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## Women's Work in 1937

### EMPLOYMENT AND UNEMPLOYMENT

As in the preceding issue of the *Year-Book*, an attempt is made below to describe the general trend of female unemployment from one year to the next, so far as it can be derived from the official statistics of a few countries where the necessary data are provided.

In *Czechoslovakia* a very considerable fall in unemployment was registered, both for women and for men, between January 1937 and January 1938. Applications for employment by women fell 20.5 per cent. (by men, 22.7 per cent.) and the number of unemployed women decreased from 139,057 to 110,524.

In *France*, as during the preceding year, the figures for the two sexes moved in different directions. Unemployment among men decreased from January 1937 to January 1938 by 10.2 per cent. as regards applications for employment and by 9.1 per cent. as regards unemployed in receipt of relief. Unemployment among women, on the other hand, increased as follows: applications for employment, from 117,977 to 126,666; women in receipt of benefit, from 105,426 to 112,445—i.e. by 7.3 and 6.7 per cent. respectively.

In *Germany* both male and female unemployment decreased between January 1937 and January 1938. The movement was less marked as regards women, the number of applications for employment registered by the employment exchanges falling from 277,788 to 205,672, or 25.9 per cent. The corresponding figures for male unemployment were 1,774,695, 1,017,393 and 42.7 per cent. If the numbers of persons registered as unemployed are taken as the basis of calculation, women's unemployment is found to have fallen by 33 per cent. as against 44.7 per cent. for men.

In *Great Britain* there was a very considerable increase in unemployment among women in the same period, the position remaining more or less stationary as regards men. For the latter, there was a very slight increase in the number of applications for employment (1.1 per cent.) and a small decrease in the number of

<sup>1</sup> Except Recommendation No. 56, which was transmitted to the organisations concerned for their opinion.

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unemployed in receipt of benefit (5 per cent.), whereas the number of applications for employment by women rose from 319,592 to 443,445, or 38.6 per cent., and the number of women in receipt of unemployment benefit rose from 242,537 to 282,593, or 5.5 per cent. The very great increase in unemployment among women during the year appears to be due to the greater unemployment in various industries which usually employ a large number of women, particularly cotton (11.4 per cent. of unemployment in January 1937 and 20.1 per cent. in January 1938), wool (7.1 and 21.1 per cent. respectively), knitted goods (9.4 per cent. and 14.2 per cent.), tailoring (12.4 and 16.7 per cent.), etc. On the other hand in several large branches of heavy industry which employ almost exclusively male labour, the figures show either only a very small increase in unemployment (iron and steel, building) or an almost stationary position (engineering, brick works) or even a slight fall (shipbuilding, mines, public works).

In *Poland* the unemployment figures moved very slightly, but did so in different directions for women and for men. The number of male unemployed increased by 3.3 per cent. between January 1937 and January 1938, while the number of women unemployed fell by 2 per cent. (from 77,074 to 75,544).

To sum up, in three of the five countries considered (Czechoslovakia, Germany and Poland) unemployment among women decreased—indeed, to a considerable extent in Czechoslovakia. On the contrary it increased notably both in France, as in the preceding year, and in Great Britain, where this was a new phenomenon. A comparison with male unemployment shows, except in one country (Poland), a movement of the labour market during the year which was less advantageous to women than to men, while in two countries—France and Great Britain—unemployment increased very considerably among women, while decreasing slightly among men.

Unemployment sometimes affects certain groups of unemployed persons particularly. In *Great Britain*, for instance, attention has been drawn to the fact that in trades where youth is an advantage and experience is a factor of no great importance, unemployment affects middle-aged and elderly women much more than men; it is stated that as a result 70 per cent. of the women over 35 are unemployed. It was to fight against this tendency by finding openings for middle-aged women that a private association for the protection of women over 30 has been founded. A similar incidence of unemployment according to age has been noticed in other countries, particularly the *United States*, where remedial measures have been taken (in Massachusetts) as regards unemployed persons of both sexes.

On the other hand certain branches of economic activity experienced a special shortage of female labour during the year.

In *Australia*, where the reports of the inspectors for 1936 showed a surplus supply of labour, there is now said to be a shortage of skilled women workers in almost all the industries which employ

women. In *Germany* the authorities have established or developed classes for the occupational guidance of women, so as to remedy the lack of female labour, particularly in agriculture, the hotel trade and certain branches of industry proper such as textiles. Vocational retraining classes for certain of the so-called feminine occupations (and particularly specialised occupations of a social, educational or domestic nature) have also been organised by the German Labour Front in collaboration with the National Placing Service. Moreover, in accordance with an Order of 24 November 1937, the strength of the girls' labour service, the placing of which on a compulsory basis is in preparation, will be increased to 30,000 by 1 April 1939 (the figure was 17,350 in October 1937). At the beginning of 1938 it was reported that 70,000 girls had already passed through this service since its establishment, so that it might be expected that a more comprehensive organisation would have important effects on the distribution of women workers on the labour market.

In *Spain* a Decree of 40 July 1937 and Administrative Regulations issued on the following 3 November attached an Occupational Readaptation Institute to the Department of Labour of the Generality of Catalonia. The object of this institution is to enable women to do work which men have had to leave owing to mobilisation. Women may take the same posts as men and will receive equal pay for equal qualifications.

A number of new facts and recent changes may be mentioned with regard to the measures taken to combat unemployment among women.

In *Canada* the Women's Employment Committee attached to the National Employment Commission has surveyed the industrial openings for women and the apprenticeship and training possibilities, as well as the efficiency of the women's employment bureaux. Furthermore, the Commission has reported that 46,961 persons, including 8,355 women, have been employed under a scheme by which farmers are paid a monthly bonus to assist them in giving employment at various work throughout the winter months.

In *India* the statutory prohibition of the employment of women underground has now become effective, and efforts to find fresh employment in other occupations for the women workers in question have continued. The scheme submitted by the Government of Bihar, referred to in the last issue of the *Year-Book*<sup>1</sup>, was not adopted by the Government of India, and the Government of Bihar has therefore prepared a new scheme with the same object but with a different financial basis; this provides for the establishment of two vocational schools for hand-weaving and basket-making at Jharia and Sijua.

In *Poland* an employment exchange for unemployed women from assisted families, which was founded three years ago solely for

<sup>1</sup> I.L.O. Year Book 1936-37, p. 188.

abandoned and unmarried mothers, has extended its work to placing for all unemployed women with family responsibilities (widows, mothers with dependent children, girls who provide for their parents, etc.). This office engages in placing in widely different occupations, both manual and non-manual, and also—where necessary—organises the vocational training of unemployed women with insufficient qualifications.

In the *United States* the Works Progress Administration closed down on 1 October 1937 the girls' camps, to which reference was made in the *Year-Book 1936-37*<sup>1</sup>, owing to their excessive cost; action has however been taken for the vocational training of unemployed women in domestic service (see below).

Among the measures taken on behalf of young unemployed persons, which will be mentioned below in the chapter dealing with unemployment<sup>2</sup>, some apply more particularly to girls.

The efforts referred to in previous years to direct women towards domestic service and other forms of domestic work, and to provide better vocational training for domestic staffs, have been continued, particularly in the countries where there is a shortage of domestic labour.

In *Australia* (Western Australia) representations have been made to the Youth Employment Enquiry concerning the desirability of establishing an improved status for domestic servants and so to increase the applications for employment in this occupation. Plans for the training of domestic staffs are also in course of study in the same State.

In *Belgium* the National Placing and Unemployment Office recommended the direction of a greater volume of workers towards domestic service as a means of easing the labour market. To achieve this, in the Office's view, it would be necessary to raise the status of domestic service as an occupation by improving the possibilities for vocational training and giving domestic servants special advantages apart from those enjoyed by women factory workers.

In *Canada* the Governments of various Provinces subsidise and encourage courses in domestic training.

In *Finland* classes in vocational training have been organised by the local authorities, usually with State aid, in order to improve the position of unemployed women.

In *Germany* the authorities, and in particular the President of the National Institution for Employment Exchanges and Unemployment Insurance, have repeatedly stressed the necessity for directing female labour particularly towards domestic service and agriculture. On 15 February 1938 an Order issued by Field-Marshal Goering concerning the application of the four-year plan states that girls under 25 may not be engaged as workers or salaried employees in public or private undertakings until they have completed a year's work in domestic service or agriculture. The

<sup>1</sup> Cf. *I.L.O. Year-Book 1936-37*, p. 188.

<sup>2</sup> Cf. Chapter V, under "Special Measures for Young People".

Order was followed by Administrative Regulations, issued by the President of the Institution for Employment Exchanges and Unemployment Insurance, which make it clear that these provisions at present apply only to girls seeking employment in commerce and offices and in the clothing, textile and tobacco industries; periods completed in the labour service, the agricultural service, the agricultural aid and the various forms of agricultural and domestic instruction are also considered as domestic or agricultural work for the purpose of the Order. The prescribed year's work may be replaced by two years in the health and social services. In the case of families with not less than four children unpaid work in the family is also taken into consideration. According to an agreement concluded between the Directorate-General of the Labour Service and the National Food Board, members of the girls' labour service are now employed almost exclusively in helping the rural population, particularly mothers of peasant families.

In *Great Britain* a Ministry of Labour enquiry showed that the employment exchanges had not been able to supply more than 44 per cent. of the demands for domestic servants, and that early in 1937 there were only 984 persons in the 37 domestic service training centres established by the Central Committee on Women's Training and Employment, although accommodation was offered for 1,284; the Ministry of Labour and various private bodies had enquired into the reasons for the shortage of candidates for domestic employment, and efforts are being made by local authorities and private organisations to formulate acceptable employment standards and to secure their adoption and observance (cf. below, the efforts to improve conditions in the occupation).

In the *Netherlands* efforts have been made to prepare women for domestic service or for a life as housewives in their own homes in connection with the steps taken to keep women out of industry, which are described in the following section. In several towns classes have been organised in this connection.

In *Sweden*, although there is no great unemployment in the occupations principally engaged in by women, the Minister of Social Welfare has declared that it would be desirable to expand vocational training for domestic service and the dairy industry for girls.

In the *United States* the Works Progress Administration, the object of which is to provide work for the unemployed, has set on foot Household Service Demonstration Projects showing the proper methods of housekeeping. These have three objects: to train unemployed women for household employment, to place trained persons with employers who maintain acceptable standards, and to organise committees which will attempt permanently to raise the standards of household work. Moreover the Association of Junior Leagues of America held a conference, which delegates from Canada and Mexico as well as from the United States were invited to attend; the raising of the standards of household employment was one of the principal questions of discussion.

## PLACE OF WOMEN'S WORK IN THE ECONOMIC SYSTEM

An important event in the international field was the adoption, by the International Labour Conference (Twenty-third Session, June 1937) of a resolution relating to women's work submitted by the Government delegates of the United States. This resolution calls the attention of Governments to the desirability of taking various protective measures with regard to women's labour, particularly with the object of giving women "full opportunities to work". In accordance with the Conference's request, the resolution was communicated to all States Members.

In various countries there was an extension of women's activity, sometimes taking the form of access to posts hitherto closed to women.

In *France*, under a Decree dated 31 December 1937, women may be nominated as foreign trade advisers, to a number not exceeding ten in each year. The reopening to women of various competitions for employment in Government departments has continued, but usually with provision for a quota—as a rule 50 per cent. of the posts to be filled. Lastly, the Government submitted a Bill, which the Senate passed in January, to grant women sub-inspectors of the Public Assistance Department the right to be promoted to inspectors' posts in the same way as men; at the same time a quota of half the posts of sub-inspector was laid down.

The quota principle was also applied in the *Portuguese* Civil Service when access to competitions for posts of assistant professors was thrown open to women by a Legislative Decree of 23 November 1937; here, however, the restriction is more severe, since women can only be admitted when there are not sufficient male candidates, and then only up to 50 per cent. of the places vacant in each category.

In *Cuba*, Legislative Decree No. 1024 of 27 March 1937 gives women a preferential right to certain types of employment; this Decree, which confirms and reinforces legislative provisions already existing but not hitherto fully applied, reserves for women all posts in those departments of shops which engage in the direct sale to the public of articles intended for women, and 50 per cent. of all posts in departments engaging in the sale of various light articles (drugs, perfumery, stationery, etc.) and in the office departments of commercial and similar establishments. Transitional measures were taken, in accordance with a Resolution of 9 July 1937, to enforce this reform by stages and thus to disturb existing situations as little as possible.

In *Argentina*, the right of women to engage in paid activity was clearly established in connection with a test case: a company with a railway concession had introduced a clause providing for termination of contracts in case of marriages of female members of its staff. The Senate voted a resolution deploring such a practice as contrary to tradition and to the national interest; it then

adopted a Bill formally prohibiting exclusion in case of marriage, whether provided by the rules of establishments or stipulated in contracts with employed persons. This Bill is now before the Chamber of Deputies.

In *Denmark*, the Committee on Population, which was set up in 1935 to lay down guiding principles for a positive policy in the matter, submitted its report at the end of January 1938. The Committee is opposed to any measure limiting the employment rights of married women, and announces its intention of making, at a later stage, definite proposals to prohibit the dismissal of women workers on marriage; pending the issue of legislation on this subject it calls on employers' and workers' organisations to include a stipulation of this sort in collective agreements.

As regards practice, attention must be drawn, as in previous years, to the increasing place of women's work in the economic systems of several countries. In the *U.S.S.R.*, the statistics published in connection with Women's Day (*Pravda*, 7 March 1938) put the number of women employed in establishments and services of the Soviet Union at 9,357,000, or 35.4 per cent. of all workers and salaried employees (34 per cent. in 1936). There were 3,298,000 women in heavy industry, including 100,000 engineers and technicians; 1,252,000 in education; 725,000 in the health services, including 47,468 women doctors; and 477,000 in transport. Lastly, there were 13,000,000 schoolgirls (three times as many as ten years before), and 41 per cent. of the students at university establishments were women.

In the *United States*, the number of women in paid employment is steadily increasing, as witness the census carried out by the Federal Administrations with a view to enforcing the recent social security legislation. Whereas at the general census of 1930 women constituted only 22 per cent. of the whole active population, the social insurance registers of persons covered by the new scheme show that women supplied 27 per cent. of the total—that is to say, of all employed persons in industry and commerce earning less than a certain annual figure.

Once more, reference must be made to the withdrawal of previous measures, directly or indirectly, limiting the activity of all or certain groups of married women.

In the *United States*, the provision of the Economy Act restricting simultaneous employment of husband and wife in the Federal Civil Service, the deletion of which had been brought up the previous year, was repealed by Congress in July 1937.

In *Germany*, the increased demand for female labour and the shortage felt on the employment market have led to the complete abolition of the condition previously attached to the grant of marriage loans, namely that the wife should renounce all paid employment save in exceptional circumstances. Further, the campaign against earning by both husband and wife, which had cost many married women their employment, has now completely ceased—indeed, one of the Chiefs of District, pointing out that

this campaign was a past event dating from the age of unemployment, recently went so far as to declare that everyone should to-day have an unrestricted right to employment, and in particular approved the employment of married women without children. However, the responsible authorities and the President of the National Institution for Employment Exchanges and Unemployment Insurance have repeatedly expressed the view that the increase of female labour in industry is undesirable both from the health standpoint and also because it would deprive agriculture and social and domestic occupations of the female help which they require. It was in order to direct the main volume of female labour towards these two occupations—agriculture and domestic service—that a condition was imposed on girls seeking posts in other branches of employment, and particularly in industry proper, namely, that they must have completed a year's work in either agriculture or domestic service. Nevertheless, female labour remains the great reserve for industry, which may have recourse to it in periods of shortage, as has been stated by the Chief of the Employment Services in connection with the four-year plan.

In *Great Britain*, the education authority of the Borough of Richmond followed the lead of other authorities in abrogating the old rules which had, since 1911, obliged women schoolteachers to resign on marriage.

Among the measures giving women more scope in economic life, some, though of an unofficial character, are nevertheless of great practical importance—for instance, the decision taken by the *Finnish* Confederation of Trade Unions to establish a women's section (May 1937).

Although the tendency they represent is no longer predominant, a number of measures restricting women's activity has again to be mentioned.

In *India*, under the provision of the Act of 1935 which empowers competent authorities to depart from the rule of equal treatment of persons of either sex regarding access to public employment, a Resolution of 28 April 1937 debarred women from various posts on the railways. In Bengal (Notification of 25 June 1937), in the Central Provinces and in the Province of Berar (Notification of 5 June 1937), women have been excluded from certain official posts of a technical character (engineers, etc.).

In the *Netherlands*, the Bill referred to in the last issue of the *Year-Book*<sup>1</sup> was finally passed on 20 May 1937. This provides that public administrative regulations may fix the percentage of female labour among the staff required to carry out a certain job in a factory or workshop, where this was done principally by male labour before 1 January 1934. The Act is regarded as an emergency measure, its operation being limited to three years. Furthermore, taking his stand on the principle that married women should devote their whole attention to their families, the Minister

<sup>1</sup> Cf. *I.L.O. Year-Book 1936-37*, p. 192.

of Social Affairs placed before the Superior Council on 3 December 1937 a draft for a Bill to prohibit the employment of married women in private establishments; the only exceptions would be women breadwinners, women heads of undertakings, and the wives of male heads of undertakings. The Bill has given rise to a sharp expression of opinion.

In *Portugal*, the collective agreement concluded for the fish-canning industry of the Setubal district, which was approved by the Secretary of State for Corporations on 26 August 1937, includes several stipulations limiting the engagement of female labour.

Apart from the direct restriction of women's work, provisions have been adopted or proposed with the object of preventing such circumstances from arising as might induce women to engage in activity away from their homes. The provision which has been inserted in the new *Irish* Constitution (despite the opposition of women's organisations and particularly the Irish Women Workers' Union) expresses a similar tendency; according to this provision, it is the duty of the State to see that women are not obliged by economic necessity to take up careers unsuited to their sex or to their strength. With the same intention a Bill has been introduced in the *French* Chamber of Deputies to give effect to one of the recommendations of the movement for the return of mothers to their homes—namely, the payment of special family allowances to married women who do not engage in occupational activity.

Another example is the collective agreement concluded on 9 May 1937 between the *Italian* Fascist Confederation of Merchants and Fascist Confederation of Commercial Employees, providing that any woman worker or employee in commerce shall be entitled, on voluntarily leaving her employment owing to marriage or motherhood, to the compensation for dismissal payable in case of termination of the contract by the employer without misconduct on the employee's part.

In *Japan*, under Orders for the administration of the Act concerning allowances on leaving employment, similar allowances are paid to women workers who voluntarily leave their posts in case of marriage.

Among the more important resolutions relating to the problems under consideration, reference may be made to those in favour of steps to enable mothers to remain at home. These were adopted by the International Congress on the Mother at Home (Paris, June 1937), the Congress of the International Federation of Christian Trade Unions (Paris, September 1937), the International Congress of Christian Textile Workers' Unions (Paris, September 1937) and various French Christian trade union federations (metal workers, salaried employees, civil servants).

Apart from a very large number of women's congresses, the following expressed their opposition to all measures restricting women's work: the Congress of the International Confederation of Professional Workers (Paris, September 1937), which demanded for women the same right to labour as for men; the Congress of the

Federation of French Salaried Employees' Unions; the Officers of the Belgian Workers' Party, in a memorandum submitted to the Prime Minister in October 1937; etc.

#### GENERAL PROTECTION OF WOMEN WORKERS

In this section an account is given of measures supplementing those to be found below under the headings "Employment of Women before and after Childbirth" and "Night Work of Women".

##### *International Regulation*

*Convention No. 45: Underground Work (Women), 1935*<sup>1</sup>

Ratified by the following countries: *Afghanistan* (14 May 1937), *Austria* (3 July 1937), *Belgium* (4 August 1937), *Estonia* (4 June 1937), *Finland* (3 March 1937), *France* (25 January 1938), *Mexico* (21 February 1938) and *Portugal* (18 October 1937).

Ratification authorised in *New Zealand, Spain and Turkey*.

*Hungary*. — A Bill for ratification passed the Chamber of Deputies on 14 December 1937.

In *Yugoslavia* the Convention was submitted to Parliament.

##### *National Regulations*

Besides ratifications, in most cases based on legislation already in existence, a number of steps have been taken in connection with Convention No. 45.

In *India*, the total abolition of the employment of women underground, which it was expected to enforce as from 1 June 1937 (Regulations of 1 February 1937) was postponed by Government decision until 1 October owing to the shortage of mine workers in summer caused by the need for labour in agriculture. The prohibition of the employment of women underground in mines thus became operative on 1 October 1937, and, as has already been stated, measures were taken to facilitate the placing of the women in question in other occupations.

In *French West Africa*, on the *Ivory Coast*, the employment of women in mines has been prohibited, but this provision is largely of a formal character.

A number of regulations have been issued to prohibit the employment of women at different forms of exacting work: in *Egypt*, at the manufacture of animal charcoal (Order of 25 February 1937); in *Germany*, at the carrying of loads in the canned goods industry (Order of 18 March 1937) and in brick works (Order of 5 June 1937); in *India*, at certain operations in connection with lead (defined as in the Lead Poisoning (Women and Children) Recommendation, 1919 (No. 4)), in the chrome industry and at sand spray work (three Regulations issued in March 1937); in

<sup>1</sup> The information given here relates only to the period 16 March 1937-15 March 1938. For the general situation as regards this Convention, see the tables at the end of the volume.

*Portugal*, at certain operations in the fish-canning industry (compulsory collective agreement in the Setubal district); at various exhausting operations in the *French Colonies* of Dakar, Ivory Coast, Senegal and Indo-China, and in the Italian colony of *Libya*.

In *Mexico*, the Department of Labour, acting through the Committee of Enquiry on Women's Work, has opened a campaign to prevent employers from employing women at work exceeding their strength and to avoid the dismissal of the women and their replacement by men. With this object the installation of machines to render the work less exacting has in particular been recommended.

In the *United States*, regulations have been issued in Arkansas relating to the maintenance of a reasonable temperature and ventilation in certain establishments employing more than three women. The Women's Bureau of the Federal Department of Labor, in the course of an enquiry into occupational diseases, has found that certain forms of dermatitis are prevalent among women and that in certain industries the death rate from tuberculosis is higher among women than among men of the same age.

Regulations governing hours of work are gradually being rendered applicable to workers of both sexes without distinction. In 1937 several new Acts consolidated the regulations on this subject by applying to male workers provisions originally adopted for women only, or similar provisions (as in *Western Australia* and *Pennsylvania*). A number of new Acts and regulations limiting hours of work for women, but not for adult males, have however still to be mentioned.

In *Great Britain*, the new Factories Act of 1937 fixes weekly maximum hours for women at 48, with the possibility of a limited amount of overtime in a certain number of weeks in the year; the maximum prescribed in the old Acts now replaced was as high in certain industries as 60 hours a week. The application of the new scheme relating to the employment of women in shifts (Employment of Women and Young Persons Act, 1936), to which reference was made in the last issue of the *Year-Book*<sup>1</sup>, aroused considerable opposition to its application to women in the cotton industry.

In *Argentina*, a Decree of 13 August 1937 relates to the enforcement of the weekly rest for women employed in shops in the province of Buenos Aires and in the *Netherlands* an Order dated 8 May 1937, concerning hours of work in offices, place stricter limits on the exemptions under which women may be employed on Sundays.

In the *United States*, with the exception of Pennsylvania, all the States which have adopted legislation limiting hours of work for adults apply these to women only. The maximum varies from State to State. There is a weekly maximum for women of 45 hours in Ohio (manufacturing industry), 48 hours in North Carolina (55 for men), Connecticut (mercantile establishments), Illinois,

<sup>1</sup> Cf. *I.L.O. Year-Book 1936-37*, p. 202.

Nevada, New Hampshire (previously 54 hours), New York (street-cars, etc.—previously 54 hours—and elevators), Ohio (except manufacturing industry; previously 50 hours), 50 hours in Vermont (previously 56 hours); and in Arkansas the maximum hours for women (54 in the week) have been extended to occupations hitherto not covered. The Third National Conference on Labor Legislation, convened by the Secretary of Labor, has prepared a "model Bill" for regulation of working hours; this provides for a maximum 40-hour week and 8-hour day; the Bill is drafted in its present form to apply to women only, but with deliberate purpose of extension, should this be declared constitutional, by the substitution of the word "person" for the word "female".

In *Japan*, a Bill is in preparation to regulate the hours of work of women and young persons employed in shops.

The conditions of work of women employed in certain occupations have been regulated or have been the object of enquiry.

In several countries measures have been issued or are in course of preparation to regulate the hours of work in hospitals. These cover a very large number of women, but are in certain countries applicable to both sexes alike. In a few countries, on the other hand, they contain special provisions for women.

In *Belgium*, the Bill to extend the operation of the 8-hour day to hospital staffs, referred to in the last issue of the *Year-Book*<sup>1</sup>, was adopted on 15 June 1937. Nevertheless, as an exception to the provisions of the Employment of Women Act, which becomes applicable to such staffs in other respects, the prohibition of night work does not apply to nurses working in shifts.

In *Argentina*, the Decrees of 4 August and 1 October 1937, concerning the limitation of the hours of work of hospital staffs to 8 in the day, provide for special daily rests for women only.

In *China*, regulations for the protection of girls employed in the hotel industry have been issued in the city of Hankow.

Conditions of employment in domestic service continue to be the object of various measures and proposals.

In *Austria*, a committee composed of representatives of housewives and domestic employees was attached to the Ministry of Social Welfare.

In *Australia*, in South Australia and Western Australia, Bills have been introduced in Parliament to extend to domestic servants the provisions of the Factories and Shops Acts (except, in Western Australia, that relating to inspection at workplaces). In Victoria, the powers of the wage boards were extended in 1937 so that these bodies will, in future, perhaps be able to issue awards concerning domestic service; the Women's Central Organising Committee of the trade unions is now attempting to obtain such an award.

Demands to the same effect have been made in *New Zealand*.

In *Denmark*, the Prime Minister, when opening the 1937-38 session of the Rigsdag, announced that amendment of the Masters' and

<sup>1</sup> Cf. *I.L.O. Year-Book 1936-37*, p. 198.

Servants' Act was under consideration. Furthermore, the committee set up by the housewives' organisation of Copenhagen has presented the Minister of the Interior with a report containing a number of practical suggestions for the improvement of the material and non-material conditions and the standard of work in domestic service.

In *France*, the Holidays with Pay Act was applied to domestic employment by Decree of 10 November 1937. A Bill to issue rules for the employment of domestic servants has been introduced in Parliament.

In *Germany*, the regional rules referred to in previous issues of the *Year-Book*<sup>1</sup> have been replaced in several districts (Bavaria, Hesse, Nordmark, Pomerania, East Prussia, Westphalia) by new instructions intended to reinforce and standardise the existing provisions. They relate to hours of work, daily rests, the weekly rest, annual leave, housing, dismissals, etc. They have, moreover, a more mandatory character than the original provisions, since they are binding, failing express stipulation to the contrary. A new "house of home" office, which is required to train and teach housewives and domestic servants, has been established in the German Labour Front.

In *Norway*, the Ministry of Social Affairs has appointed a committee of five women who will examine the possibility of regulating the conditions of work of domestic servants. The statistical office has carried out an enquiry into domestic servants' wages.

In the *United States*, in the State of Washington, an Act has been passed limiting the hours of work of domestic employees to 60 in the week. This is the first Act of the sort hitherto adopted in the Union, but a Bill to extend to domestic service provisions of the Labor Law concerning daily and weekly hours, night work and the weekly rest has been introduced in the legislature of Wisconsin.

In the Portuguese colony of *Macao*, a Legislative Decree of 24 July 1937 provides for protective measures in favour of a certain class of domestic servant, known as *mui-tsai*. In *Hong Kong*, regulations are in course of preparation as a result of the enquiry carried out in 1936 and mentioned in the last issue of the *Year-Book*<sup>2</sup>.

Reference should also be made to the interest shown by the International Committee of Trade Union Women in conditions of employment in domestic service. At a meeting in Paris in July 1937, this Committee suggested an intense recruiting campaign for domestic employment, and statutory protection, particularly by the establishment of standard contracts.

The workers' organisations of France and Great Britain have also shown interest in the trade union movement among domestic servants. In Great Britain, a domestic employment exhibition has been organised in London by eleven large national women's or

<sup>1</sup> Cf. *I.L.O. Year-Book 1934-35*, p. 183; *1935-36*, p. 192.

<sup>2</sup> Cf. *I.L.O. Year-Book 1936-37*, p. 200.

mixed organisations. Further, the Trade Union Congress has offered to organise a household employees' union and suggested a charter formulating standard conditions of employment.

#### EMPLOYMENT OF WOMEN BEFORE AND AFTER CHILDBIRTH

##### *National Regulations*

Although the International Convention on this subject was not ratified by any new country in 1937, the position regarding maternity protection has continued to improve considerably. Special bodies for the protection of mothers and children are rapidly increasing in numbers, and they generally devote particular care to the welfare of women workers and their families.

In *Costa Rica*, Decree No. 14 of 26 June 1937 established a maternity section in the Ministry of Public Health and Social Protection. In *Greece*, the Superior Health Council was required, by Decree of 19 May 1937, to undertake maternity protection work. In *Japan*, the competence of the Department of Health and Social Welfare has been declared to include the protection of mothers and children (Decision of 9 July 1937). In *Ecuador* an Act of 25 October 1937 provides for the organisation and co-ordination (under the Ministry of Welfare) of various social services such as crèches, homes for workers' children, elementary and occupational schools for children of both sexes, etc. In *Mexico*, a special Department of Child Welfare has been established, the principal duties of which are to aid mothers and children by the establishment of lying-in hospitals, crèches, etc. In *Chile*, plans are on foot for the establishment of a Child Welfare Committee which would also devote itself to the protection of mothers.

Recent legislation has provided for the right to maternity leave of women employees in various groups, prescribed allowances for their maintenance during such leave, etc.

In *Argentina* (Province of Tucuman), the Act of 12 July 1937 entitles women schoolteachers and women employees of provincial Governments to leave with full wages for 30 days before and 30 days after confinement. In *China*, steps have been taken by the Government of Wusih to allow maternity leave to women schoolteachers. In *Italy*, the Legislative Decree of 21 August 1937 included the improvement of maternity leave for women civil servants and other Government employees among the measures tending to secure an increase in the population. In *France*, following on similar measures already taken in favour of women workers (including salaried employees) in Government factories and industrial services of the State a Decree of 21 August 1937 introduced paid maternity leave for women employees in the Sèvres china industry; further, collective agreements, subsequently declared compulsory by Decree, have introduced maternity protection for stage artistes in the Paris theatres (6 September 1937) and subsequently in all the theatres of France

proper (26 November 1937). In *India*, the provisions of the Bombay Maternity Benefit Act have been extended to districts not previously covered, and Acts with the same object are in preparation in Bengal, the United Provinces and the independent States of Cochin and Hyderabad; with a view to generalising these measures the Ministers of Labour of the Indian Provinces, meeting in Calcutta in October 1937, sent a recommendation to provincial Governments to the effect that legislation providing for 8 weeks' maternity leave should be adopted where it does not already exist. In *Mexico*, Regulations dated 15 November 1937 entitle women employees in banks, etc., to paid leave for a month before and 45 days after confinement, and a supplementary confinement allowance equal to a month's wages—which are advantages still more extensive than those allowed under the Mexican Constitution and the Federal Labour Code.

Similar measures are in course of preparation in a number of countries.

In *Denmark*, the Committee set up by the Government to study population problems submitted its report in January 1938, and proposed that rest periods in case of confinement should be considerably extended, that the employment of the women in question should be guaranteed during their absence, and that motherhood allowances should be paid. In *Estonia*, the Minister of Social Affairs has submitted to an Inter-Ministerial Committee a Bill providing for maternity leave for six weeks before and six weeks after confinement, with allowances equal to full wages, and rests for nursing during the 26 weeks following return to work. Bills providing for maternity leave are in preparation in *Nicaragua* for women schoolteachers and in *Colombia* for women workers and salaried employees.

As regards more particularly the grant of allowances and other aid for mothers, the following should be noted:

The adoption on 17 September 1937, and the entry into force on 1 January 1938, of the *Finnish Maternity Assistance Act*<sup>1</sup> which provides for a maternity allowance of 450 marks for every woman of small means, the amount being multiplied in case of the birth of more than one child;

The adoption on 31 March 1937, and the entry into force on 1 January 1938, of the *Japanese Act* relating to aid for mothers<sup>2</sup>;

A considerable increase in the motherhood allowances paid in *Australia* under the Acts of 1912-1936, and an improvement in the conditions governing the grant of these allowances (Act No. 44 of 1937);

Reform of the maternity allowances granted under the agricultural sickness and maternity schemes in *Austria* (Act No. 31 of 1937) and *France* (Order of 3 March 1937);

Development of the obstetrical services in *Scotland*;

<sup>1</sup> Cf. *I.L.O. Year-Book, 1936-37*, p. 205.

<sup>2</sup> *Ibid.*, p. 207.



Extension to *Libya* of the Italian maternity insurance scheme (Legislative Decree of 1935) and the agricultural maternity insurance scheme (Legislative Decree of 1936) by Decree dated 12 April 1937;

Reform of the maternity allowances scheme in the territory of *Klaipeda (Lithuania)* as a consequence of the revision of the Insurance Act (Act of 9 January 1937);

The adoption, following on proposals made by the Population Committee, of three *Swedish* Acts dated 11 June 1937, which very considerably improve the material aid given to mothers in the form of free sickness insurance allowances (110 crowns), motherhood aid to women of small means (75 crowns) and special motherhood aid to women who obviously require it (maximum of 300 crowns);

The complete equalisation in the *U.S.S.R.* of the rights of women manual workers and salaried employees as regards the amount of motherhood allowances, the maximum previously applying to women salaried employees having been abolished (Order of 23 March 1937);

The proposal to establish a sickness and maternity insurance scheme in the *Union of South Africa*<sup>1</sup>.

Other legislation is aimed at preventing the employment of expectant or nursing mothers in conditions which might injure their health.

In the *U.S.S.R.*, an Order of 19 January 1938 establishes a scheme for replacing expectant or nursing mothers normally required to work on night shifts in various industries. This Order, and another dated 10 May 1937, also provide for the withdrawal of expectant mothers from various exhausting industrial occupations. A third Order prohibits expectant mothers from driving agricultural farm tractors.

In the *French West African Colonies*, a number of Orders prohibit the employment of pregnant women at exhausting operations (*Dakar*, Order of 13 March 1937; *Dahomey*, Order of 4 August 1937; *Senegal*, Order of 28 May 1937).

As regards measures to expand the system of factory crèches, the municipal authorities of several *Chinese* cities (Hangchow, Tsingtao, Kowchow, Taitung, etc.) have established crèches for the children of women workers.

In the *U.S.S.R.*, an Order of 23 March 1937 concerning the collaboration of the trade unions in the administration of public health relates in particular to the increase in the number of crèches and maternity homes.

A Decree issued in *Colombia*, and a Bill introduced in the *Indian Province of Bombay*, also relate to the provision of factory nurseries.

<sup>1</sup> For further details regarding the development of national maternity insurance schemes, cf. below, Chap. III, "Social Insurance".

## NIGHT WORK

### *International Regulation*<sup>1</sup>

#### *Convention No. 4: Night Work (Women), 1919*

In consequence of their ratification of the 1934 Convention (No. 41), which revised Convention No. 4, *Belgium, Brazil and the Netherlands* denounced Convention No. 4 on the following dates respectively: 4 August 1937, 12 May 1937, 12 June 1937.

#### *Convention No. 41: Night Work (Women) (Revised), 1934*

Ratified by *Belgium* on 4 August 1937 and by *France* on 25 January 1938. Ratification authorised in *'Iraq, New Zealand and Spain*.

### *National Regulations*

In addition to the above-mentioned measures indicating the attitudes of different States to the International Conventions, a number of new legislative enactments are to be recorded:

In *Cuba*, a Decree of 27 March 1937 provides that the period during which the night work of women is prohibited should include the interval between 6 p.m. (7 p.m. in summer) and 5 a.m. However, a subsequent Resolution dated 27 August 1937 leaves the employers and the women workers the choice between the above-mentioned interval and one of 11 hours (10 in summer), including the period 10 p.m. to 5 a.m., as provided in an earlier Decree of 1934; the object of this measure is to permit the employment of women on work organised in two shifts, as practised in certain industries.

The draft Regulations for the administration of the *Venezuelan* Labour Act also provide for an arrangement to facilitate work in two shifts.

In the *Cameroons* (French mandate), a Decree of 17 November 1937 prohibits the employment of Native women in industry, commerce and agriculture between 9 p.m. and 5 a.m.

In the *Netherlands*, an Order relating to hours of work in offices, dated 8 May 1937, provides that women must have an unbroken rest of at least 11 hours, including the period between 11 p.m. and 7 a.m.; some flexibility is, however, allowed for persons employed in cleaning premises.

In the *United States*, the employment of women in manufacturing establishments, bakeries and restaurants, between midnight and 7 a.m., has been prohibited in *New Jersey*.

A Bill to prohibit the employment of women at night in industry has been introduced in *Uruguay*.

<sup>1</sup> The information given here relates only to the period 16 March 1937-15 March 1938. See the tables at the end of the volume for the general situation regarding these Conventions.

## ECONOMIC PROTECTION OF WOMEN WORKERS

The economic situation of women workers always receives close attention, which can only be very incompletely reflected by legislative measures, since the problems in question are of a nature to be dealt with by more practical action than by regulations, and their solution is often the end of a slow and discontinuous process, the stages of which it is difficult to define.

In the international field, the last issue of the *Year-Book*<sup>1</sup> mentioned the studies undertaken by the Governing Body of the International Labour Office on the economic situation of women workers, and more particularly two subjects—comparative rates of men's and women's wages and the family circumstances of gainfully employed women—in respect of which international consultation had been organised. This consultation was immediately and favourably accepted on many sides, and abundant information has reached the Office. Indeed, the opening of this enquiry led to the publication of various studies, particularly by the Women's Bureau of the United States Department of Labor.

Of the legislative measures due to a desire to improve the situation of women workers, the most important relate to wage regulation and the fixing of minimum rates. Most of these will not be examined here, since they apply to workers irrespective of sex and have their place in a later chapter<sup>2</sup>.

It should, however, be noted that in several countries there are legislative provisions regarding wages which apply specially to women, although the number of these special measures is steadily decreasing. One of the two countries which at one time made great use of minimum wage legislation for women, namely *Canada*, has continued to assimilate the position of the two sexes regarding wage legislation (cf. previous issues of the *Year-Book*); the Provinces of Ontario and Quebec repealed their legislation relating particularly to women and adopted Acts applying to both sexes, while the province of Saskatchewan amended its Act concerning women's wages in such a way as to apply it also to men.

In the *United States*, three States (Arizona, Nevada and Pennsylvania) adopted new minimum wage laws applicable, as regards adults, to women only, whereas, following on the decisions of the Supreme Court mentioned last year<sup>3</sup>, several wage laws which had been repealed or held invalid in application to adult women were revived or re-enacted (States of Arkansas and Minnesota, District of Columbia, Porto Rico). Two laws which had not lately been enforced (in Colorado and Utah) were revived by

<sup>1</sup> Cf. *I.L.O. Year-Book 1936-37*, pp. 208-209.

<sup>2</sup> Cf. below, Chap. IV, under "Wage Policy".

<sup>3</sup> Cf. *I.L.O. Year-Book 1936-37*, p. 209.

appropriations during the year. Four other States amended their laws, so that at present 22 of the 48 States, as well as the District of Columbia and Porto Rico, have minimum wage laws applying either to "females" or to "women and minors". It may be added that the interstate compact concerning minimum wage-fixing machinery, referred to in a previous issue of the *Year-Book*<sup>1</sup>, was approved by Congress in 1937 and came into force for the three States which had ratified it. Moreover, one State—Oklahoma—passed a Minimum Wage Law applying to both sexes without distinction, and a Federal Bill containing provisions on wages applies to both sexes; it is clear, therefore, that in the United States, as in Canada, the tendency to standardise wage laws is beginning to have effect. Lastly, enquiries have been undertaken by Federal agencies with a view to placing at the disposal of States about to fix minimum wage rates for women all the data necessary to the determination of fair rates, the calculation of retail prices for establishment of minimum needs, etc.

It should also be pointed out that among the legislative and contractual measures relating to wage regulation for workers of both sexes, some either assert or enforce the principle of equal work for equal wages.

This principle has been applied, though not systematically, by collective agreements declared binding in *France* and by the collective rules in *Germany*. Some agreements have established a single rate for the two sexes for a given type of work or have even explicitly asserted the obligation to pay equal wages for equal work. The method of a single rate was used in certain cases in *Germany* to eliminate female labour from exhausting occupations in certain industries (particularly in the brick industry in Brandenburg and Hesse).

In *Spain*, the Decree of 10 July 1937, which established the Women's Occupational Retraining Institute in Catalonia, provides for the application of the principle of equal wages for equal work.

In *Mexico* several collective agreements which have been declared binding provide equal rates for women and for men; and the Department of Labour recently reminded women workers in the Federal District that in case of failure to pay the legal minimum wage they should apply to the committee on women's and children's work, which will oblige employers to conform with legislation in this respect.

In *Sweden*, a decision of the Riksdag of 29 May 1937 introduced the principle of equality in the salaries of elementary and secondary teaching staff, except that the last increment is not allowed to women. This reform in a limited field will probably be extended, since the whole problem in so far as concerns the salaries of Government employees is under examination, and the committee responsible for research on the subject has pronounced in

<sup>1</sup> Cf. *I.L.O. Year-Book 1934-35*, p. 195.

favour of a single rate for each post, irrespective of the holder's sex.

The status of certain women's occupations was improved during the year.

The occupational training of women social workers was officially organised by the creation of State schools in *Argentina*, *Peru* and *Germany* (Saar territory) and by the introduction of diplomas giving members of this occupation a legal status in *France* and *Rumania*. Similar steps have been taken with regard to the profession of nurse in *Belgium*, the professions of nurse and social welfare worker in *Italy*, and those of colonial nurse and midwife in *French Oceania*. A research committee appointed by the Minister of Social Affairs of *Sweden* recommended the immediate establishment of a National Institute of Social Health, one of the duties of which would be to organise classes in social health for district nurses. The conditions of employment of doctors' receptionists with regard to salaries and holidays are dealt with in instructions issued by the *German Labour Front*.

A considerable number of measures have been taken to improve the economic position of a predominantly feminine form of industry—namely, homework. This is not the place for a study of those which relate to the industry as a whole, irrespective of the worker's sex, and are intended either to restrict it owing to the inherent unsatisfactory conditions (*United States*) or to improve these conditions as far as possible<sup>1</sup>; but the measures relating to women workers in particular must be noted here.

In *Cuba*, a Legislative Decree, dated 27 March 1937, establishes various methods of supervising homework (registers, employment books), prohibits the practice by which the woman worker loses more time in delivery than is reasonable, etc. In *Peru*, Decree No. 8514 of 1937 provides that the rates of pay of male and female homeworkers shall be the same, and a Decree of 12 March 1937 provides for the purchase by the State of pawned sewing machines with a view to restoring them to the women homeworkers to whom they belong. In *Venezuela*, the object of a Decree dated 30 June 1937 is to organise the marketing of the goods produced, particularly by women, in home industry.

At a meeting held in July 1937, the International Committee of Trade Union Women indicated its uneasiness regarding the difficult situation of women homeworkers, expressed the wish that trade union organisations in this branch of industry should be reinforced, and suggested an enquiry to prepare the ground for the appropriate legislative action.

The economic position of women in certain occupations has been studied in a number of countries. For instance, the position of women employees in commerce, in the offices of industrial establishments, and in banks and insurance undertakings, is in course of study by the central organisation of *Swedish* salaried employees.

<sup>1</sup> Cf. below, Chap. VII, under "Homework".