. Trades Commissions shall be set up in all towns and districts for all those trades and occupations in regard to which a proper course of instruction is needed by the young persons who intend to take up such trades or occupations. These Trades Commissions shall consist of an equal number of persons representing the organisations of employers and workers respectively; and if necessary they may elect an impartial president.
- II. In so far as no tariff agreements exist, the Trades Commissions shall, subject to the general legal regulations, have the right:
 - a) after due investigation, to grant to, or withhold from, the various concerns the right to have apprentices;
 - b) to fix the maximum number of apprentices, improvers, learners, etc. in each trade according to the kind of concern in question;

- c) to fix the maximum duration of the term of apprenticeship as well as the contents of the indentures;
 - d) to give directives in regard to the examinations for journeymen and assistants, and to conduct these examinations;
 - e) to settle all disputes which may arise in connection with the conditions and terms of the apprenticeship; furthermore, through the agency of persons appointed for that purpose, to control the concerns in question, to see that the apprentices receive adequate and proper instruction and to rectify such irregularities as may arise in connection with board and lodging;
 - f) in so far as there are no tariff agreements between the organizations of employers and workers concerning wages, salaries and holidays for the apprentices the Trades Commissions shall fix the minimum rates of wages and salaries, as well as the duration of the holidays in the various concerns and professions.
- III. An evasion of the tariff agreements or of the regulations made by the Trades Commissions is invalid; in regard to transgressions of this nature legal proceedings shall be taken at the instigation of the Trades Commissions.
- IV. With a view to co-ordinating the activities of all Trades Commissions there shall be formed for each industrial group a National Trades Commission composed of an equal number of employers and workers of representing their respective central federations for the purpose of laying down the general principles and rules in regard to the tasks of the individual Trades Commissions.
- V. All concerns which are granted the right of having apprentices are obliged to take on the number of apprentices specified by the Trades Commissions; Industrial Schools for apprentices shall be established in connection with large private, municipal or state-owned concerns. In like manner for the handicraft trades there shall be established, by means of subsidies from the municipalities, special workshops for apprentices at which the young workers shall spend at least one third of their term of apprenticeship, and at which also they shall prepare their test work.
- In case that, for certain trades and by reason of local circumstances, it is impossible to establish such special workshops, the Trades Commissions shall give certain directives as to how the apprentices are to be trained in the individual concerns.
- VI. All existing legal stipulations which are not in accordance with the new regulations set forth above shall be repealed including those which grant either the master or those acting on his behalf the right of "paternal chastisement."

III.

Demands of the Communist Young Workers' International in regard to legal protection.

Moscow, 1922.

A minimum living wage.

Struggle against attempts to increase the working hours to more than 8 per day, the time allotted to technical instruction to be included in the working hours, and for introduction of a 6-hours' day for young workers; maintenance of young persons to be guaranteed during the time they are out of work; unemployed young persons to be sent to Industrial Schools; a Sunday rest period of 44 hours; a 4 weeks' holiday per year, with pay.

Prohibition of night work and work on Sundays.

Prohibition of the employment of young persons in trades and industrial concerns which are injurious to their health. (e. g. certain branches of the chemical industry, working below surface in mines, &c.)

Prohibition of excessive number of apprentices by means of strict stipulations regulating the engagement thereof.

Abolition of individual indentures; inclusion of apprentices in the collective agreements.

The employment of apprentices to be under the control of the trade unions and the works councils.

IV.

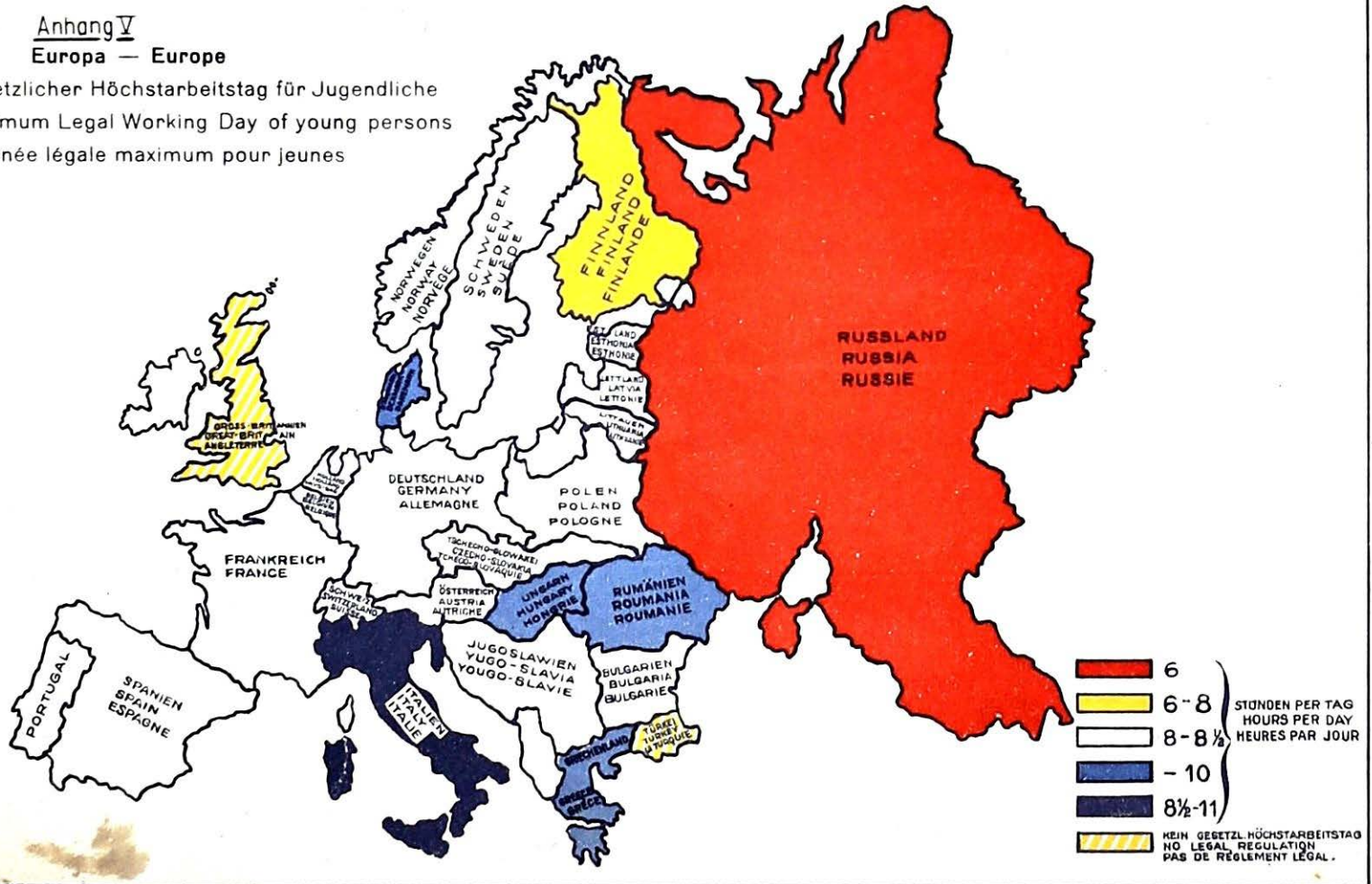
Programme of immediate demands adopted by the Joint Conference of the Young Workers' International and the International Working Union of Young Socialists.

at Salzburg, August 21st 1922.

1. Absolute prohibition of remunerated employment during pre-school and compulsory school age.
2. Prohibition of any extension of the 8 hours day with inclusion of the compulsory school hours. Actual working time may not exceed 6 hours. Continuation school instruction during daytime only.
3. Compulsory medical examination of young persons before admission to employment.
4. Absolute prohibition of piece-work, nightwork, underground work and work in unhealthy industries or occupations.
5. 36 hours rest on Sundays; Saturday half holiday.
6. Holidays with full pay up to the age of 18.
7. Observance of these rules to be supervised by Juvenile Boards with the co-operation of workers' representatives.
8. Reform of the apprenticeship system.
9. Reform of compulsory continuation school instruction.

Anhang V
Europa — Europe

Gesetzlicher Höchstarbeitstag für Jugendliche
Maximum Legal Working Day of young persons
Journée légale maximum pour jeunes



Anhang V a

Europa — Europe

Kinderarbeitsverbot

Prohibition of Child Work

Interdiction du Travail des Enfants

