An act of 1945 set up national and regional Labor-Management Commissions in a number of industries; these are made up of equal labor and management representation. In the coke, engineering, iron and steel, chemical, gas, electricity, nonferrous metal, textile, macaroni, and paper industries the national commissions have concluded collective agreements. These agreements, however, have been loose and have only laid down the rules regarding the election of union representatives in individual enterprises, the guarantees which they enjoy, and the subjects on which they can bargain with the employer. A commission can, if it wishes and can obtain unanimous agreement within itself, get a royal decree which makes its decision binding upon the industry and overrules any individual or collective contract with which it conflicts. A fair proportion of all collective agreements of the commissions are made binding and these have in the past affected the rules for works councils, holidays, wages, etc.

Bargaining for homework is carried on in a manner similar to that just described in the National Committee for Homework.

Whereas years ago great bitterness existed between the Socialist and Catholic unions, since the war differences have been largely confined to the ideological sphere and their bargaining policies have been similar, sometimes identical. Union demands have been generally moderate, prompted by a fear of inflation. Their main concern has been to keep up with price rises.

"Structural reforms" agreed to by underground representatives of labor and management during the war were enacted in 1948. They set up a central economic council, industry councils, and enterprise councils, all of which were designed to give organized labor a voice in managing the economy. All these bodies have equal management and labor representation. The Central Council advises the Government when asked and can propose legislation. The industry councils advise the Government on matters relating to individual industries. The enterprise councils have elected worker representatives and bargain with employers over conditions of employment; they must also be presented with regular reports on the operation of the firm by management and have the right to make proposals on work scheduling, productivity, and so forth. The effective force of this codetermination law is probably not so great as the law makes it appear and most traditional management powers are preserved intact.

Contracts

If contracts are made binding by royal decree (and only those made by labor-management commissions are) they have the same legal force as a Government order and apply to all the employers and employees in the industry concerned. Other agreements made by the commissions, as well as those made by other groups, are also legally binding, but only on members of the organizations signing the agreement.

Cost-of-living clauses are common in contracts and have been recognized as appropriate in principle by the Government.

Collective bargaining and disputes legislation

The laws providing for the various commissions and councils have been discussed above.

Collective bargaining and strikes have only been legal since 1921. All collective bargaining had been banned by the Le Chapelier law of 1891, though it was later modified to allow unions to function as fraternal bodies.

The labor-management commissions, in addition to the powers previously outlined, can conciliate disputes in their industries. If the commission can agree unanimously on a solution, that solution may be made compulsory by royal decree.

Other machinery exists for mediation and arbitration. Conciliation committees may be appointed by the Government. All told, voluntary conciliation is much used in settling disputes and arbitration is little used.

Labor courts exist which deal primarily with individual labor disputes (between an employer and one or several workers, or among workers). They interpret the law to fit the case and also judge questions of equity. In any case before the courts, an attempt is made first to conciliate the parties.

In various fields judged to be essential to the functionings of the economy by the Government, once the labor-management commissions have reached agreements (which have been made legally binding) the right to strike is limited by requirements to give advance notice, leave a certain percentage of the workers on the job, and maintain certain services.