

associations is the German Confederation of Employers' associations. It is made up of 822 member associations, organized into 35 industrial federations and 13 provincial federations.

Employers' associations include almost all employers and exercise a strict discipline over their members. The pressure exerted by the associations on members is partly the force of convention and social pressure and partly such devices as influencing prices and discounts, influencing credit terms and availability, etc. These powers are seldom used, however, as the will to conform is great among employers. The confederation similarly exercises some disciplinary powers over its constituent federations, primarily by persuasion.

The typical association consists of the manufacturers of a single product in a single state. Cases exist, however, where part of a state, more than one state, or more than one product is involved.

Besides the employers' associations, there are other organizations in which employers band together to protect their own interests. Small employers belong to "Innungen," which are guild-like groups which regulate trade practices and apprenticeship. There are also chambers of industry and trade, which represent the interests of employers on broad issues such as taxation.

Collective bargaining

Most contracts are signed by the district offices of the union and the district employers' association for the industry, though some are negotiated at the national level. Local agreements are never signed, though amplification and supplementation of an agreement already signed may come at the local level.

There have been very few strikes since the war and this has affected the nature of collective bargaining. Strikes have been few because union leaders have had a feeling of social responsibility in regard to reconstruction, because they have emphasized legislation over immediate economic gains, and because the unions have been relatively weak financially and organizationally. Long periods of negotiation and frequent acceptance of a pattern settlement are two common results of the virtual absence of a strike threat. Conciliation and arbitration have also served as important substitutes for strikes. This willingness of the German unions to wait for the achievement of long-run goals and their reluctance to press for immediate gains appears to have hurt their popularity among workers.

It is at the plant level that such issues as employers' rights of discipline, discharge, etc., the modification of wage agreements, and contract administration have been handled. The character of the bargaining relationship here depends on whether the employer is strict or liberal in employee relations. Master agreements commonly set minimum terms of employment and subsequent variations at the plant level are all to the advantage of the employee.

Bargaining, in recent years, at least, has been annual with most contracts expiring in the fall. The metalworkers have generally been the first to negotiate and their settlement has set a pattern which has been widely followed elsewhere. This situation has been characteristic of the years since 1955, which have been marked by less restraint and more militancy on the part of union leaders than previously.

Contracts

Contracts may be inspecific on points of detail or even on whole subjects, leaving the matter to the "social judgment" of the labor court and avoiding taking the responsibility on the negotiating parties.

Contracts are reached by a union and an employers' association, usually in one industry in a specific region. They do not automatically extend to nonmembers of the signing organizations, but may be extended by government decree if requested by one of the parties and found in the "public interest" by the Ministry of Labor (if they already apply to employers with more than 50 percent of the employees in the industry and area).

Since contracts are so wide in their coverage, they must be broad enough to cover all employers, whether direct parties to the agreement or not; they are frequently at a minimum level (or else it might be possible for nonmembers of the employers' association to block the extension of the contract). The more specific terms of the agreement are filled in by bargaining between the individual employers and the works councils.

Collective bargaining and disputes legislation

Tripartite labor courts exist in much the same form in which they were established in 1926. They are open to all workers and employers, whether affiliated or not, and judge only disputes arising from the interpretation of a contract