

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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Also the legal measures for child welfare, i neglected children should come within the scop This domain, however, is so extensive that, a detailed account of apprenticeship and educat reserved for special treatment on a subsequent occasion. But in order to show the fundamental connection with the other subjects dealt with here, and at the same time to give at least an indication of the numerous problems with which legislation for young persons is also confronted in this domain, an extract from the German "Reichsjugendwohlfahrtsgesetz" (Child Welfare Act) has been appended in the Supplement.

This law is not only the most up to date of its kind — it dates from June 14th 1922 — it is also the first attempt at a uniform combination of all the regulations referring to the subject in question.

Countries dealt with: In addition to the European countries the following non-European countries have been dealt with: The United States, Canada, Mexico, Argentine, Brazil, South Africa, Japan, British India, Australia, New Zealand.

Time Covered: In the main the present publication deals with the period between 1900 and medio 1921. The laws which were enacted before 1900 have been taken into consideration only in so far as they are still of considerable practical importance. In view, however, of the fact that the protective measures in regard to their personal and material scope of application are in many cases unclearly defined, a perfectly satisfactory demarcation has often been attended with difficulties.

Furthermore, all temporary decrees issued during the war and during the period of demobilisation have not been taken into account.

Sources.

The materials have been procured:

1. by means of a Questionnaire issued by the International Federation of Trade Unions to its affiliated national trade union centres in the following countries: Argentine, Austria, Belgium, Bulgaria, Canada, Czechoslovakia, Denmark, France, Germany, Great Britain, Greece, Holland, Hungary, Italy, Latvia, Luxemburg, Norway, Peru, Poland, South Africa, Spain, Sweden, Switzerland, Yugoslavia.
2. By means of Questionnaires issued by the Young Workers' International and the International Working Union of Young Socialists to their affiliated organisations.

The following sources have also been drawn upon:

A. The text of the laws:

1. for 1902—1919, the Bulletin of the International Labour Office in Bâle;

2. for 1919, 1920, 1921, the "Legislative Series" of the International Labour Office in Geneva;
3. the Codes of the various countries;
4. the Official texts published by the League of Nations of the Draft Conventions and Recommendations adopted at the International Labour Conferences of Washington, Genoa and Geneva.

B. Literature.

Boutelle Ellsworth Lowe: The International Protection of Labor. (The Macmillan Company, New York 1921.)

National Child Labor Committee (105 East 22nd Street New York City): 1. Annual Report for the Year ending Sept. 30th 1921, 2. State Laws and Minimum Standards for Child Protection, 3. Child Labor, Compulsory School Attendance and Mothers Pensions Laws of the States in brief.

Dr. Walter Schiff: "Der Arbeiterschutz der Welt." (Legal Protection of Workers throughout the World). J. G. B. Mohr-Tübingen 1920.

Robert Schmidt: "Der gesetzliche Arbeiterschutz für Jugendliche." (*The Legal Protection of Young workers*). "Vorwärts," Berlin 1913.

League of Nations: Report III on Employment of Women and Children and the Berne Conventions of 1906. Prepared for the International Labour Conference Washington, 1919. London, Harrison and Sons.

Our special thanks are due to the International Labour Office at Geneva for supplying exhaustive and important material; furthermore to the Austrian General Federation of Trade Unions, the "Niederösterreichische Kammer für Arbeiter und Angestellte" and the National Child Labor Committee in New York.

After all that has been said it will be clear that this publication is not to be considered as final or complete, but rather as a first attempt to compile on an international basis a body of facts and data for the practical benefit of the young workers' organizations.

These latter can themselves help towards a further publication of this kind in an improved and extended form, by sending to the Young Workers' Department of the International Federation of Trade Unions such corrections, additions, improvements, and proposals as they will suggest themselves.

Steering a middle course between on the one hand the empty talk of revolution and on the other hand an inactive acquiescence in the existing order of things, the International Federation of Trade Unions will continue its efforts to supply the army of young workers with weapons which will help them towards the attainment of their aims more effectively than the "armour of the barbarians."

I. Regulation of working hours.

Table I.

Country	Age to which the regulation applies	Maximum working hours		Rest periods (hours)	Weekly rest day (hours)	Saturday half holiday	Holidays
		per day (hours)	per week (hours)				
Austria.....	14—18	8	44—48	1—1½	legally fixed	from 12 o'clock	1—2* weeks
Belgium.....	14—16 (girls up to 21)	8	48	½—1½	—	—	—
Bulgaria.....	14—18	8 (up to 18 years)	—	at least 2	36	—	—
Denmark.....	14—18	10	—	½	24	—	—
Germany.....	14—16**	8	48	¼—1	34 (37 for girls)	—	—
Finland.....	15—18	6—8 (boys up to 15 years)	36—48	½—1	30	—	—
France.....	13—18	8	48	at least 1	24	legally fixed	—
Greece.....	14—18	6—10	—	½—2	legally fixed	—	—
Great Britain.....	14—18	—	—	½—2	38—40	legally fixed	—
Holland.....	14—18	8½	48	1	legally fixed	from 1 p. m.	—
Italy.....	12—15 (girls up to 21)	8½—11	—	1—1½	24	—	10—20 days
Jugoslavia.....	14—18	8	48	1—2½	36	—	—
Lithuania.....	to 17	8	48	up to 2	36 2 shifts 29 3 shifts 24	—	—
Luxemburg.....	14—18	8	—	2 (up to 16 years)	24 without exception	—	—

* After one year's service. ** For girls no upper age limit.

Country	Age to which the regulation applies	Maximum working hours		Rest periods (hours)	Weekly rest day (hours)	Saturday half holiday	Holidays
		per day (hours)	per week (hours)				
Norway	14—18	8½	44—48	—	28	—	—
Poland	12/14—18	8	46	—	legally fixed	—	—
Portugal	12—16 (girls up to 18)	8	48	up to 1½	24	—	—
Rumania	11—18	8—10	—	1—1½	24	—	2 weeks
Russia	16—18	6	—	½—2	42	—	2 weeks every 6 months
Sweden	13—18	8	48	suitable if possible regularly	legally fixed	—	—
Switzerland	14—18	8½	48	1—1½	for young persons without exception	for children without exception	—
Spain	14—18	8	48	2	24	legally fixed	—
Czechoslovakia	14—18 (girls up to 18)	8	48	at least ¼	32	from 2 p. m.	—
Hungary	14—16	8—10	—	2	24	—	—
United States	14/15-16/18	8—11	48—60	—	legally fixed	—	—
Canada	14/15-16/18	—	—	1	legally fixed	—	—
Argentine	12—16	8	48	2	for young workers without exception	—	—
British India	9—14	7*	—	—	legally fixed	—	—
Japan	12—15	12	—	½—1	2 days pro month	—	—
Australia	14—18	8¾-10	48	½—1	—	—	—

* Girls Older than 14 years 11 hours.

Austria.

Supplementary Remarks.

The 44 hours week only applies to concerns where at least $\frac{2}{3}$ of the employed are young workers under 16 years of age, or female workers.

Maximum working hours: for children on school days, 3 hours; on days when school is not open, 4 hours; in agriculture and in domestic service, 6 hours.

Shop Assistants, etc.: Over-time may be worked in connection with supplementary work which is carried out either before or after the chief work. This, however, applies only to adults. The working hours may be increased up to 10 hours per day on 3 days in the month or on 30 days in the year, if such increase is necessitated by unusual pressure of work; and on 3 days in the month or on 60 days in the year in seasonal occupations.

An exception is made in the case of young male workers over 16, and of young female workers over 18, in connection with such stoppages in the concern as cannot be foreseen or are not periodical, or on account of other interruptions due to lack of materials, up to 8 successive days and not more than 24 in the year.

In hotels, restaurants, public houses, etc., young assistants of either sex up to the end of their 16th year may be employed until 10 o'clock, provided their nightly rest amounts to at least 9 consecutive hours and provided furthermore that they are granted during the day an uninterrupted rest period of at least 2 hours.

Industry and Mining in concerns where shifts are worked, boys over 16 years of age and women workers may be employed until 10 o'clock at night.

Domestic servants must have in the course of the day a rest period of 2 hours altogether, domestic servants under 16: 3 hours.

Holidays in proportion to number of years in service:

for salaried employees 2—5 weeks per year

• " domestic servants 1—3

" agricultural workers . . . 1—3

" forest workers, except when otherwise specified, the

same holidays as are granted to industrial workers.

Belgium.

Maximum working hours: Subject to the general provisions of the law relating to the introduction of the eight-hours day and the 48-hours week, children under 16 years of age as well as women or girls under 21 may not work more than 10 hours.

There is a prohibition against lengthening the working hours by giving home work.

Rest periods: When the working hours are 8—9 per day the total duration of the rest periods shall be at least $1\frac{1}{4}$ hours; for more than 9 hours a day: $1\frac{1}{2}$ hours. In concerns where the work is done in shifts the minimum duration of rest periods is $\frac{1}{2}$ hour.

Night work: In coal mines boys over 16 may work after 10 o'clock at night and before 5 o'clock in the morning when the shifts in which they work are separated by an intervening period of at least 15 hours.

The king may in general or under certain conditions grant permission for boys over 16 to work after 10 o'clock at night and before 5 o'clock in the morning in the following industries, which from their nature must be kept going day and night: Steel and iron works; glass factories; paper factories; raw-sugar factories; reduction of gold ore.

Weekly rest day: The administrative authorities may prescribe that the Sunday rest period shall not begin before 6 o'clock on Sunday morning in factories where several shifts are worked.

In those trades where from the nature of the case the work cannot be interrupted or postponed, the king may grant permission for young persons over 14 years of age to work on Sundays, either permanently, temporarily or under certain conditions; there must, however, be free time for attending divine service and at least half a free day per week or one full free day once every two weeks.

Bulgaria.

Maximum working hours: The Government has the power to decrease or increase the number of working hours or to permit *night work*.

Czecho-Slovakia.

Holidays for miners: 5—12 days per year. The mine authorities have the power to shorten the working hours in mines to 7 hours a day.

Denmark.

Rest periods: It is forbidden to stay in the work rooms during the rest periods.

The Factory Inspection may raise the age limit of 18 years in regard to *maximum working hours, prohibition of night work, and stipulations concerning rest periods*, in case of occupations which are particularly strenuous or dangerous to health, or in occupations in which the carelessness of one worker may be a danger to the others.

Finland.

Maximum working hours: In commercial establishments, offices, and ware houses young persons under 16 years of age may not be engaged more than 6 hours a day. The industrial authorities have the power to grant exemptions for boys if the training for their profession demands it.

The "Industrial Board" has the power to grant temporary extension of the working hours for seasonal work in agriculture and may also permit *night work* for young persons, and in case of absolute necessity also for children, in those concerns the nature of which as a rule necessitates night work or does not admit of the division of the workers into regular groups.

Sunday rest: for shop assistants, etc. 38 hours.

Holidays: For shop assistants, etc. after six months' service: 1 week; after one years' service: 2 weeks, after 5 years service: 3 weeks and after 10 years' service: 1 month

France.

Saturday half holiday: In ladies', gentlemens' and childrens' confectionary establishments; in the manufacture of bodices; in sewing; in manufacture of fur articles; in the manufacture of linen goods, and in gentlemens' tailoring, the Saturday half holiday may not begin later than 1 o'clock.

Work with shifts ("relais") is forbidden except in foundries where the furnaces have to be kept going day and night and in concerns specified by the administrative authorities.

The working hours of young persons in regard to work below the surface are fixed by the administrative authorities.

Prohibition of night work: The administrative authorities specify the occupations which are physically too strenuous, or which are injurious to morals, and in which young persons under 18 may not be employed, or at least only under special circumstances.

Germany:

Maximum working hours: Contrary to the General Provisions of the Industrial Code, women workers over 16 years of age may be employed up to 10 p. m. in undertakings where 2 or more shifts are worked, provided that after their hours of work they are allowed an uninterrupted period of rest of at least 16 hours.

In these cases instead of one hours break at midday a break of half an hour or 2 breaks of a quarter of an hour may be allowed, which shall be reckoned as part of the hours of work.

Breaks of at least $\frac{1}{4}$ hour to be reckoned as rest periods.

It is prohibited to evade this regulation by giving home work.

Great Britain.

Maximum working day in coal mining: 7 hours.

For all children under 14 years of age prohibition against work during school hours. The local authorities, by means of local bye-laws, may permit employment of children over 12 years of age for certain specified occupations, but before 9 o'clock in the morning one hours' work is the maximum allowed.

Sunday rest: Maximum working hours on Sundays for all children under 14: 2 hours.

Legal exemptions from prohibition against Sunday work for young persons over 14 years of age engaged in blast furnaces, iron works, book printing and paper mills, in so far as such young persons are also permitted to do night work.

Greece:

Maximum working hours: for children under 12 years of age engaged in concerns employing only members of the family: 3 hours.

For children under 14 engaged in trades, building operations and mining: 6 hours.

Rest periods: All persons coming within the scope of legal protection shall have their rest periods at the same time, except in mines and in factories where furnaces must be kept going day and night.

Holland.

Maximum working hours: The provisions of the Eight-Hours Day Law do not apply to agriculture, horticulture, forestry, and cattle breeding.

For seasonal occupations permission for over work may be granted by the authorities concerned.

In such cases a young person shall not work more than 10 hours a day and 55 hours a week.

Breaks of less than $\frac{1}{4}$ hour are not reckoned as rest periods.

Young persons under 17 shall have the opportunity, after 5 o'clock in the afternoon, to attend religious or other instruction.

Hungary.

Maximum working hours in trades: Children under 14 years of age: 10 hours, including school hours; young persons from 14 to 16 years of age: 12 hours.

Maximum working hours in factories: Children under 14 years of age: 8 hours; young persons of from 14 to 16 years of age: 10 hours. The industrial authorities have the power to grant a maximum of 6 hours night work in case of apprentices in the various trades and in the case of young persons in factories, having due regard to the state of their physical development, in those branches of industry which cannot be carried on effectively without night work.

Italy.

Maximum working hours: For children under 15: 11 hours; where two shifts are worked: $8\frac{1}{2}$ hours.

Breaks of less than $\frac{1}{4}$ hour are not reckoned as rest periods.

Prohibition of night work: The Government may grant exemptions in regard to female workers over 15 years of age who are engaged upon the preparation of perishable commodities.

Weekly rest day: The numerous exemptions only apply to young persons over 15 years of age.

Lithuania.

The Eight-Hours Day Law does not apply to workers engaged in connection with agriculture, forestry, railways, steamers, boats, etc.

In concerns which must be kept going day and night only male workers of over 17 years of age may be employed longer than the usual number of working hours.

Luxemburg.

Maximum working hours: For children under 14 who have not yet completed their elementary education: 6 hours.

The Eight-Hours Day Law does not apply to railways or to establishments employing only members of the family.

Norway.

Complete prohibition of over-time-work for persons under 18 years of age.

Poland.

Over-time is only obligatory in cases of force majeure or in unforeseen circumstances, and furthermore, provided there is an agreement to that effect which, however, must have the sanction of the Labour Inspector.

In concerns which must be kept going day and night 8 hours may be worked also on Saturdays. For the two extra hours however the workers must be paid a special allowance.

Portugal.

Maximum working hours: For employees in credit and exchange establishments and offices the normal maximum working day shall not exceed seven hours.

The Eight-Hours Day Law does not apply to agriculture and domestic service. The maximum working hours may be reduced by duly authorised decree in unhealthy or noxious occupations.

Weekly rest day: Absolute prohibition of Sunday work for boys under 16 and for girls under 18.

Rumania.

Weekly rest day: No exemptions from obligation to grant a weekly rest day to women, and to boys under 15.

Russia.

Over time is permitted only in the case of adult male workers, under the conditions specified in the Law.

Holidays: The Peoples' Commissary for Labour has the power to grant longer holidays to persons engaged in particularly unhealthy industrial occupations.

Spain.

A seven-hours working day for persons engaged below surface in mines, etc.

Young persons under 18 years of age may not under any circumstances perform over time work.

Maximum working hours: For children under 14 years of age engaged in trades: 6 hours.

Sweden.

The Eight-Hours Day Law does not apply to home industries, public services, shipping, fishing, forestry, charcoal works, lumbering, agriculture, horticulture, cattle-breeding, etc.

Young persons under 16 years of age may not under any circumstances be employed more than 8 hours a day. The "Labour Board" has to ascertain to what extent young persons, who have reached their 17th year may, for urgent reasons, be employed for more than 8 hours a day.

Switzerland.

Sunday work and over time is only permitted for persons over 18 years of age, provided they themselves give their consent.

Yugoslavia.

Absolute prohibition against employment of young persons under 16 years of age in factories on Sundays.

In concerns which must be kept going day and night only male workers over 18 years of age may be employed longer than the usual working hours.

The provisions of the Eight-Hours Day Law do not apply to those manufacturing establishments and handicrafts which employ only the members of the owner's family and which come within the general scope of home work.

United States.

In the United States it is the individual States, not Congress, that is competent for protective legislation. In effect, however, the national minimum for industrial employment was established at 14 years of age by a tax of 10 per cent on the entire net profits for the taxable year of any mill, cannery, workshop, factory, or manufacturing establishment in which children under that age have been employed. (Title XII of the Revenue Act of 1918.) This tax has been declared unconstitutional by the American Supreme Court on May 15th 1922 — as formerly the Federal Child Labor Act of 1916. There is a strong movement, led by the National Child Labor Committee, urging an amendment to the Federal Constitution in order to empower Congress to protect children against unfair conditions in industry.

II. Admission to, and prohibition of employment.

Table II. *Minimum age for admission to employment.*

Country	Minimum age of admission	Scope of application	Cases, in which a lower age limit is allowed	Compulsory educational certificate	Compulsory medical certificate
Austria	14 12 10	factories, building, etc. light agricultural and domestic work any gainful occupation			
Belgium	14	industry, etc.	13 with educational certificate		
Bulgaria	14		12 with educational certificate		
Czecho-Slovakia...	14	—	10 for light agricultural and domestic work	fixed by law	—
Denmark	14	factories, handicrafts, bakehouses, hotels, restaurants, etc.		fixed by law	up to 18
Finland	14	—	13 with educational and medical certificate	—	up to 15
France	13	—	12 with educational and medical certificate	—	up to 13 (in specified industries up to 18)

Country	Minimum age of admission	Scope of application	Cases, in which a lower age limit is allowed	Compulsory educational certificate	Compulsory medical certificate
Germany	14	—	—	—	in specified industries
Great Britain	14	factories, workshops, street-trading	12 strictly regulated employment out of school hours in occupations not under factory and workshop or mines Act.	—	up to 16
Greece	14	industry, building, transport	10 if employed by parents	fixed by law	up to 16
Holland	14	all concerns, also homework, building trades, restaurants, commerce, traffic	—	fixed by law	up to 18 in certain industries
Hungary	10	—	—	—	—
Italy	12	factories, building trades	—	up to 15	for boys up to 15, for girls up to 21
Luxemburg	12	factories, workshops, etc.	—	—	—
Norway	14	factories, workshops, etc.	12 out of school hours	fixed by law	fixed by law

Country	Minimum age of admission	Scope of application	Cases, in which a lower age limit is allowed	Compulsory educational certificate	Compulsory medical certificate
Poland	14 12	factories, other industrial works	10 if employed by parents	—	—
Portugal	12 10	industry, homework, building trades, light industrial occupations	—	fixed by law	—
Rumania.....	12 11	industry, building trades, quarries, handicrafts	—	—	up to 15 for boys up to 17 for girls
Russia.....	16	all establish- ments	—	—	—
Spain	10	factories	9 in coastal fishing if child no lon- ger required to attend school	—	up to 16
Sweden	13 (boys) 14 (girls)	factories and large workshops	—	fixed by law	up to 18
Switzerland	14	industry	—	fixed by law	—
Yugoslavia	14 12	industry, commerce	12 with medical certificate	—	—

Country	Minimum age of admission	Scope of application	Cases, in which a lower age limit is allowed	Compulsory educational certificate	Compulsory medical certificate
United States					
5 States	14	any gainful occupation	fixed by law	—	—
Indiana	14	any gainful occupation	agriculture, domestic service	prohibition of employment of all minors during school hours	—
3 States	16	any gainful occupation during school hours	fixed by law	—	—
Maine	15	any gainful occupation during school session	fixed by law	—	—
"	14	specified occupations at all times	fixed by law	—	—
2 States	15	specified occupations	fixed by law	—	—
6 States	14	all gainful occupations during school hours and specified occupations at any time	—	—	—
Missouri	14	all gainful occupations during school hours	fixed by law	—	—
15 States	14	specified occupations at any time	—	—	—
11 States	14	specified occupations at any time	fixed by law	—	—
Mississippi	14 (girls) 12 (boys)	specified occupations	—	—	—
2 States	no legal age minimum for employment	—	—	—	—

Country	Minimum age of admission	Scope of application	Cases, in which a lower age limit is allowed	Compulsory educational certificate	Compulsory medical certificate
Canada (in general) 2 Provinces	14 14 (boys) 15 (girls)	factories, etc.	—	—	—
1 "	15				
Mexico	12	—	—	—	—
Argentine	12 10	industry, and other employment of all sorts	— —	— —	— —
Brazil (Sao Paulo)	12	—	—	—	up to 15
Japan	12	general	10 light occu- pations to be specified by the authori- ties	—	—
British-India	9	—	—	—	up to 14
Australia	14	—	—	—	—
New-Zealand	14	factories	13 in specified cases with educational certificate	—	up to 16

Table IIa.

Prohibition in regard to night work, work below ground, and work in the chief unhealthy occupations.

Country	males females	Prohibition of night work	Prohibition of work below ground	Prohibition of work in						
				Chemical Trades*	Trades involving contact with poisonous vapours or dust up to	Trades involving risk of injury from non-poiso- nous dust up to	Trades and Processes involving risk of poisoning from			
							Lead . up to	Mercury up to	Phosphorus up to	Arsenic up to
Austria	m. f.	18 c.	14—18 c.	— —	— —	— —	— —	— —	— —	— —
Belgium	m. f.	18 c.	14 c.	16 21	16 21	16 21	16 21	16 21	14—16 14—21	14—16 14—21
Bulgaria	m. f.	18 c.	18 c.	18 c.						
Czechoslovakia	m. f.	16 c.	14 c.	— —	16 17	— —	16 16	— —	— —	— —
Denmark	m. f.	18 18	— —	— —	— —	16 —	— —	— —	— —	— —
Finland	m. f.	18 18	18 18	— —	— —	— —	— —	— —	— —	— —
France	m. f.	18 18	13, 16, 18 c.	18 18	18 18	18 18	16 16	18 18	18 18	18 18
Germany	m. f.	16 c.	14—16 c.	16 16	18 18	16—18 16—18	16—18 c.	— —	— —	— —
Greece	m. f.	18 c.	15 c.	16 18						

Great Britain.....	m.	18	14	18	18	14	18	18	14	—
	f.	18	c.	18	18	14	c.	18	14	—
Holland.....	m.	17	16—20	17—18	—	17	17	17	17	17
	f.	17	c.	17—18	—	17	c.	c.	c.	c.
Hungary.....	m.	16	—	—	—	—	—	—	—	—
	f.	c.	—	—	—	—	—	—	—	—
Italy.....	m.	15	14	15						
	f.	c.	c.	21						
Jugoslavia.....	m.	18	14	—	—	—	—	—	—	—
	f.	c.	—	—	—	—	—	—	—	—
Luxemburg.....	m.	16	16	—	—	—	—	—	—	—
	f.	c.	c.	—	—	—	—	—	—	—
Norway.....	m.	18	14	18	14—18	18	16—18	—	16	—
	f.	18	—	18	14—18	18	16—18	—	16	—
Poland.....	m.	16—17	17	15—18	15	15	15—18	—	—	—
	f.	16—17	—	15—18	15	15	15—18	—	—	—
Portugal.....	m.	16	16	16	—	—	—	—	—	—
	f.	c.	18	18	—	—	—	—	—	—
Rumania.....	m.	15	—	15						
	f.	17	c.	17						
Russia.....	m.	16	18	—	—	—	—	—	—	—
	f.	c.	c.	—	—	—	—	—	—	—
Spain.....	m.	16	16—18	16						
	f.	c.	c.	21						
Sweden.....	m.	18	15	18						
	f.	c.	c.	18						

m = males, f = females, c = complete prohibition regardless of age. * The age limits indicated do not apply to all chemical trades, etc. but only to a specified list of occupations falling under these trades. For this list see Report III of the League of Nations on the employment of women and children for the Washington Conference.

Country	males females	Prohibition of night work up to	Prohibition of work below ground up to	Prohibition of work in:						
				Chemical Trades up to	Trades involving contact with poisonous vapours or dust up to	Trades involving risk of injury from non-poiso- nous dust up to	Trades and Processes involving risk of poisoning from			
							Lead up to	Mercury up to	Phosphorus up to	Arsenic up to
Switzerland	m. f.	18 18	— —	— —	— —	— —	— —	— —	— —	— —
United States	m. f.	16 ^c 16	16 16	— —	15-16** 15-16	15-18** 15-18	15, 16, 21** 15, 16, 21	— —	16-18** 16-18	15-16** 15-16
Canada	m. f.	— —	14-15 —	16 18						
Argentine.....	m. f.	16 16	16 c	16 16						
Brazil.....	m. f.	18 18	— —	— —	— —	— —	— —	— —	— —	— —
Mexico	m. f.	— —	12 —	— —	— —	— —	— —	— —	— —	— —
South Africa	m. f.	16 16	16 c	— —	— —	16 16	16-18 16-18	18 18	16 16	18 18
Japan	m. f.	15 15	— —	— —	— —	— —	15 15	15 15	15 15	15 15
British-India	m. f.	— —	12 (for dangerous work)	— —	— —	— —	— —	— —	— —	— —
Australia.....	m. f.	16 16	14 —	— —	— —	16 16	16-18 16-18	18 18	18 18	— —
New-Zealand	m. f.	16 16	— —	— —	— —	— —	— —	— —	— —	— —

* In 2 states 18 years, in 1 State 18 years for girls, in 7 states no prohibition of night work. ** According to different states.

Table IIb.

Further prohibitions of unhealthy and dangerous work and occupations endangering morals.

Trade or occupation *	males females	Belgium	Bulgaria	Denmark	Germany	Finland	France	Greece	Great Britain	Holland	Italy	Luxemburg	Norway	Austria	Portugal	Romania	Russia	Sweden	Switzerland	Spain	Czechoslovakia	Hungary
(Alkali) chromates	m. f.	— —	— —	— —	16 c.	— —	— —	— —	18 18	— —	— —	— —	— —	— —	— —	— —	— —	— —	— —	— —	— —	— —
Asbestos: spinning, weaving, mills .	m. f.	— —	— —	— —	— —	— —	— —	— —	— —	— —	15 21	— —	— —	— —	— —	— —	— —	— —	— —	— —	— —	— —
Bakeries	m. f.	— —	— —	14 14	— —	— —	— —	— —	— —	— —	— —	— —	— —	— —	— —	— —	15 15	— —	— —	— —	— —	— —
Building and constructional work...	m. f.	— —	— —	— —	— —	— —	— —	— —	— —	14 14	— —	— —	— —	14 14	— —	— —	— —	— —	— —	— —	— —	— —
Breweries	m. f.	14 14	18 c.**	— —	— —	— —	— —	— —	— —	— —	— —	— —	— —	— —	— —	— —	— —	— —	— —	— —	— —	— —
Bleach works	m. f.	16 16	— —	— —	— —	— —	— —	— —	— —	— —	— —	— —	— —	— —	— —	— —	— —	— —	— —	— —	— —	— —
Working of guts, bones, horns, etc..	m. f.	— —	18 c.	— —	— —	— —	— —	— —	— —	17—18 17 or c.	15 21	— —	— —	— —	— —	— —	15 15	— —	— —	— —	— —	— —
Printing works	m. f.	— —	— —	18 18	— —	18 18	— —	16 18	— —	17—18 17 or c.	15 21	— —	— —	16 16	— —	— —	— —	— —	— —	— —	— —	— —

* The prohibition in general does not apply to the entire trade but only to specified occupations falling under the trade. ** c. = complete prohibition without regard to age. — Numbers in this table indicate the age up to which work is prohibited.

Trade or occupation	males		Belgium	Bulgaria	Denmark	Germany	Finland	France	Greece	Great Britain	Holland	Italy	Luxembourg	Norway	Austria	Portugal	Rumania	Russia	Sweden	Switzerland	Spain	Czechoslovakia	Hungary
	females																						
Manures, artificial manures.....	m.	—	—	—	—	—	—	18	16	—	—	15	—	—	—	—	—	—	—	—	—	—	—
	f.	—	—	—	—	—	—	c.	18	—	—	21	—	—	—	—	—	—	—	—	—	—	—
Mixing of colours, by hand, preparation of colours and paints.....	m.	—	—	—	18	—	—	—	—	18	17—18	—	—	—	14	—	—	—	—	—	—	—	—
	f.	—	—	—	18	—	—	—	—	18	17 or c.	—	—	14	—	—	—	—	—	—	—	—	—
Hides, skins, pelts.....	m.	16	—	—	14	—	—	—	—	—	17—18	15	—	14	16	—	—	—	—	—	—	—	16
	f.	21	—	—	14	—	—	—	—	—	17 or c.	21	—	14	18	—	—	—	—	—	—	—	16
Felt-making, felt hats.....	m.	16	—	—	—	—	—	18	16	—	—	15	—	—	16	15	16	—	—	—	—	—	—
	f.	16	—	—	—	—	—	c.	18	—	—	21	—	—	18	15	16	—	—	—	—	—	—
Glass industry.....	m.	16	16	—	14—16	—	15—18	16, 14—18	—	—	—	15	—	—	14	16	15	—	—	—	—	—	—
	f.	16	16	—	c.	—	15—18	18, 18 or c.	—	—	—	21	—	—	14	c.	15	—	—	—	—	—	—
Electro-plating in gold and silver...	m.	—	—	—	—	—	—	—	—	—	—	15	—	—	—	—	15	—	—	—	—	—	—
	f.	—	—	—	—	—	—	—	—	—	—	21	—	—	—	—	16	—	—	—	—	—	—
Rubber and guttapercha.....	m.	16	16	—	18	—	18	—	—	18	—	15	—	—	14	16	15	—	—	—	—	—	—
	f.	21	18	—	18	—	18	—	—	c.	—	21	—	—	14	18	15	—	—	—	—	—	—
Lime kilns and lime yards Gypsum mills.....	m.	—	16	—	14	—	18	—	—	—	—	15	—	14	—	15	—	—	—	—	—	—	—
	f.	—	16	—	14	—	c.	—	—	—	—	21	—	14	—	15	—	—	—	—	—	—	—
Potteries.....	m.	—	—	—	—	—	—	—	—	—	16	15	—	—	—	—	—	—	—	—	—	—	—
	f.	—	—	—	—	—	—	—	—	—	c.	21	—	—	—	—	—	—	—	—	—	—	—
Leather works.....	m.	—	16	—	—	—	—	—	—	—	—	—	—	—	—	—	15	—	—	—	—	—	—
	f.	—	16	—	—	—	—	—	—	—	—	—	—	—	—	—	16	—	—	—	—	—	—

III. The apprenticeship system.

There is no legal regulation of the apprenticeship system in Belgium, Great Britain and Italy.

In those countries where legislation regulating apprenticeship does exist, this is not as a rule coordinated as such, but consists of various stipulations scattered among different laws and orders.

In Germany, for instance, lock-smiths' apprentices in small concerns come under the regulations for trades and crafts, lock-smiths' apprentices in concerns run as factories according to the industrial code come under the supervision of the Chambers of Commerce or, in certain cases, under the Factory Inspection Boards. Finally, lock-smiths' apprentices in tram- and railway shops do not come under the Industrial Code at all.

Only in Denmark, Germany, Austria and Spain are *apprenticeship-indentures* obligatory. In Holland the system of indentures is encouraged by the "Technical Education Act" of 1919 — one of the few laws which regulates technical instruction in workshop, factory, office and the home on a modern and uniform basis. There are also certain stipulations concerning the terms of these indentures.

In France the system of verbal agreements is permitted.

The *period of apprenticeship* amounts to: in Denmark a maximum of 5 years; in Germany 3—4 years; in Holland generally 3 years (no maximum duration being legally fixed); in Austria, for concerns run as factories, 2—3 years, for smaller concerns 2—4 years; in Spain 4 years; in Hungary 2—4 years. In all these countries the probationary period lasting from one month to a maximum of 3 months (in Spain 2 months) is reckoned in the period of apprenticeship. In Russia the Tariff Decree of 1920 fixes the period of apprenticeship at a maximum of 2 years, for learning particularly difficult trades at a maximum of 3 years. In that country the apprentices have the right to sit for an examination before the termination of the period fixed.

With regard to the *suitability of the concern* for the work of training apprentices, only the Dutch law contains special provisions: the conditions of the shop must be such as to enable the apprentice to learn his trade thoroughly. Further, the shop must

be in a district where there are adequate facilities for theoretical instruction. As to the *obligations etc. of the master*, the provisions are almost the same in all countries: in Denmark, Germany, France, Holland, Austria, Spain and Hungary the master must possess the necessary technical knowledge and must conduct the training of the apprentice either personally or through some other fully qualified person on his behalf (in Holland according to a specially prescribed syllabus); he must ensure the attendance of the apprentice at a technical or continuation school and provide the necessary time for that purpose. He must grant a testimonial on the termination of the period of apprenticeship. The master must have a clean record, and must supervise the personal conduct of the apprentice, as far as possible also outside working hours. In France, Holland and Russia, the apprentice may not be engaged upon any work not connected with his trade. In Denmark, Germany and Austria the master is obliged to protect his apprentice from ill-treatment. In France he is required to be "a good father" to him. In Germany and Austria he exercises the right of "paternal chastisement".

* * *

Even this brief summary shows that the existing apprenticeship laws date back to a time, the economic, technical and social conditions of which no longer exist — to the time when the apprentice was actually regarded as a member of the family and had every prospect of becoming journeyman and finally master, to the time of handicrafts, when the use of mechanical power and the division of labour were as yet unknown, when, in fact, workers' organisations did not exist, or at all events were only in their initial stages, and when the employer possessed unchallenged autocracy.

The industrial revolution has changed all this: big centralized industries have superseded the cottage industries, machinery has taken the place of handwork; instead of having the individual worker to deal with, the employer has now to reckon with huge international organisations of workers who are insisting upon their share in managerial functions by way of a transition to the time when they will have complete industrial control.

On the one hand the ever increasing division of labour dispenses with the necessity of the lengthy apprenticeship of the old days. On the other hand the enormous complexities of modern industrial processes necessitate a far more extensive knowledge on the part of the young worker, that is to say if he is not to be converted into a sort of human machine. According as the workers are assuming an ever larger measure of control in industry, each individual worker needs a better and better education in economic questions and managerial functions, in addition to purely manual training.

Despite this complete change in conditions the old laws have remained unaltered. The consequence is a general degeneration of the apprenticeship system. From a system of education it is rapidly becoming a system of exploitation, from an institution for the proper training of skilled workers to meet the needs of industry as a whole it is becoming an institution for providing the employer with cheap labour.

In so far as there are at present institutions for training apprentices in the big industries these are in the main made to serve the interests of the employers, while small concerns are from the nature of the case gradually becoming more and more unsuited for any sort of training purposes. Even if that were not the case, the master employing one or two men is compelled by the increasing difficulty of competing with the big industrialists to regard his apprentice mainly as an instrument of cheap labour. As a matter of fact, under present conditions, a large section of these small employers can only manage to struggle along with the help of these "cheaper men".

In face of this state of affairs the existing legal regulations are futile. They do not safeguard the general economic interests as against the particular interests of the individual employer. They are powerless to protect the apprentice from exploitation. They deprive him of all right to speak up for himself; they contain no adequate provisions in regard to wages, period of apprenticeship and the fixing of the number of apprentices allowed to any concern; they do not give any guarantee as to the qualifications of the master and still less as to the suitability of the concern for the actual work of training. They do not provide for methodical training nor for a reasonable chance of employment on the termination of the apprenticeship. The good features of the old apprenticeship system have fallen into decay. The bad features have been upheld by legislative sanction.

The inadequacy of these laws is so apparent that the governments are now everywhere confronted with the necessity of amending them in accordance with modern requirements. In the near future a number of parliaments will have to deal with bills for the reorganisation of the apprenticeship system. In *Belgium* and *Denmark* government commissions are drafting such bills, while in *Norway* a bill relating to apprentices in commercial establishments is now before parliament. In *Germany* the Ministry of Labour has completed the drafting of a bill providing for technical instruction, the main features of which have already been announced. In *Austria* parliament is dealing with a proposal submitted by the deputies Hanusch, Domes and Hueber to regulate the payment of apprentices; in *Switzerland* the Ministry of Labour (Bundesarbeitsamt) is preparing an apprenticeship bill. In *Italy* an expert governmental commission is examining a bill on technical instruction for submission to parliament. It is a significant fact, however,

that this commission has already decided against the adoption of all such clauses in this bill as deal with the apprenticeship system. In *England* the Ministry of Reconstruction had these questions under consideration in 1918. A Report on Juvenile Employment, issued by this ministry, says:

The course that would be proscribed by a consideration of the economic interests of the nation would be to subordinate employment of young persons for their immediate utility to their preparation for more effective work as men and women and to impose such restrictions by way of half-time continued education, the drastic reduction of hours and the revival, when possible, of a genuine system of apprenticeship as may be needed to make that subordination effective.

These proposals, like so many other promises of those days, have remained a dead letter.

In no other domain are the anomalies of the present economic system more strikingly apparent. The better the training of the worker the greater the profit he yields his employer, but the greater also his power of resisting exploitation. The very same employers who to-day are complaining about the lack of properly trained workers are themselves chiefly responsible for the neglect of such training.

A radical reform of the apprenticeship system can only be effected by the workers themselves.

The recognition of this fact is gaining more ground among the workers everywhere; they are trying more and more to regulate apprenticeship, in the big industries by including it in the Collective Agreements and in the small industries by special legislation.

A report, submitted by the General Council to the Southport Trade Union Congress in September, 1922, says:

The increased output of properly trained, intelligent and thoroughly efficient workmen is a matter of no less importance than the increased output of commodities. It ought also to be realised that the importance of a system of apprenticeship training is not a question of safeguarding entirely the interests of the skilled trades. During the last half-century boy labour has become almost as uncontrolled as, and comparable with women's labour. It has been used largely as a lever in reducing wages, and in many instances "the boy has become a cheaper man". A true apprenticeship system should, in our opinion, satisfy at least three conditions, viz.:

1. It must guarantee the adequate supervision and training of the young person as regards physical, moral and mental development until 18 years of age.
2. It must supply means of effective training, both general and specialised, in the industry in which the young person is engaged.
3. It must provide to the young person on completion of apprenticeship a reasonable chance of employment in the form of occupation for which definite preparation has been given.

In *Belgium, Germany, Holland* and *Austria* the Trade Unions and Young Workers' Organisations have drawn up detailed programmes for the reform of the apprenticeship system, some of the recommendations of which have been embodied in the new bills above mentioned. A common feature of these proposals seems to

be to take the training of apprentices out of the hands of the individual employers and to have it managed by Joint Committees of employers and workers representing industry as a whole. Closely associated therewith is the question of Employment Offices for apprentices, as well as the question of advisory boards with regard to choosing a trade and testing the young persons as to their fitness for it. The scientific and practical development of such methods in the course of the last few years has opened up immense possibilities for the more economical utilisation of labour. Nothing would be more helpful for work and action in this domain in the various countries than an international interchange of experiences, proposals, experiments and results between the workers' organisations.

The time has come for the young workers' organisations, hand in hand with the Trade Unions and Parliamentary Labour Parties, to start a campaign for a fundamental reform of the apprenticeship system.

It is up to them to replace the antiquated laws by a modern system in harmony both with the needs of industry and the requirements of the workers.

IV. Control of application.

This section — the most important in regard to practical significance — can be the smallest in regard to scope: however manifold and detailed the legal protective measures may be, the provisions for transferring them from paper to actuality, that is to say, the provisions for controlling their practical application are as a rule extremely scanty and imperfect.

In the countries where protective measures are in existence, the functions of the three parties concerned in this control are, in almost all cases, distributed as follows: —

The *Employers* are obliged:

1. to provide the authorities with lists showing the numbers, etc. of the young workers and employees engaged by them.
2. To hang up copies of the protective measures in a conspicuous place in the workshops.

The actual control is exercised by the competent *public authorities*: trades and labour inspectors; police authorities; sanitary inspectors, etc. In exercising their functions of control the inspectors have in general the right: —

- a) of freely entering without previous warning all works, factories, etc. which are subject to inspection;
- b) of examining lists, books, notices, etc.;
- c) of questioning the workers, employees and employers;
- d) of taking tests: testing materials, etc.;
- e) in certain cases of issuing regulations (e. g. in mines) and
- f) of imposing penalties.

These penalties are generally as inadequate as the control provisions themselves; they consist of more or less light fines. Only in Lithuania, Poland, and Czecho-Slovakia can imprisonment be applied for the transgression of certain protective provisions.

Finally, the number of controllers is also as a rule entirely inadequate. In France for instance, there are only 35 labour inspectors altogether for the 3 départements, Seine, Seine et Oise and Seine et Marne with a population of more than 6.330.000.

With regard to the third factor, the *Workers* themselves: As far as can be ascertained these are associated with the work of control only in 10 countries, and even in these cases only to a very slight

extent. In Belgium, France, Germany, Holland and Great Britain workers take part in the work of control in the mines as "mine-agents or controllers". In Finland there are "workers assistants", as they are called. In Luxemburg workers can in certain cases be allowed to take part in the control. In Norway the workers are represented on "supervisory boards". In Spain, on the so-called "local committees". In Germany and Austria the factory councils are vested with certain restricted powers of control.

And yet as far as the workers are concerned the whole significance of the protection of labour depends upon the extent to which they themselves control its application.

Every worker, every apprentice, knows only too well now, how little of the legally enacted "protection" is actually applied in practice.

With the victory in parliament and the adoption of legal protective measures, the struggle of the workers is not at an end. On the contrary, it is only then that the real struggle commences: against open and secret resistance, against the wrecking tactics of the employers who use all economic weapons and all juristic casuistries at their command.

Here above all: in connection with the actual application of the legal measures, is it necessary that energetic steps must be taken to bring about a radical improvement.



V. Education.

Table III.

Country	Compulsory elementary education	Continuation Schools	
		Whether obligatory or optional?	At what time of day?
Austria	6—14	obligatory	7 o'clock in the morning to 6 o'clock in the evening, week days (in Vienna, Lower Austria and Carinthia)
Belgium	up to 14 years	optional	in the evening or on Sundays
Bulgaria	for the most part obligatory	in the evening or on Sunday; sometimes during daytime on week days
Denmark	6 years (7—13)	in some cases obligatory	after 6 o'clock in the evening
Finland		obligatory	sometimes during daytime
France	6—13	optional	
Germany (regulated separately in the various states)	8 years	obligatory up to 18 years of age	during daytime. In larger towns and industrial regions on week days or in the evenings (generally reckoned among the working hours)
Great Britain	5—14 (regulated by local authorities)	320 hours obligatory in the year according to legally specified regulations	in the evenings, and sometimes during the daily working hours
Holland	7 years (7—14)	optional	on week days after 5 o'clock; sometimes during daytime
Hungary	6—12	obligatory between 12 and 15 years of age	
Italy	at least 3 years	in some cases obligatory for one year	in the evening; on Sunday and during holidays
Luxemburg		optional	in the evening
Norway	7 years (7-14, or 15)	optional	sometimes during daytime

Country	Compulsory elementary education	Continuation Schools	
		Whether obligatory or optional?	At what time of day?
Portugal ...	6—12		
Rumania ...		obligatory	
Spain	6—12	optional	for children under 14 years of age 1—2 hours exemption from work for attending school
Sweden	7—14	obligatory	sometimes during daytime (up to 15 years of age reckoned among working hours)
Switzerland (regulated separately in the various cantons)	6—9 years (6—14, 15, 16)	obligatory 1—3 years	up to 16 years of age reckoned among working hours
United States (regulated separately in the various States of the Union) in 6 states . " 4 " . " 28 " . " 2 " . " 7 " . " 1 state ..	up to 18 } 17 } years 16 } of 15 } age 14 } 12 }	obligatory: in 12 states up to 18 years of age in 12 states up to 16 years of age in 2 states from 16—21 years of age for non english speaking minors in 1 state from 16—21 years of age for illiterates 21 states have no provision for compulsory continuation schooling	

VI. International Protective Regulations.

Side by side with the national protective measures existing in the various countries a novel and progressive feature of the past decades has been the development of an international labour legislation.

More quickly than in regard to other departments of legislation the inevitable fact has here manifested itself that the "failure of any nation to adopt humane conditions of labour is an obstacle in the way of other nations which desire to improve the conditions in their own countries."

A new kind of international treaty dealing with the regulation of labour questions came into being when on April 15th 1904, after a number of conferences and preliminary steps, France and Italy concluded a reciprocity agreement relating to the legal protection of French and Italian workers, especially women and young persons.

In 1913 the third International Governments' Conference for the legal protection of workers at Berne adopted two agreements relating to the prohibition of night work and the fixing of a maximum 10-hours day for young persons; these agreements were to be definitely sanctioned at an international Diplomatic Conference in September 1914.

Then the war came. This however, although it delayed the progress of events, could not hinder the development of the new movement. The Treaty of Versailles already reflects to some extent the commencement in all countries of an elementary reaction against the relapse into barbaric nationalism: this document of triumphant militarism contains one significant section, the spirit of which is utterly different from the rest of the Treaty: viz. Part XIII, the Charter of the International Labour Organisation. This "Charter of Labour" was the sop thrown to the working classes by the governments in order to redeem the great promises which had been made to the workers as a reward for their participation in the war. It is a clear reflex of their fear of revolution, which was then sweeping over Russia, Germany and Austria.

The Charter solemnly proclaims the so-called fundamental rights of Labour. Among the demands of "special and urgent importance" which the governments are called upon to realise, it mentions:

"The abolition of child labour and the imposition of such limitations on the labour of young persons as shall permit the continuation of their education and assure their proper physical development."

It created the International Labour Office and the Annual International Labour Conferences, and placed the legal protection of children on the Agenda of the first General Labour Conference.

So far these Conferences have adopted the following decisions in regard to children and young persons:

Washington Conference, 1919

1. Fixing 14 years as the minimum age for admission of children to employment in industrial undertakings. (Draft Convention.)
2. Prohibition of night work for young persons under 18 years of age. (Draft Convention.)
3. Absolute or conditional prohibition respecting the employment of young persons in certain occupations, in which white lead or lead compounds are used. (Recommendation.)

Genoa Conference, 1920

Fixing 14 years as the minimum age for admission of children to employment at sea. (Draft Convention).

Geneva Conference, 1921

1. Prohibition of employment of children in agriculture during the hours fixed for school attendance, and at all other times if the work would prejudice their attendance at school. (Draft Convention.)
2. Prohibition of the employment of lads under 18 years of age as trimmers or stokers in seagoing vessels. (Draft Convention.)
3. General prohibition of the employment of lads under 18 in any capacity in ships unless they are medically certified to be fit for such work. (Draft Convention.)
4. A nightly rest period of at least 10 consecutive hours for children under 14 years of age and at least 9 consecutive hours for young persons between 14 and 18 years of age, in agriculture. (Recommendation.)

In view of their historical importance, as being the first steps towards the international protection of Labour, we give the most important articles of the above decisions in one of the accompanying Supplements.

The great weakness of these decisions does not lie in their contents. It is inevitable that for the present they can establish only a minimum standard of legal protection. Before a higher international standard can be set up, those countries in which social legislation is in a backward state, must first be brought up to the level that has already been attained in the more progressive countries.

The fundamental weakness of these decisions lies in the constitution of the International Labour Organisation and of the League

of Nations itself; for in accordance with this constitution the decisions of the General Conferences have no binding force: in order to be put into actual operation they must first be ratified by the various states.

The anomaly of the present situation becomes strikingly evident when one realises to what a small extent the decisions have so far been actually carried out. Up to January 1st 1922, of the 54 Members of the International Labour Organisation, only the following states had ratified the Conventions relating to the protection of children and young persons:

Washington decision:	concerning minimum age limit for employment of children	{ 4 States (Great Britain, Greece, Rumania, Czechoslovakia).
-	- concerning night work of young persons	{ 4 States (Great Britain, Greece, India, Rumania).
-	- concerning protection against lead poisoning	{ 2 States (Great Britain and Poland).
Genoa	- concerning employment of children and young persons at sea.	{ 2 States (Great Britain and Sweden)
Geneva decisions:	- - -	so far no ratifications.

That is the result of the huge machinery of the International Labour Conferences with their prolonged negotiations, between hundreds of prominent representatives of the workers, employers and governments of all the 5 continents.

However necessary therefore it may be to improve the international decisions themselves, it is a matter of still greater urgency that the working classes should do all in their power to make these decisions binding upon the various states.

To that end it is an indispensable necessity that in addition to the existing international body representing the governments which arrogates to itself the title of "League of Nations," there should at last be established a body representing the peoples: an international parliament, elected by the national parliaments. Only such an institution can and will have the power to make international law.

In the various states which are built up on a more or less federal basis such as for instance the British Empire, the United States, Germany and Switzerland, the constitutional maxim that national (or confederal) law takes precedence of the legislation of the constituent states is to-day generally acknowledged.

The time has now come when this principle should be further developed to:

"International Law takes precedence of National Law."

Conclusion.

"These are the legal regulations regarding apprenticeship and the protection of young workers in our country. It is only on rare occasions that they are observed in actual practice. All these institutions are of little practical benefit to the working classes."

Such is the reply to the Questionnaire of the International Federation of Trade Unions of the leader of the organised workers in a country, which is to-day groaning under the yoke of Reaction.

This reply throws a glaring light upon the situation not only in the country in question but in most other countries as well.

A glance at the lists and tables given above will reveal the fact that in the case of most countries there are a number of inadequate and unco-ordinated laws which not only fall very far short of the minimum demands of the working classes but are in fact very far from realizing even the principles so solemnly proclaimed by the governments in the "Charter of Labour."

And bad as the situation has been in regard to improvement in the laws themselves, it has, in almost all cases, been still worse in regard to their practical application.

The enquiries into the causes of the big disasters in factories, etc., that are now taking place with alarming frequency in all "civilized" countries point again and again to the unprecedented neglect of even the most elementary safety regulations. The percentage of accidents to workers in the most important industrial states is on the increase rather than on the decrease.

The same is the case in regard to the injury to health suffered by young workers in consequence of too long or too strenuous work.

This increasing sabotage of the various protective regulations, on the part of the employers, is not the result of mere accident. It is the inevitable outcome of the general course of events.

The main causes of this state of affairs may be set forth as follows:

1. The more labour acquires influence in the State, and the more legislation bears traces of that influence, the more the employers,

as a matter of course, oppose and disregard the very same State which they upheld with such ardour so long as they themselves held the reins of power.

2. According as the struggle between capital and labour reaches its decisive stage, and becomes more embittered, so much the less can capital afford itself the luxury of protective measures. In anticipation of the approaching catastrophe, the greed of the capitalists throws off its mask and tramples under foot the barriers which in the form of protective measures, the strenuous efforts of the working classes have placed across its path.
3. The more the increasing power of the working classes causes a shrinkage in the profits which can be squeezed out of the adult workers in the civilized countries, the more the employers are obliged to fall back upon the policy of exploiting the most defenceless sections of the proletariat, viz. colonial and coloured races on the one hand and women and young persons on the other hand.

In all countries to-day capitalism is directing its systematic offensive in the first instance against the apprentices and young workers: Their wages are the first to be reduced; their working hours are the first to be increased; their rights are the first to be disregarded. All this, however, does not affect the apprentices and young workers alone: this policy is at the same time being adopted by the capitalists as a means by which to worsen the working conditions of all workers, as a breach in the outer fortifications through which the capitalists mean to deliver their attack upon the enemy's main position.

What are the conclusions to be drawn from this state of affairs? Are the young workers to give up the struggle for their legal protection, on the grounds that so far their efforts have been attended with such little success? On the contrary, they must carry on the struggle with redoubled energy.

Capitalism will not be overthrown by one blow, delivered from one quarter. From all quarters simultaneously and with all conceivable weapons the attack must be delivered: in the trade unions; by means of tariff agreements and strikes; in the Workers' Councils, by the democratisation of industry; in the Co-operative Societies, by assuming the management of production and distribution; in the domain of Science, by exposing the absurdity of the present economic system; on an organisational basis, by combining the forces of Labour in all countries on an ever larger scale; along political lines, by utilising all political opportunities; and finally along the lines of social legislation by curtailing more and more the right of the employers to unrestricted exploitation of the working classes.

The stubborn fight which the employers are carrying on in Parliaments as well as in the International Labour Conferences, against every form of improvement in protective measures is a proof of the effectiveness of this latter weapon.

The young workers must continue their struggle for legal protection, not as being the only or principal aim, but as being one of the many domains, in which they are called upon to labour.

They must carry out the old struggle with new weapons. Mere resolutions and protests on the one hand, or street riots on the other, are as futile a weapon against the tremendous power of present day capitalism, as cavalry attacks against massed artillery fire. Capitalism can only be effectively combated by its own methods: not nationally, not on paper, not at the barricades; but by international action, universal in regard to its scope and plan, prepared in every detail in regard to its practical application.

Appendix



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	Mining.
Act of 28. 7. 1919	Employment of young persons.	Trades, mines, transport, etc.
Act of 30. 7. 1919	Workers holidays.	Trades, mines, transport, etc.
Act of 17. 12. 1919	Eight-hours day for workers and salaried employees.	Hotels, restaurants, public houses, etc.
Order of 23. 1. 1920	Provisions for supervising employment of children.	General.
Decree of 6. 3. 1920	Night work for young persons.	General.
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 employees, 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 establishments, 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		
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		
Act of 13. 4. 1909		
Act of 5. 5. 1913		
Argentina		
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.

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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>Protection of children and young persons.</p>	<p>Factories and workshops, including bakeries and laundries.</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>Protection of children and young persons.</p>	<p>Factories, workshops, including bakeries and laundries.</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 were 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 decision 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" ("Innungsschiedsgerichte") 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.

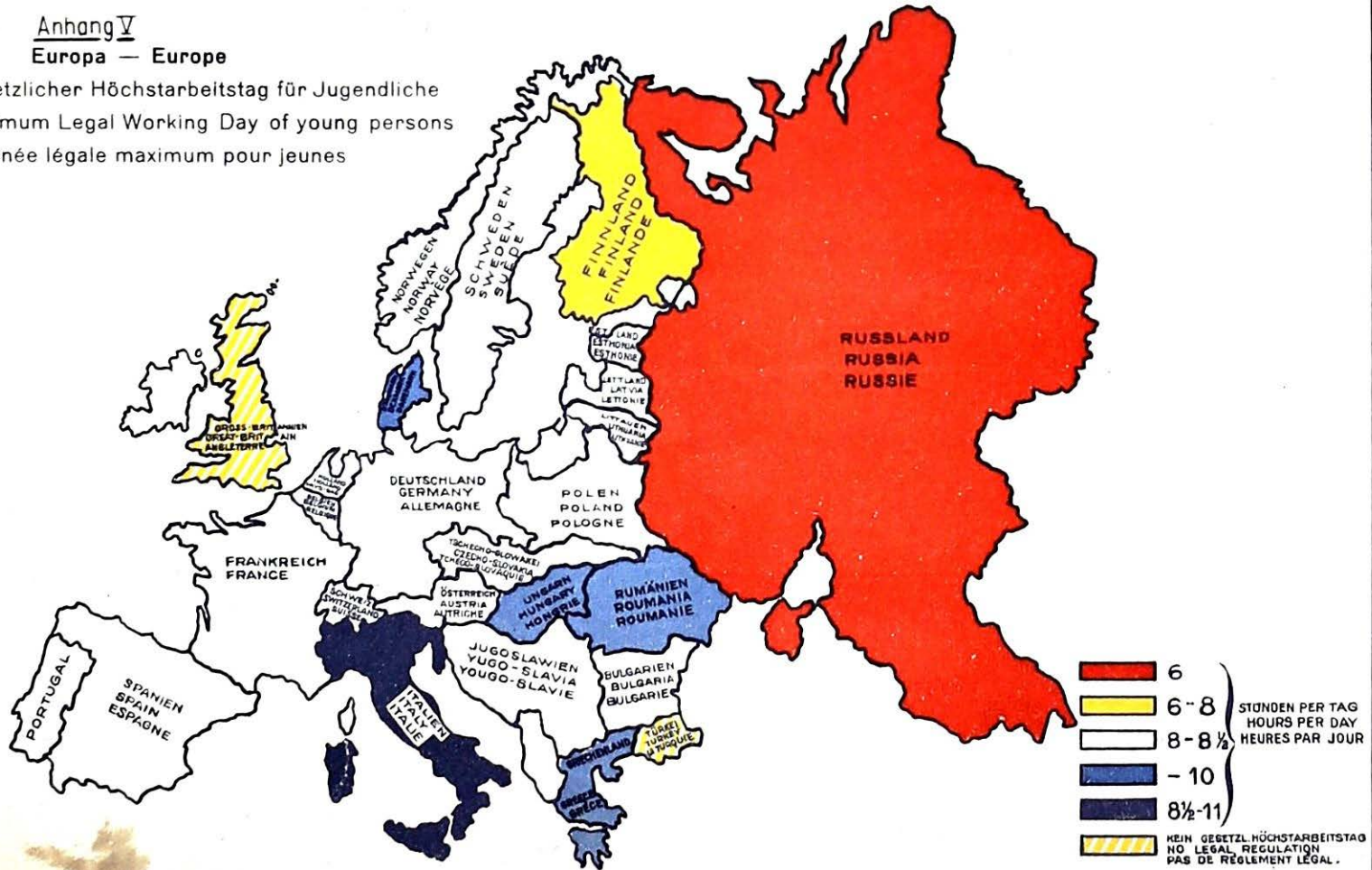
Programme of immediate demands adopted by the Joint Conference of the Young Workers' International and the International Working Union of Young Socialists.

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

