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SPECIAL ARTICLES, REVIEWS, ETC.

REVOCATION OF CERTAIN DEFENCE REGULATIONS.

An Order* made on 9th May, under the Emergency Powers (Defence) Acts, revokes wholly or in part certain Regulations, and amends certain other specified Regulations, made under those Acts. Among the Regulations revoked by the new Order are the undermentioned Regulations of the Defence (General) Regulations which have been referred to, as indicated below, in earlier issues of this GAZETTE :—

Regulation 1AA, which relates to the prohibition of strikes and lock-outs likely to interfere with essential services.—See page 59 of the April, 1944, issue of this GAZETTE.

A consequential amendment of Regulation 1A, which relates to interference with persons in His Majesty's service or engaged in the performance of essential services, consists in the substitution in that Regulation of the words "Provided that a person shall not be guilty of an offence against this Regulation by reason only of his taking part in, or peacefully persuading any other person to take part in, a strike," for the words "Provided that no person shall be deemed to have committed an offence against this Regulation by reason only of his having, in the course of a strike, ceased to work or refused to continue to work or to accept employment."

Regulation 22A, which relates to the power of the Minister of Health (or in Scotland, the Secretary of State) or of a Regional Commissioner to secure accommodation required in specified areas for billeting essential workers.—See page 80 of the March, 1942, issue of this GAZETTE.

Regulation 29BA, which relates to the power conferred on the Minister of Labour and National Service or any National Service Officer to require persons to take up police and civil defence employment.—See page 55 of the February, 1942, issue of this GAZETTE.

Regulation 47AD, which lays down certain provisions relating to agreements for service in ships required for war purposes.—See page 60 of the issue of this GAZETTE for April, 1943.

Regulation 84AA, which relates to the power of Regional Commissioners to impose the obligation to do work needed for meeting enemy action on land in the United Kingdom.—See page 59 of the March, 1942, issue of this GAZETTE.

FACTORIES (GLASS PROTECTION) (REVOCATION) ORDER, 1945.

By the above-mentioned Order,* made by the Minister of Labour and National Service on 7th May, 1945, the Factories (Glass Protection) Order, 1940,† has been revoked with effect as from the date of the new Order.

The revoked Order, which was made under the Defence (General) Regulations and came into force on 25th November, 1940, required occupiers of factories in which more than 250 persons are employed to provide and maintain safeguards to afford protection for workpeople against risk of injury caused by broken glass from windows, skylights, etc.

The revocation of this Order removes an obstacle to progress with the removal of permanent black-out from factory roofs, etc., where that is combined with glass protection measures ; but it should be remembered that in some cases wire or other netting was erected under roof glass to afford protection not only during air-raids but also against a possible risk of glass subsequently falling from roof windows damaged by blast, and if in any case such a risk still exists the netting should not be removed unless the window is repaired or other precautions are taken to prevent the risk of the glass falling.

* S.R. & O. 1945, No. 504. H.M. Stationery Office ; price 3d. net (4d. post free).

† See the issue of this GAZETTE for December, 1940, pages 307 and 323.

on the job, he shall be entitled to payment of the guaranteed weekly minimum in respect of the latter week (but not to any additional payments in respect of hours of inclement weather under 2 (a) above).

6. Where, during the next succeeding pay-week (or pay-weeks), the operative is similarly prevented by inclement weather from actually working on the job, he shall not be entitled to any payment under this Agreement, his duty in such circumstances being to register for unemployment benefit.

7. For the purpose of calculating the guaranteed weekly minimum any increases or decreases of pay shall, if they come into operation on any day other than the first day of a pay-week, be deemed to come into operation only on the first day of the pay-week immediately following."

TERMINATION OF EMPLOYMENT.

The second new Rule contains the following provisions:—"During the first six working days of employment, termination of service shall be upon the 'tendering of two hours' notice by either employer or workman, such notice to expire at the end of the normal working day.

Thereafter, termination of service shall be upon the tendering of two hours' notice by either employer or workman, such notice to expire at the normal finishing time on Fridays. Provided always

- (i) that at the discretion of the employer an operative may be transferred, at any time during the period of his employment, from one job to another;
- (ii) that the contract of employment shall be deemed a contract from hour to hour and that payments other than as prescribed in this Rule shall be for time actually worked;
- (iii) that in cases of misconduct an operative may be summarily discharged at any time;
- (iv) that on termination of the particular operation for which the operative has been engaged, or when work is stopped (for reasons other than inclement weather), on the instructions of a recognised competent authority, employment may be terminated at 2 hours' notice expiring at the end of any day."

The new Rules are to come into operation at a date to be determined later.

WORKING HOURS IN THE BUILDING AND CIVIL ENGINEERING INDUSTRIES.

In 1942, the hours of work in the building and civil engineering industries were limited by a Direction under Regulation 56AB of the Defence (General) Regulations, 1939, to a maximum of sixty hours a week on weekdays.* The industries and the Government, who have together from time to time reviewed the position in the light of existing circumstances, are at one in considering that it is not practicable to maintain these very long hours and heavy overtime for an indefinite period.

The Minister of Works, after discussion with both sides of the two industries, has accepted their unanimous recommendation that the working week should be reduced throughout the country to a maximum of fifty-four hours. A Direction† under the Defence Regulation to this effect has been issued with effect from 14th May. The general permission for Sunday work in London also ceased as from the same date. No excess of fifty-four hours a week or Sunday work is permissible other than within certain specified exceptions or by special permission of the Ministry of Works. The principal exceptions relate to specified classes of emergency repair work, such work of special urgency as may be generally or specifically authorised by the Minister, preparatory work, railway work, and continuous shift work not being work within any of the other specified classes of exempted work. In the case of continuous shift work the exception is subject to the proviso that the working week shall not exceed six days (including Sundays, if worked) nor shall the total number of hours worked exceed fifty-four.

APPRENTICESHIPS INTERRUPTED BY WAR SERVICE.

OPERATION OF GOVERNMENT SCHEME.

In accordance with the announcement made by the Minister of Labour and National Service in the House of Commons on 12th April, 1945, the Government scheme for enabling apprentices whose apprenticeship has been interrupted by war service to complete their training and qualify as journeymen, was brought into operation on that date.

The period of resumed apprenticeship under the scheme, particulars of which were given in the issue of this GAZETTE for October, 1944 (pages 165-166), will be calculated from the date on which the apprentice resumes his training in civil employment; but the wages allowance will not be payable before 12th April, 1945, in cases where the apprenticeship training was resumed before that date.

* See the issue of this GAZETTE for November, 1942, page 188.

† S. R. & O. 1945, No. 478. H. M. Stationery Office; price 1d. net (2d. post free).

TRAINING WITHIN INDUSTRY FOR SUPERVISORS.

The Ministry of Labour and National Service has introduced to British industry a new form of training called "Training within Industry for Supervisors", on similar lines to a scheme which has had considerable success in the United States of America.

The scheme aims at providing sound basic training for Supervisory Grades (from senior executives to the newly appointed charge-hand) in the skills of instructing, of handling workers and of improving methods. Each skill is covered by a special programme and each involves attendance of ten Supervisors at five two-hour sessions, run on Group Conference lines and held on consecutive days during working hours.

The first two-hour session of each programme is devoted to the acceptance of the principles of how to instruct, how to handle a human problem or how to discover and develop an improvement in method, according to the programme being followed. This is done by means of demonstration or case treatment by the Trainer. The remaining sessions are devoted to actual practice by each individual Supervisor on one of his own jobs or problems, whether from workshop or office. The Ministry may provide the services of a Trainer, but large firms are urged to send one of their own staff for a week's course of 40 hours to be trained as a Trainer, and subsequently carry on the training of Supervisors within the firm or organisation.

It is not claimed that there is anything new in the principles which are embodied in these programmes, but it can be claimed that the new method of approach by group discussion and actual practical demonstration by members of the Group themselves forms a new development in industrial training. This practical approach has a popular appeal among Supervisors and the guided discussions which take place are found to be much appreciated. It can also be claimed that this form of training has a direct bearing upon each Supervisor's individual problems, and for that reason the Supervisors themselves feel that tangible results can be achieved.

The importance of sound basic training in the skills of supervision in all branches of industry will be recognised as fundamental in securing a rapid and smooth turnover from war-time to peace-time production.

Development of the scheme has been confined firstly to the skill of instructing, called "Job Instruction", and secondly to the skill of handling workers, known as "Job Relations". It is hoped to develop the skill of improving a method, known as "Job Methods", at an early date.

The reactions of industry have been most favourable. Supervisors who have attended Groups have readily acknowledged the advantages gained. Many firms' representatives have been trained to conduct groups in Job Instruction and in Job Relations. About 500 Supervisors attend groups each week and this figure is likely to rise. The scheme has already been introduced into a number of industries, including ship-building, iron and steel, engineering, textiles, aircraft, chemicals, rubber and food production.

Any management desiring to have an explanation of the scheme, which takes about one and a half hours, should communicate with the Ministry of Labour and National Service (Training within Industry for Supervisors), Ebury Bridge House, London, S.W.1.

RESETTLEMENT GRANTS SCHEME.

APPLICATION TO DISABLED PERSONS.

In reply to a question in the House of Commons on 19th April, 1945, the Minister of Labour and National Service made the following statement regarding the Resettlement Grants Scheme*:

"The Government decided on grounds of equity that this scheme should not be brought into general operation before releases from the Forces begin after the end of the war in Europe. I think, however, that special considerations arise in respect of disabled persons discharged from the Forces, and it has been decided that applications from them will be accepted in advance of the general operation of the scheme."

Disabled persons discharged from the Forces who wish to obtain resettlement grants should apply in writing to the nearest Local Office of the Ministry of Labour and National Service.

NATIONAL SERVICE ACTS, 1939-42.

FURTHER REGISTRATION OF MEN.

Young men born between 1st July, 1927, and 30th September, 1927, both dates inclusive, are required to register under the National Service Acts, 1939 to 1942, on 9th June, 1945, unless they are exempt from the operation of the Acts. As in the case of other recent registrations, the men concerned are to be given an opportunity of expressing an option for underground coal mining employment as an alternative to service in the Armed Forces of the Crown.

SUSPENSION OF COMPULSORY RECRUITMENT FOR COAL MINING.

In the House of Commons on 16th May, 1945, the Minister of Labour and National Service stated that it had been decided to suspend the balloting arrangements instituted in December 1943,† for the purpose of the selection for direction to underground coal mining employment of men registered under the National Service Acts.

* See the issue of this GAZETTE for March, 1945 (page 46).

† See the issue of this GAZETTE for December, 1943, (page 165).

RENT CONTROL.

REPORT OF INTER-DEPARTMENTAL COMMITTEE.

The Report* of the Inter-Departmental Committee on Rent Control, under the chairmanship of Viscount Ridley, which was appointed by the Minister of Health and by the Secretary of State for Scotland in November, 1943, has recently been published. The terms of reference of the Committee were "to review the question of rent control, including the working of the Rent Restrictions Acts, and to advise whether any, and if so what, changes are necessary."

In their Report the Committee review the present position of rent control under the Acts at present in force, and in view of the substantial housing shortage, which is likely to persist for some years after the war, they accept the principle that rent control must continue until there is an adequate supply of houses throughout the country. They accordingly recommend that legislation should be framed in the expectation that it may be necessary to continue control for ten years. They also recommend that after a few years the situation should be reviewed with a view to considering whether the circumstances permit of some relaxation of control, but they are emphatically of opinion that in any case the principle of decontrol on vacant possession should not be revived, since the evidence which they have received shows that in the past this principle has been responsible for many of the anomalies and hardships which have arisen.

EXTENT OF FUTURE CONTROL.

As regards unfurnished dwellings, the Rent and Mortgage Interest Restrictions Act of 1939 extended the scope of the earlier Acts to bring under control substantially all dwellings (other than those built by Local Authorities) with rateable values not exceeding £100 in the Metropolitan Police District, £75 in the rest of England and Wales and £90 in Scotland. The Committee recommend that these limits should continue unchanged. They are of opinion, however, that the present exemption from control should continue in the case of houses built by Local Authorities in the exercise of their powers under the Housing Acts, and also houses occupied by virtue of employment or service for which no rent is paid but in respect of which a deduction may be made from wages. The Committee came to the conclusion that if control were applied to new houses built after the war, the tendency of such control to discourage building would outweigh the dangers, such as high rents and insecurity of tenure, to be apprehended from the absence of control; and they recommend that houses built after the war, and also houses at present free of control which are subsequently converted into flats or tenements, should be exempted from control.

The Committee state that they are satisfied that the provisions in the existing legislation are inadequate as a means of effectively controlling the rents of furnished lettings, and they recommend that Tribunals, to which further reference is made below, should be empowered to fix the rents of furnished lettings (without limitation of rateable value) on the application of landlord, tenant or Local Authority.

PROPOSED REGISTRATION OF RENTS.

The Report states that under the Rent Acts as they exist at present there are widely different rents for precisely similar houses, and that the evidence submitted to the Committee shows that the difficulties and anomalies produced by the present system of control cause widespread and legitimate resentment. In the Committee's view, a new system of control is desirable. This system should be one which would ensure that rents are fixed on a fair basis and that, when determined, the rents should be easily ascertainable in order to avoid disputes, uncertainty and evasion.

The Committee accordingly recommend that Local Authorities should be required to set up and maintain a register of the rents of all houses in their areas to which the Rent Restrictions Acts apply. At the outset landlords should be required to furnish the Local Authority with a statement giving specified details of the actual rents being charged at the date of the Report (or when first let thereafter) these details being communicated by the Local Authority to the tenant and thereafter being entered in the register unless the tenant claims that the details are incorrect. Any rent so recorded in the register should remain payable (together with the current rates, where these are included in rent) unless and until varied by a decision of the Rent Tribunal (see below) following an application for amendment made by one of the parties. The registers would also contain entries showing the registered rents of furnished lettings in all cases where Tribunals had determined such rents following an application by one of the parties. The registers maintained by the Local Authorities should be kept open for public inspection.

RENT TRIBUNALS.

The Committee recommend the establishment of a series of Rent Tribunals, which should not be specifically legal or professional bodies, but should be composed of persons of experience in public affairs, appointed by the Minister of Health and the Secretary of State for Scotland, and with power to employ properly qualified surveyors, valuers, or other experts, where necessary. The Committee hope that these Tribunals will conduct their proceedings in an informal atmosphere so that the

* Report of the Inter-Departmental Committee on Rent Control. Cmd. 6621. H.M. Stationery Office; price 1s. net (1s. 2d. post free).

parties will not find it necessary to incur the expense of professional assistance in presenting their cases; for this reason the Tribunals should not have power to charge fees or to award costs.

The function of the Rent Tribunals should be to give decisions, after hearing evidence from both sides, on applications made by either landlords or tenants for an alteration of the registered rent in respect of any tenancy, furnished or unfurnished, to which the Act applies, the Tribunals proceeding on the assumption that both parties are fulfilling their contractual obligations as regards repair and otherwise. In the case of furnished lettings, Local Authorities also would be empowered to refer cases to Tribunals. The rents of sub-tenancies will not normally be registered, but it should be open to landlords and tenants to apply to Tribunals to determine such rents, and any rents so determined would be registered. The Committee recommend that the Tribunals shall deal only with the determination of the fair rent of a house, or part of a house, and that other questions arising under the Act, whether as to the recovery of possession or otherwise, shall still be dealt with by the Courts.

In considering applications, a Tribunal should determine what is a fair rent having regard to all the circumstances of the case, including the situation of the premises, the accommodation, amenities, furniture or services to which the tenant is entitled and the general level of rents of comparable houses in the district which are kept in good repair. In the case of a sub-tenancy, a Tribunal should have regard to the rent payable by the sub-tenant, and the amount of accommodation comprised in the sub-tenancy, allowing for any additional wear and tear due to the sub-letting. In addition, the Tribunals should decide disputes as to increases in rents in respect of improvements and applications for increases in respect of increased cost of services where these are provided. In the view of the Committee, the Tribunals should not undertake the duty of determining whether there is a breach of any obligation to carry out repairs; but they recommend that a certificate of disrepair given by the Local Authority should entitle the tenant to withhold 30 per cent. of the registered (net) rent and that, while such a certificate is current, the reduced rent should be the legal rent and should be so recorded in the register of rents maintained by the Local Authority.

Among other suggested functions of the Rent Tribunals are those of determining whether a house is let furnished or unfurnished and of deciding, for the various Agricultural Wages Committees, the appropriate deductions to be made from wages in respect of rent-free cottages provided by employers for agricultural workers.

INCREASED COST OF REPAIRS.

The Committee came to the conclusion that they were unable to recommend any general increase in rents to meet the increase in the cost of repairs since the outbreak of war, but they suggest that, in removing anomalies and in equalising rents for particular classes of houses in their districts, the Tribunals should aim at reaching a level at which repairs will be possible, that is to say, in accordance with the general level of rents of comparable houses which are kept in good repair. They recommend that when rents have thus been brought to a fair level, and building costs have become stabilised, a technical committee should be appointed to report on the question of repairs, in order to consider what percentage variation there should be for all houses from the level of rents as adjusted by the Tribunals.

POSSESSION.

The Committee make certain recommendations for amending the provisions in the existing legislation regarding security of tenure and right to possession. The principal recommendation is that owners who let and tenants who, while retaining the tenancy, have sub-let houses which they themselves occupied on 1st September, 1939, and which they require for their own occupation, should be entitled to possession as of right on application to the Court, the Court having power to suspend the operation of the order for not more than three months in appropriate cases. On the other hand, the Committee recommend that owners who purchased their houses after 1st September, 1939, should not be entitled to obtain possession, in similar circumstances, without proof of alternative accommodation for the tenant. Other recommendations are made by the Committee designed to afford a limited security of tenure in respect of furnished lettings and of rooms shared between tenant and owner.

OTHER QUESTIONS.

The Report recommends the repeal of the legislation restricting the rate of interest on, and the calling up of, mortgages in England and Wales, and the modification of the corresponding provisions regarding bonds in Scotland. Other recommendations are concerned with the prevention of charging, or offering, premiums, the provision of rent books, and the insertion of a statutory form of notice in all rent books. Finally, the Committee report that it is urgently necessary that the present series of overlapping statutes should be replaced by a single comprehensive Act clearly setting out the whole law relating to rent control.

Three members of the Committee made reservations opposing the exemption from rent control of new houses built after the war, and two of these members also made reservations in favour of extending rent control to Local Authority houses, on the question of owners' rights to recovering possession and on certain other recommendations of the Committee.

PRINCIPAL CHANGES IN RATES OF WAGES REPORTED DURING APRIL—continued.

Table with columns: Industry, District, Date from which change took effect, Classes of Workpeople, Particulars of Change.

* Under cost-of-living sliding-scale arrangements. † These increases were the result of awards of the National Arbitration Tribunal. ‡ These increases took effect under Orders issued under the Wages Councils Act...

PRINCIPAL CHANGES IN RATES OF WAGES REPORTED DURING APRIL—continued.

Table with columns: Industry, District, Date from which change took effect, Classes of Workpeople, Particulars of Change.

* These rates are supplemented by the current war bonuses and supplementary bonuses payable under the agreements of the British Furniture Trade Joint Industrial Council... † These rates were agreed upon at a joint meeting of local building employers and the workpeople's representative...

RETAIL PRICES OVERSEAS.

In the following paragraphs a summary is given of the latest information contained in official publications received since last month's issue of this GAZETTE was prepared, relating to changes in retail prices and the cost of living in overseas countries.

UNITED STATES OF AMERICA.

At mid-February, 1945, the official cost-of-living index figure was 0.2 per cent. below that for mid-January, 1945, and 28.6 per cent. above that for mid-August, 1939. For food alone the index figure for mid-February, 1945, showed a decrease of 0.6 per cent. below the level of the previous month and an increase of 46.0 per cent. above the level of mid-August, 1939.

CANADA.

At 1st March, 1945, the official cost-of-living index figure was 0.1 per cent. higher than the figure for 1st February, 1945, and 17.8 per cent. above that for 1st September, 1939, as compared with 17.7 per cent. at 1st February, 1945. For food alone the index figure for 1st March, 1945, was 0.3 per cent. higher than that for the previous month and 31.8 per cent. above the level of 1st September, 1939, as compared with 31.4 per cent. at 1st February, 1945.

UNION OF SOUTH AFRICA.

In January, 1945, the official cost-of-living index figure showed a rise of 0.3 per cent. above that for December, 1944, and 32.4 per cent. above the level of August, 1939. For food alone the index figure in January, 1945, was 0.8 per cent. higher than that for the previous month and 43.0 per cent. above the level of August, 1939.

INDIA.

In January, 1945, the official cost-of-living index figure for the working classes in Bombay was 3.0 per cent. below that for December, 1944, and 118.1 per cent. above the level of mid-July to mid-August, 1939. For food alone the index figure for January, 1945, showed a fall of 4.9 per cent. below the figure for the previous month but a rise of 126.8 per cent. above the level of mid-July to mid-August, 1939.

CEYLON.

In December, 1944, the official figure in the revised series of index numbers showing changes in the working-class cost of living in Colombo Town was 111 (November, 1942=100), as compared with 110 in November, 1944. Linked with the earlier series of index numbers, the figure for December, 1944, showed a rise of 103 per cent. over the level of the base period November, 1938, to April, 1939.

SOUTHERN RHODESIA.

In February, 1945, the official cost-of-living index figure was 0.7 per cent. higher than that for January, 1945, and 25.9 per cent. above the level of August, 1939. For food alone the index figure in February, 1945, was 1.7 per cent. higher than that for January, 1945, and 27.2 per cent. above the level of August, 1939.

ICELAND.

At 1st March, 1945, the official cost-of-living index figure in Reykjavik showed no change as compared with the figure for February, 1945, and a rise of 171.3 per cent. above the level of 1st September, 1939. For food alone the index figure at 1st March, 1945, also remained unchanged, compared with the previous month, at 236.6 per cent. above the level of 1st September, 1939.

PALESTINE.

In January, 1945, according to the new combined series of index figures, based on prices in Arab and Jewish markets in three principal towns, the cost-of-living was 154 per cent. above the pre-war level, as compared with 152 per cent. in December, 1944, and 148 per cent. in November and October.

PORTUGAL.

In December, 1944, the official weighted index figure of the cost of food, fuel and light, and certain household articles in Lisbon was 0.3 per cent. higher than that for November, 1944, and 81.4 per cent. above the level of August, 1939, as compared with 80.7 per cent. in November, 1944, 77.7 per cent. in October, 1944, and 76.8 per cent. in September, 1944.

The figure for December, 1944, in the separate official series of (unweighted) index figures of retail prices of food, fuel and certain household articles throughout Portugal was 0.5 per cent. higher than that for the previous month and 73.3 per cent. above the level of August, 1939, as compared with 72.4 per cent. in November, 1944, 71.7 per cent. in October, 1944, and 70.4 per cent. in September, 1944.

SWITZERLAND.

At the end of November, 1944, the official cost-of-living index figure showed no change as compared with the figure for October, 1944, and a rise of approximately 52 per cent. above the level of the end of August, 1939. For food alone the index figure for November, 1944, which also remained unchanged as compared with the previous month, was about 64 per cent. above the level of the end of August, 1939.

EMPLOYMENT OVERSEAS.

UNITED STATES OF AMERICA.

The number of civilians in employment in industries other than agriculture and domestic service in January, 1945, is estimated by the United States Department of Labor to have been approximately 37,852,000. This is 2.5 per cent. lower than the figure for December, 1944, and 2.9 per cent. lower than that for January, 1944, but 24.7 per cent. higher than the average for the year 1939. The number of wage-earners employed in manufacturing industries in January, 1945, is estimated to have been 0.6 per cent. lower than in December, 1944, and 8.6 per cent. lower than in January, 1944, but 59.9 per cent. above the average for the year 1939.

The United States Bureau of the Census estimate that the total number of unemployed persons in the United States of America in January, 1945, was approximately 840,000, compared with 680,000 in December, 1944, and with 1,080,000 in January, 1944.

CANADA.

According to returns received by the Dominion Bureau of Statistics from about 15,000 employers in industries other than agriculture and private domestic service, the total number of workpeople in employment at 1st January, 1945, in the establishments covered by the returns showed a reduction of 2.9 per cent. compared both with 1st December, 1944, and with 1st January, 1944, but was 80.4 per cent. above the average number for the year 1926. The number of persons employed in manufacturing industries at 1st January, 1945, was 3.4 per cent. lower than the figure for the previous month and 6.1 per cent. lower than that for a year earlier.

UNION OF SOUTH AFRICA.

Returns received by the Office of Census and Statistics indicate that in December, 1944, the number of workpeople employed in manufacturing establishments generally and in mining and transport was 0.3 per cent. lower than in November, 1944, but 2.4 per cent. higher than in December, 1943.

ÉIRE.

Unemployment at 28th April, 1945.—The number of unemployed persons on the live register of Employment Exchanges at 28th April, 1945, was 63,656, compared with 68,127 at 24th March, 1945, and 63,274 at 29th April, 1944.

Unemployment among Insured Persons in 1944.—According to information recently published in the Irish Trade Journal and Statistical Bulletin, the number of persons insured under the Unemployment Insurance Acts in Éire in October, 1943 (exclusive of those whose normal employment was in agriculture, fishing or private domestic service), was 320,348; of this total 232,165 were males and 88,183 females. The monthly percentage rate of unemployment among these persons during 1944 ranged from 10.1 at mid-September to 12.9 at mid-January, the average for the year being 11.3 per cent., compared with 12.5 per cent. in 1943. This reduction was ascribed mainly to emigration to the United Kingdom, and to increased employment on turf schemes and in agriculture. As regards the several industrial groups, the average percentages unemployed during 1944 were lowest in mining and quarrying (4.2), the professions (4.5), and the drink industry (4.7); they were highest in general building (houses, etc.) (19.0), other construction (roads, etc.) (16.5), and transport and communications (16.3).

LEGAL CASES AFFECTING LABOUR.

MASTER AND SERVANT—TRUCK ACTS—SUSPENSION OF WORKMAN FOR SERIOUS MISCONDUCT.

It was one of the terms of employment of a rayon spinner (but not expressed in a signed contract) that he might be temporarily suspended from his employment if he were guilty of misconduct or breach of duty or of orders. On 3rd and 4th January, 1944, he wilfully refused to clean a machine on which he worked and which it was his duty to clean. On each of these two days his employers suspended him. On 5th January, 1944, he returned to work and obeyed the order.

In consequence of the suspension, the employers stopped the man's wages for 3rd and 4th January and he instituted proceedings against them in the County Court, claiming £2 10s. 0d. as damages, or alternatively, as wages for those two days. The County Court Judge found as a fact that the plaintiff had persistently refused to obey a lawful order and that his refusal amounted to serious misconduct for which he might have been summarily dismissed, but the County Court Judge gave judgment in favour of the workman on the ground that the suspension was illegal by reason of section 1 of the Truck Act, 1896.

This section provides that "an employer shall not make any contract with any workman for any deduction from the sum contracted to be paid by the employer to the workman, or for any payment to the employer by the workman, for or in respect of any fine, unless" certain conditions are fulfilled. Of these conditions, one at least—an exhibited notice or signed contract containing the suspense clause—was not fulfilled. The employers appealed.

The Court of Appeal (Lords Justices Scott, Lawrence and Morton) allowed the employers' appeal with costs. Lord Justice Scott said that there were only two types of contractual stipulations within the prohibition of section 1 of the Truck Act

1896, namely, (1) deductions from wages and (2) payments made by the workman unconnected with his wages; and in his Lordship's opinion both were qualified by the words "for or in respect of a fine." It was clear that the "suspense" clause in this case was not within the second category of prohibited stipulations, because no payment by the workman was called for by it. Was it within the first? His Lordship said that it was clearly not, because you could not deduct something from nothing. Under the suspense clause the right to wages ceased and the wages were not earned; no deductions could be made from wages which were not payable. The whole contract was suspended in the sense that the operation of the mutual obligations of both parties was suspended; the workman ceased to be under any present duty to work and the employers ceased to be under any consequential duty to pay.

Lord Justice Lawrence said that apart from the Truck Act there was nothing in law or in fact which prevented two contracting parties contracting on the terms that either during holidays or illness or any other period the obligations of the contract should be suspended. By the terms of such a contract the contracting party, if he were an employer, never contracted to pay wages during the period referred to, any more than the other party, if he were a workman, contracted to work during that period. It followed in his Lordship's opinion that such a contract was not a contract for any deduction from the sum contracted to be paid, since no sum was ever contracted to be paid during a period of suspension.—*Bird v. British Celanese Ltd.* Court of Appeal, 8th March, 1945.

CONDITIONS OF EMPLOYMENT AND NATIONAL ARBITRATION ORDERS.

NATIONAL ARBITRATION TRIBUNAL AWARDS.

During April, 1945, the National Arbitration Tribunal issued fourteen awards, Nos. 707-720. Four of these awards are summarised below; the others related to individual employers.

Award No. 714 (19th April).—*Parties:* Members of the Scottish Lace Manufacturers' Association and the Nottingham and District Lace Curtain Manufacturers' Association, and members of the British Lace Operatives' Federation, the Amalgamated Society of Operative Lace Makers and Auxiliary Workers, and the Scottish Lace and Textile Workers' Union in their employment. *Claim:* For the application to all time-workers and piece-workers, irrespective of the nature of the work on which they are employed, of the cost-of-living bonus of 30 per cent. which is at present applied to certain classes of workers; and for an increase of 1d. per hour in the basic rate for drawers. *Award:* The Tribunal found against the claim for the application of the cost-of-living bonus of 30 per cent. to all time-workers and piece-workers; and in favour of the claim in respect of the increase in the basic rate for drawers.

Award No. 715 (19th April).—*Parties:* Members of the Peterborough Engineering Employers' Association, and members of the Iron, Steel and Metal Dressers' Trade Society in their employment. *Claim:* For a minimum basic rate for metal dressers in the Peterborough area of 61s. per week of 47 hours. *Award:* The Tribunal found against the claim.

Award No. 718 (24th April).—*Parties:* Members of Associations federated with the Engineering and Allied Employers' National Federation, and members of Trade Unions represented by the National Joint Trades Movement in their employment. *Claim:* For a substantial increase in the minimum basic rates for adult male time-workers and piece-workers. *Award:* The Tribunal awarded as follows:—

(a) The existing basic rates for adult male workers, both time-workers and piece-workers, shall be increased by 4s. 6d. per week of 47 hours.

(b) No alteration is made by this Award in the existing national bonus for adult male time-workers and for adult male piece-workers, respectively, as provided under the terms of Awards Nos. 326 and 555.

(c) The only alteration made by this Award as respects piece-work prices and "bonus or basis times" in the case of workers employed on piece-work is that piece-work prices and bonus or basis times shall be such as will enable a workman of average ability to earn at least 27½ per cent. over the appropriate new basic time-rate provided by this Award, instead of at least 27½ per cent. over the appropriate basic time-rate provided by Award No. 326.

(d) In the application of this Award to time-workers individual merit rates, lieu rates, compensatory or other bonuses, and merit rates commonly applied, shall be maintained.

(e) The rates provided by Awards Nos. 326 and 555 as amended by this Award are minimum rates and this Award shall not operate to reduce the existing rates of workers who are remunerated at rates higher than those provided by the said Awards.

Award No. 719 (26th April).—*Parties:* Members of the Sheffield and District Engineering Trades Employers' Association, and members of the National Union of Operative Heating and Domestic Engineers and General Metal Workers in their employment. *Claim:* For an increase of 4s. per week in the minimum basic rate for pipe fitters employed in the engineering industry in Sheffield and district. *Award:* The Tribunal found that the claim had not been established.

NATIONAL ARBITRATION TRIBUNAL (NORTHERN IRELAND) AWARDS.

During April, 1945, the National Arbitration Tribunal (Northern Ireland) issued four awards, Nos. 431-434. One of these awards is summarised below.

Award No. 431 (5th April).—*Parties:* The Belfast Co-operative Society, Ltd., and the members of the Belfast Master Bakers' Association, the North of Ireland Bakers' Alliance, the Provincial Association of Master Bakers, and the Northern Ireland Country Master Bakers' Association (excluding the Londonderry members of that Association); and certain employees of the said employers. *Claim:* That bread-servers be granted an increase of 7s. 6d. per week in wages, and seven additional days holidays with pay (other than statutory holidays). *Award:* The Tribunal found that the claim had not been established and awarded accordingly.

INDUSTRIAL COURTS ACT, 1919, AND CONCILIATION ACT, 1896.

INDUSTRIAL COURT AWARDS.

During April, 1945, the Industrial Court issued two awards, Nos. 2008 and 2009. These awards are summarised below.

Award No. 2008 (18th April).—*Parties:* The National Joint Industrial Council for the Electricity Supply Industry—Trade Union Side and Employers' Side. *Claim:* That the basic rates of wages for labourers in the area of the Electricity Board for Northern Ireland be replaced by the basic rates for labourers in Londonderry. *Award:* The Court awarded that the matter should be settled in accordance with the terms of an agreement reached by the parties prior to the hearing of the case.

Award No. 2009 (24th April).—*Parties:* Shipbuilding Trade Joint Council for Government Departments—Trade Union Side and Official Side. *Claim:* That the basic rate of pay of Works Department plumbers employed at the R.N.C.F., Holton Heath, be increased to 79s. 6d. a week. *Award:* The Court awarded that the present claim had not been established.

SINGLE ARBITRATORS AND AD HOC BOARDS OF ARBITRATION.

During April, 1945, two awards were issued by Single Arbitrators appointed under the Industrial Courts Act, 1919. Both awards related to individual undertakings.

In addition, a Single Arbitrator was appointed under the Industrial Courts Act, 1919, to deal with a difference relating to an individual undertaking. After an adjournment of the hearing the parties were able to reach agreement on the matter in dispute.

TRADE BOARDS ACTS AND WAGES COUNCILS ACT.

By virtue of the Wages Councils Act, 1945,* Trade Boards set up under the Trade Boards Acts, 1909 and 1918, are deemed to be Wages Councils operating in relation to the workers and employers covered by the Boards which operated in Great Britain immediately before the Act of 1945 came into force.

NOTICES OF PROPOSAL.

During April, 1945, no proposals to vary statutory minimum remuneration were issued by Wages Councils.

CONFIRMING ORDERS.

During April, 1945, Orders,† confirming proposals issued by Trade Boards before the passing of the Wages Councils Act, for the variation of minimum rates of wages in the trades concerned were made as follows:—

Corset Wages Council.—Order K. (24), dated 17th April, 1945; effective from 27th April, 1945.

Wholesale Mantle and Costume Wages Council (Great Britain).—Order W.M. (38), dated 17th April, 1945; effective from 27th April, 1945.

Keg and Drum Wages Council (Great Britain).—Order K.D. (30), dated 25th April, 1945; effective from 4th May, 1945.

TRADE BOARDS ACTS (NORTHERN IRELAND), 1923-44.

During April, 1945, no proposals to vary minimum rates of wages were made under the above Acts. One Order† confirming variations of minimum rates of wages was made as follows:—

Aerated Waters Trade Board (Northern Ireland).—Order N.I.A. (20), dated 24th April, 1945; effective from 7th May, 1945.

* See the issues of this GAZETTE for December, 1944, and April, 1945. The Act does not apply to Northern Ireland.

† See footnote * on page 90.

AGRICULTURAL WAGES REGULATION ACTS.

ORDERS RELATING TO WAGES AND HOURS.

Since last month's issue of this GAZETTE was prepared, Orders have been published relating to wages and hours of labour in agriculture in Scotland and in Northumberland.

Orders (Order No. 8 of District Nos. 1 to 9 and District No. 11, and Order No. 9 of District No. 10) were made by the Scottish Agricultural Wages Board under the Agricultural Wages (Regulation) (Scotland) Acts, 1937 and 1940, the Holidays with Pay Act, 1938, and Regulation 25 of the Defence (Agriculture and Fisheries) Regulations, 1939. The Orders, which came into force on 16th April, vary the minimum and overtime rates of wages and directions with regard to holidays with pay and holiday remuneration applicable to adult male agricultural workers in all districts in Scotland, and revise the values assigned in some districts to certain of the benefits or advantages which may be reckoned as payment of wages in lieu of payment in cash. Summaries of the principal provisions of the Orders are given on pages 79 and 83 of this GAZETTE.

An Order (1537) was made by the Agricultural Wages Board for England and Wales under the Agricultural Wages (Regulation) Acts, 1924 and 1940, Holidays with Pay Act, 1938, and Regulation 23 of the Defence (Agriculture and Fisheries) Regulations, 1939, as amended by Section III of the Agriculture (Miscellaneous Provisions) Act, 1944. The Order, which came into force on 15th April, 1945, discontinues the inclusive weekly minimum wage for special class workers in Northumberland who are, from that date, entitled to not less than the general weekly minimum wage applicable in the County, together with overtime payment for the hours of work additional to those of ordinary workers which their special duties involve.

FACTORIES ACT (NORTHERN IRELAND).

ELECTRIC ACCUMULATOR SPECIAL REGULATIONS (NORTHERN IRELAND), 1945.

Special Regulations under the above title were made on 12th April, 1945, by the Ministry of Labour for Northern Ireland under Sections 47 and 65 of the Factories Act (Northern Ireland), 1938, for the manufacture or repair of electric accumulators or parts thereof containing lead or any lead compound.

The Regulations revoke, in so far as they apply in Northern Ireland, the Regulations for the manufacture of electric accumulators—S. R. & O. 1903, No. 1004—made by the Secretary of State on 21st November, 1903.

Copies of the new Special Regulations—S. R. & O. of Northern Ireland, 1945, No. 41—may be obtained through any bookseller or direct from H.M. Stationery Office, 80, Chichester Street, Belfast.

OFFICIAL PUBLICATIONS RECEIVED.*

(NOTE.—The prices shown are net: those in brackets include postage.)

BUILDING INDUSTRY.—*Building Apprenticeship and Training Council: Second Report, December, 1944.* Ministry of Works. Price 9d. (10d.).—See page 75.

COAL MINING.—*Financial Position of Coal Mining Industry: Coal Charges Account.* Cmd. 6617. Ministry of Fuel and Power. Price 9d. (10d.).—See page 80.

NATIONAL INCOME AND EXPENDITURE.—*An Analysis of the Sources of War Finance and Estimates of the National Income and Expenditure in the Years 1938 to 1944.* Cmd. 6623. Price 1s. (1s. 2d.).

REINSTATEMENT IN CIVIL EMPLOYMENT.—*Selected Decisions given by the Umpire in respect of Applications under the Reinstatement in Civil Employment Act, 1944.* R.E. Code 1. Pamphlet No. 12. Ministry of Labour and National Service. Price 1d. (2d.).

RENT CONTROL.—*Report of the Inter-Departmental Committee, February, 1945.* Cmd. 6621. Ministry of Health and Department of Health for Scotland. Price 1s. (1s. 2d.).—See page 77.

WELFARE.—*Seats for Workers in Factories.* Welfare Pamphlet 6 (4th edition). Ministry of Labour and National Service. Price 1s. 6d. (1s. 8d.).

STATUTORY RULES AND ORDERS.

Since last month's issue of this GAZETTE was prepared the undermentioned Orders* relating to matters with which the Ministry of Labour and National Service is concerned, either directly or indirectly, have been published in the series of *Statutory Rules and Orders*. The price of each Order, unless otherwise indicated, is 1d. net (2d. post free).

The Wages Board (Industrial and Staff Canteen Undertakings) (Amendment) Order, 1945 (S. R. & O. 1945, No. 427), dated April 19, 1945, made by the Minister of Labour and National Service under the Catering Wages Act, 1943.—See page 79.

The Wages Councils and Commissions of Inquiry (Notices and Orders) Regulations, 1945 (S. R. & O. 1945, No. 433).—These Regulations, made by the Minister of Labour and National Service on 18th April, 1945, under the Wages Councils Act, 1945 (particulars of which were given in the issues of this GAZETTE for December, 1944, and April, 1945), prescribe the manner of publication of Reports of Commissions of Inquiry, notices relating to the making of Wages Councils Orders, Wages Regulation proposals and Wages Regulation Orders, and provide for the posting of notices by employers. These Regulations follow substantially the Regulations made on similar matters under the Trade Boards Acts, 1909 and 1918.

The Civil Defence (Employment and Offences) Order, 1945 (S. R. & O. 1945, No. 466), made by the Minister of Home Security on 1st May, 1945, under Regulations 29B and 38 of the Defence (General) Regulations, 1939.—This Order provides, *inter alia*, (a) that persons over 18 years of age employed without remuneration or part-time by a local authority on certain Civil Defence duties, who have hitherto been required to continue in their employment until their services were dispensed with, may resign such employment, and (b) that persons previously employed for remuneration or whole-time on such duties shall not be recalled to such employment.

The National Fire Service (General) Regulations, 1945 (S. R. & O. 1945, No. 467).—These Regulations, made by the Secretary of State for Home Affairs on 1st May, 1945, revoke the earlier provisions whereby part-time firemen aged over 18 years in the National Fire Service, were prohibited from leaving their employment.

The Building and Civil Engineering Contracting (Hours of Employment) Direction, 1945 (S. R. & O. 1945, No. 478), dated May 2, 1945, given by the Minister of Works pursuant to Regulation 56AB of the Defence (General) Regulations, 1939.—See page 76.

The Wages Councils (Meetings and Procedure) Regulations, 1945 (S. R. & O. 1945, No. 483), and *The Wages Councils and Central Co-ordinating Committees (Conditions of Office) Regulations, 1945* (S. R. & O. 1945, No. 484).—These Regulations, made by the Minister of Labour and National Service on 1st May, 1945, under the Wages Councils Act, 1945, lay down provisions with regard to the quorum required to constitute a meeting of a Wages Council, the procedure for voting, and the giving of notice of meetings in the case of meetings of Wages Councils, and also with regard to the conditions of office of members of Wages Councils and of Central Co-ordinating Committees established under the Wages Councils Act. In each case the Regulations took effect on 1st May, 1945.

Order in Council adding Regulation 58AAA to the Defence (General) Regulations, 1939 (S. R. & O. 1945, No. 503), made by His Majesty in Council on 9th May, 1945.—This Regulation provides that with certain specified exceptions, including persons over 60 years of age, civil servants employed in Great Britain or Northern Ireland shall not leave their employment, after a date to be fixed, except in accordance with such provisions as may be prescribed by Orders made under the Regulation.

Order in Council revoking and amending certain Defence Regulations (S. R. & O. 1945, No. 504; price 3d. net (4d. post free)), made by His Majesty in Council on 9th May, 1945.—See page 73.

The Factories (Glass Protection) (Revocation) Order, 1945 (S. R. & O. 1945, No. 524), dated May 7, 1945, made by the Minister of Labour and National Service under Regulation 60 of the Defence (General) Regulations, 1939.—See page 73.

The Essential Work (Permission to Terminate Employment) (Exemption) Order, 1945 (S. R. & O. 1945, No. 560), dated May 8, 1945, made by the Minister of Labour and National Service under Regulation 58A of the Defence (General) Regulations, 1939.—See page 74.

* Copies of official publications (including Orders, Regulations, etc.) referred to in this GAZETTE may be purchased from H.M. Stationery Office at the addresses below.

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