

## U. S. DEPARTMENT OF LABOR

JAMES J. DAVIS, Secretary

## BUREAU OF LABOR STATISTICS

ETHELBERT STEWART, Commissioner

BULLETIN OF THE UNITED STATES }  
BUREAU OF LABOR STATISTICS } . . . . No. 494

FOREIGN LABOR LAWS SERIES

LABOR LEGISLATION  
OF URUGUAY

JULY, 1929

UNITED STATES  
GOVERNMENT PRINTING OFFICE  
WASHINGTON : 1929

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# BULLETIN OF THE U. S. BUREAU OF LABOR STATISTICS

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## LABOR LEGISLATION OF URUGUAY

### INTRODUCTION AND SUMMARY

**T**HIS is the first of a series of bulletins to be published by the United States Bureau of Labor Statistics on labor legislation enacted in the Latin American countries.

The labor laws of Uruguay have been compiled and translated from the original texts obtained through the State Department from the American consul general at Montevideo and represent all the available labor laws in force at the time.

### Workmen's Compensation Law

**THIS LAW** provides that all workers, including domestic servants, hurt in industrial accidents arising out of or in the course of the employment are entitled to compensation, and that their employers shall be held liable for such accidents.

Workmen shall have no further rights against the employer than those provided by this law unless there has been fraud on the part of the latter. Workers who receive a wage in excess of 750 pesos a year may not obtain compensation rated upon a higher wage than this sum, which is fixed as the maximum. To have the right to compensation the workman must have been incapacitated for work for more than seven days, but when the disability lasts for more than 30 days compensation shall be paid from the day after the accident.

The worker does not lose his right to compensation, because the accident may have occurred through a slight or serious fault on his part, or by some fortuitous event or force majeure, but he does lose it if he deliberately caused the accident.

Right of action against third parties is permitted, and any compensation payment from such third party relieves the employer of his obligation for an equal sum. Any labor contracts which free the employer from liability for accidents to workmen are declared null and void.

### Compensation Benefits

*Death.*—For death from an industrial accident the employer shall pay the beneficiaries as follows: The husband or wife married to the deceased previous to the accident and not divorced or separated at

the time of the accident shall receive a life annuity of 20 per cent of the annual wage of the deceased worker; if the beneficiary is the husband, he shall be entitled to the annuity only if he can prove his incapacity for work. One surviving minor child under 16 years of age with one surviving parent, being supported by the deceased at the time of the accident, shall have, irrespective of the legality of its relationship to him or her, 15 per cent of the annual wage of the deceased; and for two such minor children, 25 per cent; for three, 35 per cent; and for four or more, 40 per cent. If the minor children have neither father nor mother living, the amount may be raised to 20 per cent for each child.

On remarriage the surviving wife or husband shall lose all right to the annuity and shall receive the amount of two years' annuity in full settlement of all claims. If the deceased leaves neither spouse nor minor children, ascendants who were supported by him are entitled to 10 per cent of his wages as a life annuity.

*Permanent total disability.*—An employee who is permanently and totally disabled as the result of an industrial accident shall receive a life annuity equal to two-thirds his annual salary.

*Permanent partial disability.*—In cases of permanent partial disability resulting from accident the employer shall grant the worker a life annuity equal to half the wage reduction caused by the accident.

*Temporary disability.*—For temporary disability the employer is required to pay the employee half the salary he was receiving at the time of the accident, if his disability lasts more than seven days, to count from the eighth day after the accident.

Persons protected by this law shall be entitled to the annuity only if they lived in the territory of the Republic when the accident occurred and while they remain therein. If they leave the country they lose the right to the annual annuity and receive as full compensation an amount corresponding to three years' annuity.

This law does not apply to occupational diseases.

### Accident-Prevention Law

THE FIRST labor law of Uruguay was the accident-prevention law enacted in July, 1914, which, by every possible means, technical and otherwise, seeks to safeguard labor against accidents in various industries among which are the following: Woodworking industries, metallurgical shops, and building and wrecking undertakings.

Supplementary decrees were passed in 1915 extending the fundamental provisions of the law to railway employees and those engaged in factories, mines, and quarries using explosive substances. A decree enacted on November 15, 1918, regulates in detail the hygienic and safety conditions of the mining industry which was followed by another two years later specifying those measures which were obligatory for the prevention of accidents in maritime work.

### Minimum Wage Law for Rural Workers

ACCORDING to the provisions of the Uruguayan minimum wage law, rural laborers between the ages of 18 and 55 engaged in agriculture or stock raising are to receive a minimum wage of 18 pesos a month,

or 72 centesimos a day, when employed by proprietors whose total productive land is assessed at more than 20,000 pesos. When the real property of the employer is assessed at more than 60,000 pesos the minimum rural wage shall be 20 pesos a month, or 80 centesimos a day.

Agricultural workers 16 to 18 years of age and those over 55 are not to receive wages less than 15 pesos a month, or 60 centesimos a day.

Laborers over 16 suffering from a physical defect, organic disease, or similar disability, may be paid less than the minimum wage. In such cases the wage shall be fixed by the departmental council of administration or the auxiliary council of the district, with the advice of the local medical officer.

Rural laborers shall have Sundays free each week or a substitute free week day when exceptional circumstances necessitate work on Sunday.

In addition to the minimum wage the employer is required to furnish his workers with hygienic housing and sufficient food, or in lieu thereof the sum of 50 centesimos a day or 12 pesos a month. The worker is allowed to choose either the housing and food or the money compensation.

The decree provides that the workers' dwellings must be easily ventilated, weatherproof, and kept thoroughly clean at all times.

Employers violating any of the provisions of this law are liable to a fine of 10 pesos for each laborer involved and for a second offense a fine of 25 pesos.

### Eight-Hour Law

THIS republic adopted the 8-hour day law on November 17, 1915. The law applies to workers in factories, workshops, shipyards, quarries, construction enterprises and ports, to clerks and other employees in industrial and commercial houses and to motormen, conductors, and other employees on railroads and street railways. By subsequent decrees it was extended to messengers, employees in moving-picture houses and legitimate theaters, seamen, and workers in creameries, breweries, and refrigerating plants.

### Compulsory Weekly Rest Law

A LAW requiring a weekly day of rest of at least 24 hours for all salaried employees, wage earners, managers, and directors of industrial and commercial establishments, including religious and charitable institutions, was promulgated by the Government of Uruguay on December 10, 1920. This law provides two types of rest: (1) An obligatory day of rest after six days of labor, preferably on Sunday; and (2) a rest day every six days, or after five days' work, to be taken in rotation by the personnel of the establishment.

Exceptions to the requirement that the rest day be on Sunday are permitted in certain specified instances, as in continuous industries and in those in which Sunday closing would work hardship to the public, in which case rest is given on another day of the week, either simultaneously to the entire personnel or in turns, or as otherwise provided. No exceptions are permitted in the case of women



and of minors under 16 years of age. If they can not be given Sunday rest, they must be given the rotating rest of one day after every five days' work. Shops are forbidden to open on the day of rest, but the department or local council may authorize trading at fairs and peddling on days of rest.

No one may be employed on his rest day without his consent, and in case of being so employed he has choice of a compensatory rest day or at least double pay for the time worked. Under a written agreement between employer and employee, half of the rest days due a person employed on his day of rest may be allowed to accumulate for a vacation.

The law is now applicable to domestic workers and drivers of automobiles and carriages.

### Prohibition of Night Work in Bakeries, Spaghetti and Dough Factories, Confectionery Stores, and Similar Establishments

NIGHT work has been the object of a special decree of March 19, 1918, in which the labor of employers and workmen in bakeries and of workmen only in spaghetti and dough factories, confectioneries, and similar establishments is prohibited between 9 p. m. and 5 a. m.

Each proved violation of this law shall be punished by a fine of 100 pesos, and of twice that amount in case of repetition.

### Seats for Female Employees

THE furnishing of seats in stores, shops, drug stores, factories, workshops, and other establishments employing women is made compulsory for the use of woman workers, when their work permits, by a decree of July 10, 1918.

Violators of this law shall pay a fine of from 5 to 10 pesos for the first offense and 50 for following offenses.

### Old-Age Pension Law

AN OLD-AGE pension law provides for the pensioning of all persons reaching the age of 60 years, or other persons becoming absolutely incapacitated and who are indigent, regardless of age. The annual pension must not be less than 96 pesos and may be paid in cash or in direct or indirect aid. Foreigners or naturalized citizens having resided 15 years continuously in the country are entitled to pensions.

The fund for the payment of these pensions is to be derived from the following sources: (1) A monthly tax of 20 centesimos payable by each employer for each person employed by him; (2) a surtax on real estate having a value of not less than 200,000 pesos; (3) a tax on playing cards of 20 centesimos per pack for imported cards and 10 centesimos for domestic cards; (4) an increase of 12 centesimos per liter of the present tax on imported liquors, absinthe, bitters, cognac, whisky, etc.; (5) an internal-revenue tax of 60 centesimos per liter is placed on imported or domestic alcohol, except that intended for denaturing; (6) the present tax on imported brandies is increased 13 centesimos.

## Retirement and Pension for Public-Service Employees and Laborers

THE LAW OF October 6, 1919, provides for the pensioning of all employees who are now or may be hereafter employed in the railroad, telegraph, street railway, telephone, and water and gas distributing services in the Republic. Employees in restaurants and confectioneries, adjuncts of the railroad service, are included, even though employed by concessionaires.

The fund is supported by an assessment of 8 per cent on all wages and earnings of the employees, payable by the employers; a compulsory deduction of 4 per cent of wages paid; donations and legacies left to the fund; fines collected for violation of this law; receipts from sales of articles left on the railroads and railways; overpayments not reclaimed within six months; interest on accumulated funds; the increase in wages of an employee or laborer the first month after wages are increased, providing such wages exceed 50 pesos, if permanent, and, after three years, a tax of from 1 to 3 per cent on charges paid by patrons of the various services.

To be entitled to retirement with full pension a service of 30 years is required, but a right to a proportional pension is acquired after 10 years of service, continuous or not, in any of the mentioned services, if the employee is (1) discharged, (2) physically incapacitated to continue in his employment, or (3) 50 years of age, whether at that date in active service or not. Employees in these three classes are entitled to one-thirtieth part of full pension for each year of service.

### Provision for Dependents

Upon the death of a contributing employee, the widow, invalid widower, children, or, if there are no children, the parents, and if these are not living, the unmarried sisters of the deceased are entitled to a pension. If the deceased was in receipt of a retirement pension, the persons enumerated are entitled to a pension subject to the following conditions:

If he had served 10 years, the dependents are entitled to a pension equal to that to which he would have been entitled had he been retired for incapacity. If he had served less than 10 years, the contributions are deposited with the State Insurance Bank, which will grant pensions based upon this sum.

A full pension is equal to 50 per cent of the retirement pension. Pensions run from date of death. Their sequence is as follows:

- (1) To the widow, or incapacitated widower, concurrently with the children.
- (2) To the children alone.
- (3) To the widow concurrently with the parents of the deceased, provided they were dependent on him.
- (4) To dependent parents.
- (5) To unmarried sisters, if dependent.

Pensions cease upon the widow's or mother's remarriage; when the sons reach the age of 18 years; when the daughters or sisters reach the age of 25 years, unless in the former case they are incapacitated. All pensions terminate upon emigration of the beneficiary.

In cases (1) and (2) when the right to a pension ceases as to any one of these, that portion is distributed among the other children who are beneficiaries.

Dependents may not benefit from more than one pension. In case they are entitled to more than one pension they may elect which they will accept.

### Retirement and Pension Fund for Employees of Banking Institutions and the Stock Exchange

A RETIREMENT and pension fund was created for employees of banking institutions and the stock exchange by the law of May 14, 1925.

The fund is to be derived from the following sources: (1) A monthly contribution by the banks and stock exchange of 12 per cent of the salaries of the employees who join this fund; (2) a compulsory deduction of 5 per cent from the salaries of such employees; (3) back payments of 6 per cent of the amount of salaries received by the employees during the years with which the employee is credited and of 12 per cent when the payments have to be deducted from his pension; (4) the difference in salary for the first month in which an employee receives an increase of salary; (5) a yearly tax of one-half per 1,000 on the amounts loaned by each bank on mortgages, promissory notes, and overdrafts; (6) interest on accumulated funds; (7) donations and legacies; (8) fines collected in accordance with the present law.

Under the following conditions bank employees are entitled to a pension: (1) At the age of 60 years; but for each year of service in excess of 30, one year shall be deducted from the age; (2) by being physically incapacitated; (3) by loss of employment not due to the immorality of the employee.

A minimum of 10 years' service is required for obtaining a pension. When an employee dies after 10 years' service, a pension shall be granted to his widow and children or in lieu thereof, his parents, or if his parents do not survive him, his unmarried sisters. This pension shall consist of 50 per cent of the pension to which the deceased would have been entitled at the date of death, increased by 10 per cent for each minor child, until reaching as a maximum the full amount of the pension. The above-mentioned heirs shall be paid as a bonus, an amount equal to six months of the full salary of the deceased at the time of death.

### National Labor Office

A DECREE of October 10, 1919 describes in detail the manner in which the Uruguayan Labor Office is to be administered and the personnel intrusted therewith, including among others a director, an assistant director, a secretary, and an inspector general and his aides. The office whose principal functions are the inspection and regulation of social legislation, has special sections devoted to industrial accidents and the employment of women and children.

## WORKMEN'S COMPENSATION LAW

LAW OF NOVEMBER 26, 1920

CHAPTER I.—*Conditions necessary for the application of the principles of this law.*

*Employer's civil liability.*—ARTICLE 1. Any employer responsible for the carrying on of the industries or the execution of works included under the provisions of the present law is liable at civil law for any accidents to his workers arising out of or in the course of the employment in the manner determined by the following articles.

*Who is an employer—Who is a worker.*—ART. 2. For the purposes of the present law, by employer is meant any person, enterprise, or company that utilizes the labor of workers, irrespective of their number; and by worker, anyone who habitually performs manual work on another's account outside of his own home.

ART. 3. Employees, minors under 21 years of age, and apprentices shall be considered workers.

*Work covered by the law.*—ART. 4. All workers who suffer accidents and who are engaged in the industries or occupations specified herein have the right to compensation: [Arranged alphabetically in Spanish.]

(a) Oils (factories); aqueducts (works); sharpeners (workshops); gravelers (works); agriculture (persons exposed to danger from machines); mineral waters (enterprises); wires (manufacture); masonry (works); culverts (works); alcohols (factories); pottery (manufactures of); fiber sandals (factories); amphibians (hunting of); sands (extraction of); elevator operators; clays (extraction and working); sawmills; sawdust (factories); asphalters (works); asphalt (factories); shipyards; harness (workshops); automobiles (repairs).

(b) Scales (factories); floor tiles (factories); ballast (extraction); ferry-men; barracks (of every kind); varnishes (factories); trunk factories; beverages (factories); warehouses; pump factories; fire fighters; forests (exploitation of); divers.

(c) Stables; electric transmission cables (laying, repair, and maintenance); coffee (preparation); box factories; boilers (installation and construction); braziers; heating (installations); footwear (factories and workshops); streets (cleaning); metal beds (manufacture); roads (construction, repair, and maintenance); quarries; conduits for gas or running water (laying); freight (enterprises); carpenters; bill posting (enterprises); pasteboard (factories); cement (factories); pork (products); breweries; brushes (factories); varnishes (preparation); chocolates (preparation); cigars and cigarettes (manufacturing); circuses (workers other than performers); nails (factories); glue (manufacturing); spring mattresses; drivers of vehicles (on a salary or wage); confectioners; preserves (factories); construction in general, on land or sea; stone-cutting; corsets (factories); hides (manipulation); tanneries.

(d) Wrecking of buildings; warehouses of all kinds; dry-dock workers; unloading (enterprises); distilleries; dikes; dredging; drugs (factories and warehouses); sweetmeats (factories).

(e) Building construction (entire personnel, irrespective of occupation); electricity (enterprises); grain elevators; packing of merchandise or fruit; bookbinding; excavations; brooms (manufacturing); stone carvers; patent medicines (manufacturing); stevedores of all kinds; explosives (making and handling).

(f) Factories producing: Oils, alcohol, sawdust, asphalt, scales, floor tiles, varnishes, beverages, purses, metal beds, coffee, footwear, cements, brushes, chocolates, cigars, cigarettes, nails, glue, spring mattresses, preserves, belts (for machinery), creolin, drugs, sweetmeats, paste (library), brooms, explosives, hard-tack, crackers, caps, guano, ice, inflammable substances, soaps, mosaics, ammunition, paper, perfumes, paintings, pork products, vehicles, clothing, soda, hats, tobaccos, fabrics, candles.

(g) Shed builders; hard-tack and crackers (factories); livestock (slaughtering and meat preserving); gas (production and installation); caps (factories); guano (factories).

(h) Ice (factories); hippodromes (working personnel); tin shops; molds (factories).

(i) Printing; inflammable substances (where made and used industrially).

(j) Soaps (factories).



(l) Bricks (ovens and factories); steam laundries; liquor shops; lithography.

(m) Lumber (mills, exploitation, cutting, and measuring); machines (workshops having); marble works; slaughterhouses; messengers (enterprises); metal work; mines; mills; motors (use of); mosaics (factories); furniture stores; furniture (factories, workshops, etc.); moldings (construction); ammunition (factories).

(p) Bakeries; paper (mills); lightning rods (placing, maintenance, and repair); paving (construction, maintenance, and repair); perfumes (factories); fishing (enterprises); weighing (enterprises); workmen in commercial enterprises; stones (work in); piles (placing); painting (factories); feather dusters (factories); pork (products); wells (diggers); bridges (general work); chemical products (factories).

(q) Chemicals (manufacture of products).

(r) Electric transmission systems; sugar refineries; repair of buildings (entire personnel); repair of railways; vehicles (factories); clothing (factories).

(s) Salting establishments (salted meats and fish); land drainage (works); tallow (products); mechanical saws (use of); soda (factories); hats (factories); stud farms (working personnel).

(t) Tobacco (factories); saddleries; stone and marble carving; tapestry shops; theaters (service employees); fabrics (factories); telephones (works); telegraph (works); dyeing establishments; submarine work; land and water transportation; crews of ships (warships excluded).

(u) Factories in general.

(v) Shipyards; candles (factories); railways; windowpanes (making and setting).

Industries similar to those just enumerated, and, in general, all industrial enterprises or occupations which involve the use of power other than man power.

The executive authority shall have the power, at any time, to increase the number of industries or occupations included in this article.

*Domestic and other kinds of service.*—ART. 5. Liability is extended to domestic work and to other services which employers may require of their workers or employees in establishments belonging to them.

*Home work.*—ART. 6. The worker who, in his own home, works for another, is not included under the provisions of the present law by the fact that he is occasionally assisted by one or more of his fellow workers.

*Rights of worker.*—ART. 7. A worker protected by the present law shall have no other remedies against the employer in case of an industrial accident than those accorded him under this law, unless the accident was brought about by fraud on the part of the employer.

*Maximum compensation.*—ART. 8. Persons covered by this law whose annual earnings exceed 750 pesos shall be entitled under its provisions only to the benefits fixed for a salary of that amount, which for legal purposes, is fixed as the maximum.

*When entitled to compensation.*—ART. 9. In order to be entitled to compensation, other than the medical care accorded him under this law, the accident must have rendered the worker incapable of working for more than seven days including holidays.

*Loss of right.*—ART. 10. The worker does not lose his right to claim compensation under the present law because the accident may have occurred through a slight or serious fault on his part, or by some fortuitous event or force majeure, but he does lose it if he deliberately caused the accident.

If the accident was due to force majeure, foreign to the work, the employer shall not be required to pay compensation; but if the worker claims compensation, the employer must prove that the accident occurred through the cause mentioned.

In default of this proof, the worker shall be entitled to the compensation due.

*Action against third parties causing accident.*—ART. 11. In addition to the action against the employer, accorded by the present law, the injured employee or his lawful heirs retains the right to claim damages for the injury against a third party responsible for the same under provisions of the Civil Code.

By a "third party" is understood any person other than the employer and his employees and workers.

The compensation obtained from a third party, under the provisions of this article, shall reduce the obligation of the employer in an amount equivalent to the amount of damages awarded.



In case the accident has produced a permanent disability or the death of the worker, said compensation shall be in the form of an annuity, the capital required to produce same being deposited in the State Insurance Bank.

Action against a third party responsible [for the accident] may be brought by the employer at his own expense and in the name and place of the injured employee or his lawful heirs. In case it is brought jointly by the injured employee or his lawful heirs and the employer, they shall plead jointly being represented by a common attorney. In case of the intervention of the State Insurance Bank, the party designated by this institution shall have preference.

*Invalid contract.*—ART. 12. Any labor contract relieving the employer from liability for accidents that may occur, or which is not in conformity with the provisions of this law, shall be null and void.

*Compulsory insurance for Government employees.*—ART. 13. The State, the provincial governments, and other bodies corporate having charge of public enterprises are subject to the obligations imposed by this law on the employer, when they have persons in their service performing the work specified in article 4 and are required to insure such persons in the State Insurance Bank.

## CHAPTER II.—*Compensation for industrial accidents*

ART. 14. The compensation for industrial accidents provided for in this law shall be governed by the following provisions:

*Temporary disability.*—(a) In case of temporary disability the worker shall be entitled to a daily compensation equal to half the wages or remuneration paid him at the time of the accident, counting from the eighth day following the accident provided that the disability has lasted more than one week. When the disability lasts for more than 30 days, the compensation shall be paid from the day following the accident.

*Permanent partial disability.*—(b) In case of permanent partial disability the worker shall be entitled to a life annuity equal to half the wage reduction caused by the accident.

*Permanent total disability.*—(c) In case of permanent total disability the worker shall be entitled to a life annuity equal to two-thirds of his annual pay (full pension).

ART. 15. When the permanent partial disability does not amount to 10 per cent reduction of ability to carry on the trade, an annuity shall not be granted.

*Cure or healing of wound.*—ART. 16. The compensation for temporary disability ceases at the time of complete cure or when the wound is healed. In the latter case, if there is permanent disability, the amount of the annuity shall be determined at once.

*Death of worker.*—ART. 17. If the accident results in the death of the worker, his lawful heirs shall be entitled to an annuity in accordance with the following provisions:

*Who are entitled to annuity.*—1. A life annuity, equal to 20 per cent of the annual wages or remuneration, for the surviving spouse if not divorced or separated, provided the marriage took place prior to the accident.

An annuity will be given the husband, only when he can prove his incapacity for work.

2. An annuity, to be determined in accordance with the following provisions, for children under 16 years of age who were supported by the worker, when this fact is duly proved, irrespective of their legal relationship to him.

Proof shall not be necessary when such minors are legitimate or illegitimate children of the deceased worker.

3. Minors shall be considered as satisfying the conditions in the preceding paragraph of this article, if they are descendants or collateral relatives even to and including the third degree of the deceased worker, and have lived in the same household with him.

(a) If the minors have a surviving father or mother, the annuity shall be 15 per cent of the annual wages, if there is only one child; 25 per cent if there are two; 35 per cent if there are three; and 40 per cent if there are four or more.

(b) If neither father nor mother survives, the annuity may be as much as 20 per cent of the annual wages for each of them.

*Loss of rights by surviving spouse.*—ART. 18. The surviving spouse shall lose all right to the annuity on contracting another marriage. In this case he [or she] shall receive as final compensation two years' annuity.

All right to the annuity or compensation shall be lost if he [or she] should fail to conduct himself or herself properly.

*Amount of annual annuity.*—ART. 19. The annual annuity granted under article 17 to persons mentioned therein, may in no case exceed two-thirds of the annual earnings. If the total amount of the annuities should exceed two-thirds of said earnings, each annuity shall be reduced proportionately, so that together they will not exceed the amount fixed as the full annuity.

*Case in which ascendants are entitled to annuity.*—ART. 20. If the deceased worker does not leave any of the beneficiaries specified in article 17, ascendants who were supported by him shall be entitled to a direct life annuity equivalent to 10 per cent of the annual wages for each, the total amount, however, not to exceed 30 per cent of the annual earnings. If the total should exceed this sum, the annuities shall be reduced as provided in article 19.

*Payment of annuities.*—ART. 21. The payments of compensation for industrial accidents shall be made monthly, and shall be nontransferable and unattachable.

*Expenses for medical attendance and burial.*—ART. 22. The employer shall also bear the expenses of medical attention and burial of the worker who dies as the result of an industrial accident. The burial expenses shall in no case exceed 40 pesos. The granting of free medical and pharmaceutical treatment shall also include appliances necessary to the success of the treatment or for lessening the consequences of the injuries.

*Prescription.*—ART. 23. Action for compensation shall lapse two months from the date of the accident.

### CHAPTER III.—*Special rules for determining amount of compensation*

*Basis of calculation.*—ART. 24. The annuity shall be calculated on the basis of the annual remuneration received by the injured employee as wages or pay during the last year of his employment in the establishment.

ART. 25. If the worker has not been employed in the establishment during a whole year prior to the accident, the compensation shall be determined on the basis of the annual remuneration received by workers of the same class in the same establishment or similar ones near by.

In case this determination should not be possible, the average wage received by the worker during his stay in the establishment shall be multiplied by 300.

*Apprentices and young persons under 21.*—ART. 26. Apprentices and workers under 21 years of age receiving no remuneration, or that which is less than the pay of other ordinary workers, shall be entitled, in case of permanent disability, to compensation calculated on the basis of 300 times the lowest wage earned by the ordinary workers in the same establishment or in a similar one in the same locality.

By "ordinary worker" is understood one who performs all kinds of work pertaining to his trade or profession, without being exceptionally skilled therein.

In the matter of temporary disability of a worker under 21 years of age, the amount of compensation shall be calculated on the basis of the actual wages of such worker.

*Piecework.*—ART. 27. If the worker was paid by the piece, the annual wage shall be calculated by multiplying by 300 his average daily earnings during the last three months preceding the accident.

In case this determination is impossible, the ordinary wage of able-bodied workers shall be taken as a basis.

*Preeexisting partial disability.*—ART. 28. If a worker who has become permanently and totally incapacitated for work by an accident was, prior to the accident suffering from a physical injury or defect which partially incapacitated him for work he shall be entitled to an annuity equal to half the reduction in his wages resulting from such accident, or to two-thirds of the usual earnings of workers in similar employment in the locality.

*Computation of tips and bonuses.*—ART. 29. If in the industry or occupation to which the worker belongs, tips or bonuses which he receives from the employer or customers are habitually taken into account in his remuneration, such tips and bonuses shall be considered in establishing the basic wage, except when such gratuities were only occasional.

*What is understood by wages.*—ART. 30. By "wages" is meant, for the purposes of this law, the remuneration received by the worker from the employer for his work. When the worker is paid, wholly or partly, in kind, either in food, in the use of dwellings or in any other form, in determining his wages the said remuneration shall be computed at its average value in the locality.

*Settlement of disputes.*—ART. 31. Disputes occasioned by the fixing of the basic wage shall be decided by the judge within 10 days following the report to the National Labor Office. They shall be decided by separate award and without waiting for the settlement of other disputed questions.

#### CHAPTER IV.—*Procedure in case of accident*

*Report of accident.*—ART. 32. Every accident which incapacitates a worker for employment for more than three days must be reported by the employer before the fifth day, including Sundays and holidays, to the justice of the peace in the district where the accident occurred.

ART. 33. The worker injured in the accident, or his representatives, may also report it to the same magistrate within two weeks.

*Medical certificate.*—ART. 34. If, after two weeks following the accident, the worker has not gone back to work, the employer is required to present to the justice of the peace to whom the report was made a medical certificate showing the worker's condition, the probable consequences of the accident and the approximate date when the final result thereof may be known.

*Items to be contained in report.*—ART. 35. The report must give the name and address of the employer, the location of the establishment, the time at which the accident occurred, its nature, the surrounding circumstances, the nature of the injuries, the name, address, age, and civil status of the injured worker, and the names and addresses of witnesses who were present at the accident or had knowledge thereof.

*Judicial inquiry.*—ART. 36. Immediately after the presentation of the report, the justice of the peace shall commence a summary inquiry, taking testimony of the injured employee if his condition permits, and also of the employer and the witnesses.

He shall make inspections in cases requiring attention, and shall order the technical investigations and medical examinations that may be necessary.

In case of death, and on the petition of the party concerned, he shall order an autopsy to be performed within 48 hours.

*Information to be furnished in judicial inquiry.*—ART. 37. The justice of the peace shall endeavor to secure proof of:

- (a) The cause, nature, and circumstances of the accident.
- (b) The persons injured in the accident, where they can be found, and the place and date of their birth.
- (c) The nature of the injuries.
- (d) The persons who under articles 17 and 20 of this law, are entitled to compensation in case of the worker's death; likewise the date and place of birth of the same; they shall procure from the civil register's office the proper certificates, which shall be issued free of charge.
- (e) The daily and annual wages of the injured workers.
- (f) In the case of apprentices or workers under age, he shall also endeavor to secure proof of the wages of ordinary workers employed in the same establishment or in similar ones in the locality.

ART. 38. The summary inquiry shall be begun with the knowledge of the parties concerned, who may demand any judicial proceedings they may consider necessary.

ART. 39. In lawsuits and disputes arising between the employer and the injured worker, or his lawful heirs, the departmental judge (*juez letrado departamental*) shall be the competent authority, in the first instance, to render a decision and the justice of the peace of the district in which the accident occurred shall forward the report of the summary inquiry to such departmental judge.

An appeal from his decision may be taken to the court of appeals, whose decision shall be final.

An appeal shall be granted only by sending it back to the lower court for a new trial.

*Procedure.*—ART. 40. The procedure in such cases and in all disputes arising in connection with the application of this law, shall be that established by the Code of Civil Procedure for actions for possession.

*Document closing the investigations.*—ART. 41. If the two parties come to an agreement, the justice of the peace shall prepare a document to be signed by the interested parties, describing the accident and fixing the compensation due the injured worker. The agreement shall be invalid if the legal adviser of the

National Labor Office has not had a part therein and the document must be signed by him, or by the fiscal agent if the accident occurred outside the capital.

If the worker injured in the accident resides outside the capital of the Department, the fiscal agent may appoint some one to represent him.

ART. 42. The record that closes the summary inquiry shall likewise state whether there is ground for compensation, or whether the victim has received the whole amount due him, and if he has recovered.

*Revision.*—ART. 43. In cases where, after fixing the compensation death results from the accident and also in cases where the disability becomes greater or less, the injured worker or his lawful heirs, and also the employer, may demand a revision of the judicial decision as to the nature of the accident and of the amount of the compensation.

Proceedings for revision may be instituted not later than a year following the final decision or the agreement of the parties before the justice of the peace, and may be renewed each year until the disability is declared final and unchangeable.

The procedure to be followed shall be that for actions for possession, and the case shall be brought before the departmental judge.

The lawful heirs may institute proceedings to substitute the obligations imposed on the employer by article 14 for those imposed on him by article 17.

The worker may institute proceedings to obtain an increase of the annuity, and the employer, to obtain a decrease in or relief from the obligations imposed upon him by the first decision or by the agreement entered into before the justice of the peace.

#### CHAPTER V.—*Provisions tending to insure payment of compensation*

*Privileged credit.*—ART. 44. The sums due to the injured workmen or his lawful heirs for medical attendance and compensation, shall be privileged as provided in clause 4 of article 2369 of the Civil Code and of clause 4, article 1706 of the Commercial Code.

*Insured workmen.*—ART. 45. If the employer proves, by means of the policy, that he has insured his workers in the State Insurance Bank, said worker has no right of action against him on account of accidents covered by the present law.

In such case the worker shall have a right of action only against the State Insurance Bank, in accordance with this law.

ART. 46. The State Insurance Bank, in the risks which it covers, shall be substituted for the employer as to all the rights and obligations resulting from the present law, and may hold the employer responsible when he has not complied with existing laws and regulations concerning the prevention of industrial accidents.

*Uninsured workers.*—ART. 47. An employer who has not taken advantage of the permission to insure his liability arising from occupational risk, under the provisions of the present law, shall be required to deposit in the State Insurance Bank an amount equal to the annuity or annuities owed, within 10 days from the agreement of the parties before the justice of the peace, or from the decision rendered. The deposit of the said amount may be demanded by the interested party or by the State, following the judicial proceedings.

ART. 48. The capital representing the value of the annuities shall be calculated according to the tables adopted by the State Insurance Bank.

*Proceedings gratuitous to worker.*—ART. 49. The summary inquiry, and also the judicial proceedings initiated for the purpose of complying with the present law, shall be entirely free to the protected worker by the legal adviser of the National Labor Office.

The worker shall also be relieved from the payment of stamp duties, and may authorize action on his behalf by the public official who represents him in the case, by means of a simple letter attested before the notary when it is presented.

*Privation of benefit.*—In case a worker is found guilty of feigning illness from an accident or of having intentionally caused it, he shall be deprived of all benefits.

*Advising the worker.*—ART. 50. The National Labor Office shall advise the worker and furnish him with the forms for the documents or statements which he has to submit to the judicial authorities in order to secure the rights accorded him by the present law. In case of controversies that require the intervention of an attorney for the defense of a worker's rights, the National



Labor Office shall furnish one. For this purpose there shall be created the position of attorney in the National Labor Office, whose duties shall be regulated by the executive authority within the limits set forth in this law. The monthly salary of the attorney shall be 150 pesos and he shall be appointed by the executive authority. Outside the capital, until special officials charged with the same advisory functions are designated, the defense of the worker shall be in charge of the fiscal agents.

*Worker's action against insurer.*—ART. 51. The worker may bring an action directly against the insurer under article 1256 of the Civil Code.

#### CHAPTER VI.—General provisions

*Work not included—How employer may take advantage of the law.*—ART. 52. Any employer who undertakes operations in which workers are employed, but who for any reason is not included under the provisions of this law, may come thereunder by enrolling in a register which shall be kept for such purpose by the National Labor Office.

The enrollment is revocable and shall be without effect if the employer notifies said office in person to cancel it, but in this case obligations contracted while the enrollment was in force shall continue.

*Judges' investigations.*—ART. 53. The justices of the peace shall send, every month, to the National Labor Office detailed notes of the investigations of industrial accidents, of their results, and of the proceedings arising out of said investigations.

*Penalties for not reporting accidents.*—ART. 54. An employer who, having knowledge of the occurrence of an accident to one of his workers protected by this law, fails to report the same to the justice of the peace, shall pay a fine of from 25 to 100 pesos.

In case of repetition, the fine may be increased to 600 pesos.

*Penalties for concealing or falsifying wage.*—ART. 55. An employer who conceals or falsifies the wage of his workers shall be punished by a fine of from 100 to 2,000 pesos, under article 36 of the Civil Code.

*Obligation of worker receiving compensation.*—A worker receiving compensation for permanent disability shall be required to make a monthly written statement to the State Insurance Bank regarding the places where he works and the wages or remuneration which he receives. Any false statement in this respect shall be a sufficient cause for the discontinuance of the compensation.

*Doctors of public health service and of civil service.*—ART. 56. Doctors of the public health service and those of the civil service shall be required to advise the judicial and administrative authorities, or the State Insurance Bank, whenever called upon, on all medical and legal questions arising under the present law.

*Labor arbitration.*—ART. 57. Every industrial dispute which arises under this law in respect to the extent of the injuries and their probable results shall be submitted to arbitration in accordance with article 533 of the Code of Civil Procedure.

*Residence condition.*—ART. 58. Persons protected by the present law shall be entitled to the annuity only if they lived in the territory of the Republic when the accident occurred and while they remain therein. If they move therefrom, they shall lose the right to the annuity, and receive as full compensation an amount corresponding to three years' annuity.

*Occupational diseases.*—ART. 59. This law shall not apply to occupational diseases.

*Employer's exemption from formalities of procedure.*—ART. 60. An employer who, under the present law, has insured his workers against industrial accidents in the State Insurance Bank, shall be exempt from the formal procedure prescribed therein for cases of accident, provided he shall give notice of the accident to the offices of the said institution in Montevideo within 48 hours, or, if he is outside of the capital, shall send a registered letter within the same period. The bank shall proceed to make the proper report.

*Worker's medical attention.*—ART. 61. The injured worker who is insured in the State Insurance Bank shall be required to accept the medical attention provided or prescribed by that institution in each case, unless he procures such attention at his own expense or through a mutual aid society, without prejudice to the right of the bank to supervise the progress of the injuries.



The services of the national public health officials shall be gratuitous to the bank.

*Powers of inspectors.*—ART. 62. The inspectors of the State Insurance Bank, those of the National Labor Office and officials designated by the executive authority shall have free access to all work places for the purposes of insuring compliance with the provisions concerning accident prevention.

*Administration workers.*—ART. 63. Workers insured in the State Insurance Bank who are employed by the national administrative authorities, shall not receive from the latter while under medical treatment for temporary disability and so long as it lasts, any other remuneration than that fixed by the present law.

*Use of fines and retained salaries.*—ART. 64. The sums derived from fines imposed by this law and the amount of the salaries of workers employed by the national administrative authorities retained by virtue of the preceding article, shall be used to increase the resources of the National Public Health Department.

#### CHAPTER VII.—*Temporary provisions*

ART. 65. This law shall come into force six months after its promulgation by the executive authority.

### ACCIDENT-PREVENTION LAW

LAW OF JULY 21, 1914

*Work included.*—ARTICLE 1. Managers of industrial establishments, directors of construction work of all kinds, those who operate mines and quarries and any other work in which there is danger for the operatives, are required, from the promulgation of the present law, to take measures for the defense and safety of the workers, in order to prevent accidents caused by the use of machines, gears, etc., and also by defects in the general installations.

Such measures shall be those prescribed by the regulations to be issued by the executive authority, who shall issue specific regulations for each industry or group of analogous industries.

These regulations shall be revised from time to time, in order that they may be modified or amplified as suggested by knowledge and experience.

*Technical inspection.*—ART. 2. The mechanical elements of work which because of its dangerous nature is liable to cause injury must be inspected whenever it is considered necessary.

*Engines, wheels, turbines, etc.*—ART. 3. The places where steam engines, wheels, turbines, or other power-producing mechanisms are used, must be isolated from the places in which the other activities of the shop are carried on.

Access to said places shall be permitted only to persons intrusted with the supervision or technical management of the equipment.

*Women and children.*—ART. 4. Women and children may not be employed in the cleaning or repair of running motors, machines, or other dangerous transmission agents.

*Gears, belts, etc.*—ART. 5. All mechanical gears, belts, etc., which act with running motors that are dangerous, shall be surrounded by railings, gratings, or defensive screens.

*Projecting parts, etc.*—ART. 6. Projecting parts of the machines, sharp instruments, and the like shall be thoroughly protected.

*Masonry, etc.*—ART. 7. Where masonry work, painting and decorating, or repairs in general, are done at a height of more than 3 meters, the platforms used in such work shall be provided with guards 90 centimeters high on each side.

*Supervision of law.*—ART. 8. The Labor Office shall be charged with the supervision of the application of the provisions of the present law in the Department of the capital [Montevideo]. In the other Departments this work shall be in charge of the municipal government.

The bureaus named have ample power to employ, to that end, the personnel thereof.

*Fines.*—ART. 9. Any establishment that fails to observe or does not obey the requirements of this law, shall be fined 50 pesos, for each offense reported. (See law of May 29, 1916, fixing the procedure for the imposition of fines.)

*Local governments.*—ART. 10. The State and municipal local governments are required to adopt, for the protection of the workmen in their employ, all precautionary measures possible in the light of the progress of science and technology.

*Employer's liability.*—ART. 11. In case of accident, noncompliance with the provisions prescribed by the regulations relative to the application of this law shall render the manager or employer civilly liable. (See law of November 26, 1920, concerning workmen's compensation.)

In such case the managers or employers shall compensate the injured employee or employees or their lawful heirs in the manner provided by the Civil Code, and the fact of the workmen being insured against accident shall not remove or in any way modify such liability.

ART. 12. This law shall become effective six months after its promulgation.

ART. 13. The executive authority shall issue regulations under the present law.

#### REGULATORY DECREE OF APRIL 14, 1915

ARTICLE 1. Workshops, factories, and all establishments or shops in which work is carried on, and also work in the construction of buildings and any other class of work in which workmen are employed, shall be subject to the following provisions in addition to those fixed in articles 3, 4, 5, 6, and 7 of the law of July 21, 1914, concerning accident prevention.

##### *Enterprises and industries in general*

*Motors and dynamos.*—I. Motors of all kinds and dynamos shall be installed in special places or on sites inclosed by railings or barriers. Access to said special places or isolated sites shall be absolutely forbidden to persons not connected with the service of motors and dynamos. This prohibition must be called to the attention of the workmen by means of a notice to be posted at all times in a conspicuous place.

*Compulsory signals.*—II. Before the operation of the motors or of the transmissions is begun or resumed, an agreed-on signal must be given which can be heard clearly in all the rooms in which there are machines or mechanical apparatus depending on the motors or on the transmissions.

[Added by decree of June 10, 1921:] The signals must be given by means of megaphones or alarm bells which may be heard clearly wherever there are workers. Such signals shall consist of a first sound of warning followed by an interval of three minutes and then two more sounds. In industrial establishments with different sectors, bells for the main shafting shall be used also, with megaphones having adequate acoustic properties for the secondary shafting.

III. The mechanism starting or stopping the operation of the motors must be freely accessible and easily operated.

*Machines and transmissions.*—IV. The working parts of machines and transmissions and especially flywheels, connecting rods, gears, pulleys, ropes, friction wheels and cones, the projecting movable parts, etc., when they may constitute a danger, and also the other parts of motors and operating machines recognized as dangerous, must be provided with adequate safety devices. Transmissions within reach must be protected to a height of 1½ meters.

The safety devices must not be removed without express authorization of the head of the workshop and for definite and purely momentary purposes.

Stationary stairways and elevated platforms which form a part of the workshop shall be provided with firm railings.

Machines for cutting or chipping, which operate at a very high speed, such as saws, crushers, planers, surfacers, matchers, lathes, and the like, must be, so far as possible, placed in such a way that the operator may not be able, from where he works, involuntarily to touch the dangerous parts.

*Oiling or greasing of transmissions or motor.*—V. The oiling or greasing of the transmissions and motor must be done while they are not running, except when such operations are in no way dangerous.

The uprights of the transmissions must not have nails or screws; the service platforms and the stairways shall be firmly constructed and kept perfectly clean, and shall be provided with railings. The stepladders, besides having the necessary strength, shall be provided with hooks at the top and with rubber nibs or tips at the bottom in such a way as to assure their not slipping during use.

*Repair or replacing of mechanical parts.*—VI. In case of repairs or replacement of any mechanical part, immobility of the machines or of the transmission apparatus must be assured by some means that absolutely prevents the unexpected resumption of operation.

The same precaution against danger must be used, when necessary, in charging, regulating or cleaning the machine or apparatus.

*Special warnings.*—VII. By means of special warnings posted in the rooms where machines or mechanisms are installed, the operators shall be advised to use close-fitting suits, excluding from their clothing anything loose that might be caught by the parts in motion.

The operators must also be protected from chance projections, whether of the parts in motion or of the material in process of manufacture, by those means which practice has proved to be adequate. Workmen who carry or work materials which have a high temperature, or who handle substances of high electric potentiality, must be provided with the necessary appliances for protection which experience dictates.

*Clothing near the machines.*—VIII. Operators are forbidden to lay clothing near the machines.

*Hoists, elevators, lifts, cranes, and the like.*—IX. Hoists, elevators, lifts, cranes, and similar machinery must bear a written statement of their tonnage capacity, and if they are not provided with safety devices they must not be used for carrying persons.

X. The movable parts of hoists, lifts, and elevators must be so constructed as to execute without danger the operations for which they are designed. Elevator shafts at the side of stairways or passages must be protected in such a way that no one can inadvertently project his head or body into them.

Entrances to elevator shafts must be provided with doors or barriers, preferably those closing automatically.

*Construction and installation of dynamos.*—XI. Dynamos must be constructed in such a way that the wires and the parts designed to carry the current are well insulated.

Said dynamos may never be installed in a room in which explosive materials, detonating gases, or inflammable powders are made or handled.

Uncovered conductors of electrical current, whether in the central generating plants or in the consumption plants, must be out of reach of persons; and if this condition is not easily attainable, they must be protected by adequate safeguards.

The cross-section of each conductor must be in proportion to the intensity of the current to be carried, so that excessive heating may be rendered impossible.

In shops where there are conductors of different voltage, they must be marked with special colors and clearly indicated to the workers by means of a visible diagram.

*Travel passages.*—XII. Passages designed for travel in the work places, and those providing access to the same, must have sufficient height and width so that workmen may pass without danger of being injured by machines or mechanisms in operation.

Pits, pools, and deposits of hot corrosive liquids, when on a level with the ground, must be covered or protected by a railing.

*Exit of workmen.*—XIII. Necessary measures must be taken for assuring, in any case, the prompt and easy exit of the workmen from the work places.

*Reserves for lighting and lubricating.*—XIV. Reserves of oils and kerosene for the lighting service or for lubricating the machines, must be stored in special places, far from boilers, dynamos, and stairways.

The lighting of establishments must be adequate so that the workmen may clearly distinguish the machines and transmission apparatus with which they might come in contact.

*Parts of floor nearest to machines.*—XV. The parts of the floor which are nearest to the machines and the space thereunder must be kept in such a condition that the workmen may run no danger of slipping or falling.

*First-aid supplies.*—XVI. Those who conduct enterprises, industries, or construction works are required to keep, in establishments wherein the work is being done, the first-aid supplies required by the Labor Office.

#### *Special provisions for woodworking industries*

*Emery works, hardwood turning, etc.*—I. In work of any kind which may result in injury to the eyes (emery, hardwood turning, etc.), the workmen shall

wear protective glasses with lenses at least 2 millimeters thick. These glasses shall be provided by the employer.

*Circular saws.*—II. Circular saws shall be provided with adequate safety devices. The connecting rods and cranks of jig saws must be carefully inclosed.

*Band saws.*—III. Band saws must be covered above and below the work-bench, leaving free only the space required for the work.

*Joiner's planes.*—IV. For joiner's planes the cylindrical head shall be adopted, and in the concave part of the blades a piece of metal inserted which will leave open only the space required for their functioning.

The cramp irons shall be as close together as the use of the machines will permit.

*Drills.*—V. Above the log drills there shall be fastened a safety ring slightly larger in diameter than the drill itself; or any other effective means of protection may be used.

#### *Special provisions for metallurgical shops*

*Forge workers, etc.*—I. Forge workers, emery workers, and, in general, all those who may be injured by particles of iron or coal, shall wear protective glasses with lenses 2 millimeters thick.

*Forges.*—II. Forges must be isolated, so far as possible, from the rest of the shop, and especially from any inflammable or explosive substance.

*Compressed oxygen.*—III. The greatest precautions dictated by experience must be adopted in work using compressed oxygen.

*Repair of automobiles.*—IV. In automobile repair shops it is strictly forbidden to go down into the pits with any other light than electric. There shall be posted at the entrance of the shop a placard, conspicuously placed, reading, "Smoking prohibited," severe penalties being imposed on workmen who disregard such order. There shall always be kept on hand a sufficient quantity of sand for attacking any fire which starts.

#### *Building and wrecking*

*Contractor's duty.*—I. During the foundation work and construction, and also in the wrecking of buildings, the contractor is required to provide for the safety of the workmen, both inside and outside the building and in the immediate vicinity.

*Beginning of work.*—II. The work of construction or of wrecking must not begin until the safety devices (scaffolding, etc.) are in order.

*Materials of devices.*—III. The materials of such devices must be of good quality and adapted to their purpose, and must be in perfect condition.

*Work on public thoroughfares.*—IV. When construction work, excavations, etc., are being performed on public thoroughfares or adjoining land, they must be closed to traffic.

*Scaffold extending to the street.*—V. When the scaffolds extend to the street, they must be separated from it by means of a wooden fence, or there shall be built at a height of 3 meters from the walk a protection roof formed of dove-tailed planks with a minimum thickness of 0.04 meter and sloping toward the construction.

*Foundation work near buildings with shallower foundations.*—VI. Where foundation work is being done at the side of buildings with foundations not so deep as those under construction, the necessary excavation shall be made by degrees, the masonry work progressing as the excavation advances.

*Shafts and canals.*—VII. Shafts and canals must be well supported. Shafts must be provided with a solid tubing (series of cast-iron cylinders) which must not be removed until the coating of masonry has reached the lower part.

*Uprights of scaffolding.*—VIII. Uprights shall in no case be permitted to be set at a greater distance than 4 meters apart; they shall be solidly embedded in the ground at a depth of 0.50 to 1 meter and shall rest on horizontal braces or on masonry. In addition they must lean slightly toward the building. In cross section they shall be 15 by 15 for the first story, and 10 by 10 for the other stories. When they are formed of various pieces, care shall be taken that each piece be as long as possible. The joining of these pieces shall be effected by means of iron hoops or bolts.

*Joists.*—IX. Joists, which must have a minimum cross section of  $7\frac{1}{2}$  by 15, must not be more than  $1\frac{1}{2}$  meters apart and must be solidly fixed to



the uprights by means of iron hoops or bolts. The uprights are to be joined together by means of cross-braces in sufficient number.

*Planks.*—X. Planks must be proportioned to their purpose, and must not in any case be less than 0.04 meter thick. When it is necessary to join various planks, the joining must be exact at the edges and overlap at the ends not less than 0.50 centimeter, and be fastened with nails in sufficient number. The planks must be secured over the joists in like manner. Each platform shall not be less than 0.90 meter wide.

*Railings on the platforms.*—XI. On the outer side of each platform, and in contact with it, there shall be placed a railing formed of a plank set at right angles thereto, and on the outer side of the uprights shall be affixed two rails of resistant wood, one at 0.7 meter from the platform and the other at 1.4 meters.

*Loads on scaffolding.*—XII. Scaffolds must not carry excessive loads in relation to their strength or be placed unequally. Swing scaffolds must be loaded as lightly as possible, be firmly fastened to the building, and have safety rails of a minimum height of 0.40 meter.

*Secondary platform.*—XIII. The platform immediately under another on which work is in progress must not be withdrawn.

*Scaffolds on trestles.*—XIV. When work is in progress on scaffolds resting upon trestles, the latter shall not be more than 2.50 meters apart and shall be firmly fixed to the ground.

*Scaffolds on stairways.*—XV. Scaffolds over stairways must not be used except for light work (tinning, painting, etc.). They must have safety rails and in accordance with Article XI must be firmly attached to the building. The stairways must project not less than 0.80 meter from the part occupied by the topmost platform.

*Gangways.*—XVI. Gangways must have a minimum width of 0.80 meter; they shall be provided with nailed transverse strips and firm railings, whose uprights shall be attached firmly to the scaffolding or floor. If intended for the transport of materials, they shall be at least 1.2 meters wide, and there shall be a landing each two stories as a minimum. Gangways shall have a maximum slope of 40 per cent. Care shall be taken, also, to keep them well cleaned.

*Openings for stairways.*—XVII. Openings for stairways must be covered temporarily until the stairways are in place.

*Precautions concerning hoists.*—XVIII. Workmen engaged at the wheel or rope of hoists must place themselves at a suitable distance so that they may not be injured by falling objects.

XIX. It is strictly forbidden to use the hoists for carrying persons.

*Scaffolds for outside walls.*—XX. Scaffolds for the repair or construction of outside walls must not be removed until the roofing work is completed.

*Belfries or mansard roofs.*—XXI. In the construction of belfries or mansard roofs, the highest platform must be placed at least 0.70 meter above the spouts and must be made of well-joined planks and be provided on the outer side with a firm railing 0.80 meter high. In new constructions, the upper temporary floor must not be removed until the completion of the aforesaid work.

*Roofing work.*—XXII. Workmen engaged in roofing and similar work must wear a substantial belt, to which shall be attached a rope fastened at the other end to a point of sufficient resistance.

*Epileptics, drunkards, etc.*—XXIII. Epileptics, drunkards, or persons susceptible to dizziness must not be allowed access to the scaffold.

*Wrecking of old buildings.*—XXIV. All possible precautionary measures shall be taken in the wrecking of old buildings, care being taken not to overload the scaffold with debris, which shall be lowered by means of hoists, tubes, or skids.

*Inspection.*—ART. 2. The Labor Office shall have charge of enforcing compliance with these provisions.

ART. 3. The inspectors and internal revenue officers shall observe in the factories inspected by them in the line of duty whether or not the requirements of these regulations are complied with, and shall report to their superiors. The board of internal revenue shall in each such case transmit the evidence to the Labor Office.

ART. 4. Enforcement of the law regarding construction shall be in charge of the inspectors of construction who form part of the personnel of the census section of the board of direct taxes.

In the case of the latter the procedure shall be as established in the preceding article.



*Period for conforming to the law.*—ART. 5. Establishments which are found not to be conforming to the requirements of the law and these regulations shall appear before the Labor Office and specify the time needed for such conformance. After examination of the case and the plea relating thereto the Labor Office shall transmit the matter for decision to the Department of the Treasury [now the Department of Industries].

#### REGULATORY DECREE OF JUNE 25, 1915

##### *Use of explosive substances—factories, mines, quarries*

ARTICLE 1. In order to prevent industrial accidents, the following protective and safety provisions are approved, and must be complied with by enterprises which use explosive materials and by the workers in factories, mines, quarries, etc. Enterprises that handle or apply explosive materials, whether by engaging in the manufacture, preservation, distribution, or transportation of the same, or by making use of said materials, must, in addition to the regulations governing enterprises and industries in general, be bound by those which follow herewith:

*Lightning rods.*—1. Every building designed for the manufacture, handling, or storing of explosive materials must be protected throughout by a sufficient number of lightning rods, the number to be determined in each case by the National Labor Office.

*Clothing appropriate for the work.*—2. In buildings designed for the manufacture, handling, or storing of explosive materials, all the workmen, on entering the establishment, must change clothing (footwear included) and dress appropriately.

Sandals, fiber sandals (*alpargatas*) or sabots (*zuecos*) shall be used as work shoes. The sandals shall have neither nails nor eyelets. The sabots shall have only the necessary eyelets, which shall be exclusively of tin or copper.

*Collection of waste materials.*—3. The waste materials from shops where explosives are manufactured, manipulated, or handled, shall be carefully collected and destroyed or used in accordance with the orders issued by the foreman.

*Doors of shops.*—4. The doors of the shops must open from within outwards. During working hours, weather permitting, said doors, in general, must remain open; otherwise they shall merely be latched and shall never be fastened by means of locks or keys.

*Drying chambers and stoves.*—5. Drying chambers for explosives and the stoves shall be exclusively steam or electric. The shops must be lighted only by electricity. The electric wires must be insulated in such a way as to avoid any contact between them.

*Supplies of explosives.*—6. In the aforesaid shops there must not be a greater quantity of explosives than is absolutely necessary to continue the work. Any excess shall be kept in appropriate places at a distance not less than 12 meters.

As soon as the day's work is completed, all the explosives in the shops (excepting the drying chambers) shall be taken to the appropriate warehouses.

*Fire prevention.*—7. In shops manufacturing or using explosives adequate measures shall be taken for the rapid extinction of possible fires.

Pumps, hydrants, and all equipment for the extinction of fires shall always be kept in perfect condition.

8. The workers are forbidden to smoke or to carry matches or other inflammable substances.

*Entrance to warehouses and rooms.*—9. Entrance to warehouses and distribution rooms, and also to the premises for the handling of explosive materials, shall be permitted only to the employees working therein.

*Handling of cartridges and thawing of explosives.*—10. The handling of charged cartridges and the thawing of explosive materials shall be done only by day and by experienced workmen under the direction of a foreman and in special rooms situated at a suitable distance from the point where the other work is performed.

The thawing must be done in appropriate receptacles, heated from the outside by means of hot water and in such a way that the water and the explosives may not come in contact.

It is forbidden to heat explosives for the purpose of drying or thawing them either by exposing them directly to the fire or by placing them in lighted or

heated furnaces. The workers are forbidden to carry dynamite or other such explosives on the clothing.

*Dynamite.*—11. Dynamite, whether loose or in sticks, which gives forth a sharp odor or reddish vapors—these being indications of its imperfect preparation or of its chemical change—must be gotten rid of by burying it in damp ground at a safe distance and then by destroying it so far as practicable.

This destruction must be accomplished by burning the dynamite in small quantities, arranged in strips or in sticks open at both ends, by means of a quick match or sulphur fuze (any cap or fulminating material being absolutely prohibited) of such size that, when it is lighted, the operator may have time to get away to a place of safety.

This operation shall be performed in the open air and in a place free from rocks, observing all precautions to avoid injuries in case the dynamite should explode instead of burning slowly.

*Precautions against explosives.*—12. In places of storage or of safe-keeping, and also in the transportation and use of explosives, the workers are strictly forbidden to smoke or to have with them matches or other inflammable substances.

*Explosive containers.*—13. Chests, casks, or any other receptacle containing explosives may be opened only by means of instruments made of wood, copper, or bronze.

*Mines and quarries.*—14. In mines and underground quarries the distribution and delivery of explosive materials must be made by those charged expressly with this work, in quantities not exceeding the requirement of each crew for each day. In all cases the quantity unused shall be returned to the management by the workmen referred to before leaving the work.

Workmen are absolutely forbidden to carry home the explosives delivered to them for the work.

*Powder magazines.*—So far as possible, powder magazines must be located at a distant and high place. They shall consist of inclosed premises, with walls of slight resistance (of brick, for example), and shall have a conspicuous sign reading: "Powder magazine." Powder magazines must be located at least 75 meters from work places.

*Carrying of explosives.*—15. Explosive materials may be carried from the powder magazines to the quarries only in baskets, chests, or metal flasks, care being taken to separate explosive substances of different kinds, and these from the fuzes and caps.

For the carrying there shall be observed, also, the following rules:

(a) The workmen charged with the carrying must, in a loud voice, warn persons whom they meet on the way.

(b) The carrying must be performed under the guidance of the foreman.

(c) The workmen carrying the explosives may not carry lights. Those who accompany them may carry lights that are inclosed.

(d) The receptacles used for the carrying must be closed.

*Use of nitroglycerine.*—16. It is absolutely forbidden to use free nitroglycerin for charging and exploding blast holes.

*Caps and fuzes.*—17. Sticks of dynamite or of other such explosive materials must not be provided with caps or fuzes except in the proportion that such material is being used.

To adapt the cap or fuze, pincers or small pliers, which shall never be of iron or steel, must always and exclusively be used.

*Charging of holes.*—18. The charging of the holes shall be done by means of ramrods made of wood, zinc, copper, tin, or bronze, it being absolutely forbidden to use iron, steel, or other substances that may cause sparks.

In order to tamp the holes, only materials which absolutely contain neither granite, quartz, pyrite, nor metallic nodules shall be used. Sticks of dynamite or other such explosives may be shoved into the rear of the holes only by means of wooden rammers.

The fuzes must be long enough for the workman lighting them to have time (15 minutes as a minimum) to take refuge in a place of safety, sheltered from the fragments hurled by the explosion.

*Firing of holes.*—19. In general, the holes must be fired and exploded in the time of inactivity between two shifts of workers, or, at least, at hours fixed in advance, so that nothing will interfere with taking due precautions.

*Precautions to be adopted.*—20. Before firing the holes, the foreman himself must order all persons to take shelter in a place of safety at a suitable distance from the holes.

21. Notice of the firing of the holes shall be given only by the section chief or by the workman expressly charged therewith, and all persons in the vicinity are to be warned to take shelter, giving them the necessary time and letting them know the number of charges that are to be exploded.

22. During the explosion of the holes in one quarry, work must be suspended in the adjoining quarries, and the workmen of the latter must take shelter the same as if the holes to be exploded were there.

23. In each working quarry the holes must be exploded in such manner that the explosions may be easily counted, unless the firing is effected simultaneously by electricity.

24. The workmen intrusted with this work must, themselves, as soon as they have lighted the fuzes, go quickly to a place of safety, and shall then endeavor to count the explosions exactly, so as to see if there are any misfires. In case there are, the aforesaid workmen shall give immediate notice to whoever is in charge of the work. Meanwhile, no one may enter the quarries in which there is a misfire, until after the arrival of the section chief and with his permission.

25. If a hole does not explode, it is strictly forbidden to enter the quarries in which it is located before the end of 30 minutes at least.

26. The hole that fails to explode must not have the tamping removed. It may be made to explode by means of a charge placed over the first only in case this operation may be effected without using iron or steel instruments and without striking against hard substances. In case it is not possible to proceed in this way, a bomb (*petardo*) shall be planted near the unexploded hole, it being absolutely forbidden to abandon unexploded holes.

27. After the explosion of one or more holes and although it is certain (from having counted the explosions) that there is no hole yet to explode, five minutes must pass before anyone enters the quarries.

28. It is forbidden to charge anew the passages or dugouts of the holes, if they have not beforehand been prudently and carefully explored. The exploration may be made only in accordance with instructions given by the overseer or his representative.

*Protective glasses.*—29. In the working of mines and quarries the workmen shall wear protective eyeglasses with lenses 4 millimeters in thickness. These glasses shall be provided by the employer, and any workman who refuses to use them shall not be permitted to work.

*Railings and wire fence.*—30. In quarries of more than 1 meter in depth, the whole outer boundary must be protected by means of railings or a wire fence.

## REGULATORY DECREE OF JUNE 25, 1915

### *Railway enterprises*

*Protection and safety provisions.*—ARTICLE 1. Approval is given to the following protection and safety provisions for preventing industrial accidents on railways:

1. To prevent accidents to workmen in their work on railways the following provisions must be observed.

(a) Those contained in the regulations for building and wrecking.

(b) Those contained in the regulations for the prevention of accidents in enterprises or industries.

(c) Those established for accident prevention in quarries.

*Acts forbidden to employees.*—2. It is also forbidden to the employees of railways:

(a) To board or alight from cars or locomotives in motion.

(b) To get between two cars in order to couple or uncouple them, or to tighten or loosen them, when both are in motion.

(c) To station themselves, during regular switching work, between two cars.

(d) To take hold of the buffers and drawbars of cars in motion, and to ride on the steps of the coaches while the train is moving, except under extraordinary circumstances involving the safety of the train or in case of having to bring aid to the passengers.

(e) To remain on the roofs of the cars or to walk over the same when they are in motion.

(f) To stand or walk in the middle of the track in front of moving cars; standing or walking must be done on one side and at a suitable distance.

(g) To remain on the roofs of the coaches, in order to make ready to light or to extinguish the lights, while the train is in motion.

*Service lantern.*—3. The railways must arrange that each employee engaged in switching during the night or who, by the requirements of the service, is required to walk the tracks, be provided with a lighted service lantern.

*Loading, carrying, and unloading.*—4. Stations, storehouses, and warehouses must be provided with machines, ropes, movable bridges, wedges for blocking the wheels of the cars, and other appliances for whatever may ordinarily be required in the work of loading, carrying, and unloading, by hand, materials and merchandise which because of their volume or weight may require the services of more than one man.

*Safety hooks.*—The doors of merchandise storehouses, of locomotive and coach sheds must be provided with hooks and other fixtures, so that they may be fastened by the workers intrusted with opening said places.

*Winches, cranes, etc.*—6. Winches, stationary and traveling cranes, and derrick cars must bear, in clear and easily seen writing, a statement of their tonnage capacity, and must, as is the case with the shafting and pulleys, be provided with brakes or other apparatus suitable for stopping operation.

The derrick cars must also bear a statement of the maximum load which they can raise without being fastened on the rails.

The management must also order:

(a) That the person placed in charge of the operations, before proceeding to raise the loads, assure himself of the good condition of the mechanism and of its regular functioning.

(b) That the derrick cars be anchored to the rails by means of suitable apparatus when the weight to be raised so requires.

(c) That the loads to be raised do not exceed the tonnage of the mechanism.

(d) That it is forbidden to stand under the raised load when it is either ascending or descending, and to abandon the machine while there is a load in the air.

(e) That on finishing each operation, the employee in charge see that the hoisting hook of the machine remains in such a position that it may not be jostled by moving vehicles in the station.

(f) That the machines above mentioned be inspected every five years, at least.

7. The operations of loading and unloading must not be performed while the vehicles are in motion. The weight on the vehicles must not be greater than their tonnage.

*Receptacles with inflammable liquids.*—8. The management must require that the large reserve receptacles containing inflammable liquids, for lighting the shops, for lubricating the machines, or for other uses, be kept in rooms designed exclusively for this purpose.

By means of a notice posted on the outside of said rooms, the workmen must be prohibited from entering or approaching with flame lamps that are not protected by glass globes or in some other way.

The use of free flame lamps must be prohibited, also, in rooms where benzine, kerosene, or other inflammable liquids are stored or in rooms where there are gas regulators. In such rooms, as in merchandise storehouses, smoking must be prohibited.

*Supply tanks.*—9. Supply tanks must be provided with safe ladders. Wells and cisterns on a level with the ground, and excavations for work in the stations, must be provided with adequate guards.

*Stop signals.*—10. Station tracks on which cars are repaired must be protected by stop signals; and engineers must be given notice that they must observe said signals.

*Workers not in normal condition.*—11. The management must give strict orders to station masters to demand the retirement of workers who show clearly that they are not in normal condition, mentally or physically.

*Switching.*—The management must likewise order that engine switching be done at a limited speed, in proportion to the means for braking, so that it may be possible to stop quickly and in a short space, especially at night, when there is fog, and when the engine is approaching a train ready for leaving.

The switching engines and those running temporarily on the station tracks must have the regulation lights lit at night.

*Departure of train.*—13. Station masters, before giving starting orders to the conductor, shall assure themselves that the train is in running order, as regards the couplers, brakes, and signals, and that no one is on top, under, or between the cars.



*Uncoupling of coaches on grades.*—14. In case it is necessary to uncouple the cars of the train on grades of more than 6/000 the part to be separated must be provided with a number of brakes proportioned to the highest grade.

*Doors of baggage cars.*—15. The panels of the doors of baggage cars, in the compartments set aside for the employees, must be provided with grab irons or with inside handlebars, to which it is possible to cling while the train is running.

*Doors of watchmen's houses.*—16. Fences must be built, or bars or other safeguards placed in front of the doors of watchmen's and signalmen's houses, and, in general, of buildings near the tracks with openings toward the same, in order that employees may not directly cross the tracks.

*Signals to be given by engineer.*—17. The management must see that the engineer gives a warning signal, by means of the usual whistle, in the following cases:

(a) Before starting the locomotive.

(b) In the vicinity of grade crossings, of stations, of tunnels, of deep and extensive excavations encountered on a curve, and also on approaching stretches where the vision is intercepted by plants, houses, or other objects, and whenever he sees persons or animals on the tracks.

(c) On approaching a place where work is under way, in the stations or on the tracks, in which case the warning signals must be given repeatedly in order to attract the attention of the men engaged on said work.

*Excavations near the tracks.*—18. Excavations under way near the main tracks must be performed in sections and after the tracks have been supported by means of props, a new foundation, or in some other manner.

*Running of work cars.*—19. Work cars shall not be permitted to run without the necessary employees and under the charge of the watchman or section chief of the branch or of some other agent expressly authorized.

They must be run at a speed not exceeding that established in the regulations and observe every precaution, especially on steep grades and at grade crossings.

They must be withdrawn or removed from the track 15 minutes at least before the time fixed for the arrival or passage of a train.

*Automatic coupler.*—20. For cars built or imported in the future, automatic couplers shall be required.

## REGULATORY DECREE OF NOVEMBER 15, 1918

### Mines

*Plans must be presented.*—ARTICLE 1. Any person, company, or enterprise working mineral veins, peat bogs, or quarries, taking or extracting from the soil substances covered by the mining code, whether by means of shafts, galleries, tunnels, or open trenches, shall be required to present to the office of the inspector of mines and industries, before beginning the work, a plan whose scale shall not be less than 1 to 100, with horizontal and vertical outlines of the workings and structures planned, and also of the installations with suggestions for the safety of the work to be undertaken, for the purpose of protecting the workmen from cave-ins and falling stones and from soft, loose earth appearing on opening excavations, shafts, galleries, etc.

Said plan shall be presented in duplicate; one copy shall remain on file in the office of the inspector of mines and the other, countersigned by this office, shall be kept where the work is being performed, in order that it may be shown at any time to the public officials authorized to conduct inspections.

*Changes in plans.*—ART. 2. In December of each year, or before if there are changes of importance, the interested parties shall present in writing to the office of the inspector of mines and industries the changes made, amplifying or changing the plans by others more complete than those of the preceding year. There must also be presented each six months to the said office of the inspector a résumé of the work accomplished, with an indication of the nature of the soils penetrated, hardness of the rocks, etc., and, so far as possible, the safety measures adopted with regard to the employees and the work. They shall be required also to present a planimetrical diagram in horizontal and vertical projection, showing the visible veins or definite or supposed beds, in order to be able to appraise exactly the horizontal and vertical outlines of the work to be done in relation to the drainage and to prevention of accidents by cave-ins, etc., due to pressure, overburdening of the ground, etc, provided this be thought necessary by the bureau of mines.

Both the plans for presentation and the statement of the changes referred to in the present and preceding articles shall be signed by a legally authorized person.

*Abstract of the work.*—ART. 3. Within 30 days after the first publication of this regulation in the *Diario Oficial*, the office of the inspector of mines and industries shall require of all persons or enterprises at present in charge of active mines the presentation of the plans provided for in articles 1 and 2, fixing a time limit, which may not exceed four months, for their presentation.

In case these plans are not presented, the mines office shall have them prepared at the expense of the lessee or owner of the mine, who shall still be liable to the fine fixed by article 9 of the law.

*Showing of plans.*—ART. 4. The plans on file in the mines office may not be shown without the express authorization of the owner or legal representative of the concessionary firm or company, but once the concession is declared at an end, for the causes set forth in the mining code, not only may the plans be shown, but copies of them may be given to anyone on request, provided the State should decide not to reserve to itself the right of operation.

*Criticisms of plans.*—ART. 5. The office of the inspector of mines and industries shall examine minutely the plans presented, and if it should be found that the projected work or installations offer any danger or do not offer complete safety to the workers, it shall make a clear statement of the criticisms in the case and indicate the way in which they are to be met, notifying the owner or representative of the mine, in order that such things may be remedied within a specified time, fixed according to circumstances.

*Procedure in case of opposition by the interested party.*—ART. 6. In case the person to whom the criticisms referred to in article 5 are made should not consider them reasonable, he shall be required to state in writing to the office of the inspector of mines and industries the reasons for his opposition.

Said office shall report the matter and shall set forth the precedents relating thereto for the determination of the department of industries.

*Shafts, galleries, and openings.*—ART. 7. Shafts, galleries, and openings in general must be firmly supported, either by iron, masonry, or tubing, when the nature of the strata crossed requires it; when the supports are columns or posts they must be of the required dimensions, be placed one in front of another, with uniform inclination and on the same vertical plane.

The workers must have constantly within reach a supply of suitable props and timbers, in case of crumbling or landslides.

*Underground or surface work.*—ART. 8. In underground or surface work steep excavations shall be avoided, but stepped slopes shall be formed, adapted to the nature of the ground so that at all times they may remain firm and secure without collapse or break of any sort.

*Shafts and inclined planes.*—ART. 9. When in galleries or tunnels shafts or inclined planes are constructed, they shall be at all times closed by movable barricades or railings in such a way as to prevent accident to the workers. These barricades shall be removed, if necessary, while the passage is being used, but shall be replaced at once after use.

Shafts, galleries, and excavations that have been abandoned are to be closed in like manner. On that part of the surface where trenches or excavations have been made suitable parapets, fences, or guards shall be placed, so as to avoid accident either to persons or to work animals. The exit or exits of the galleries shall be indicated by means of lamps, illuminated arrows, or other convenient means, so that in case of danger the workmen can move rapidly toward the exit.

*Use of explosives.*—ART. 10. Explosives used in the operation of mines and quarries must be kept and used in accordance with the precautions and safety provisions contained in the regulatory decree of the law relating to prevention of industrial accidents dated June 25, 1915.

*Ventilation of mines.*—ART. 11. Mines must be kept in such a perfect state of ventilation that the workmen may not suffer from vitiated air or by the retention of unhealthful gases or noxious fumes or by infiltrations or accumulations of water. For this purpose, in every operation where the exits of galleries are not on a level with the ground, or when these galleries are more than 30 meters in length, ventilation shafts or chimneys, 50 meters apart, shall be provided, which will communicate with other galleries higher up.

If there are two or more draw shafts, situated at a distance not greater than 100 meters from each other, over the same gallery or over different galleries in communication, the ventilation shafts between them may be omitted.

It is forbidden to work where the lamps burn with difficulty or are extinguished for lack of air, and also to work in darkness. Offenders shall be punished by the fines prescribed for such violations by article 105 of the mining code.

*Noxious or explosive gases.*—ART. 12. In cases where noxious or explosive gases are given off, in addition to proper ventilation by means of currents of fresh air or draft, either natural or forced and artificial, the following safety measures shall be observed:

(a) There shall not be left, either in the high or the low parts of the mine, any hollow places where the gases may accumulate.

(b) For lighting, nothing but electric light or safety lamps shall be used.

(c) The holes shall not be fired until after the workmen have left the mine and there is assurance that no danger exists for them.

(d) In lighting fuzes, substances that are capable of burning with a flame shall not be used.

(e) When safety lamps are used, they must be locked and kept in special places.

(f) The lamps shall not be handed to the workmen until it is time to begin the work underground; they shall be locked and in perfect condition; and it is forbidden to open the lamps during underground work.

(g) In work where inflammable gases are given off or escape, it is absolutely forbidden to smoke, carry matches, or use anything capable of producing fire.

*Precautions against explosive or inflammable gases.*—ART. 13. In work where explosive or inflammable gases are given off or where the ore is susceptible of catching fire, necessary and proper measures must be adopted for obtaining, so far as possible, independent ventilation, and the conduits for the entrance and exit of the air shall be constructed so as to resist explosions and fire.

Water or portable pumps which permit of fighting the fire immediately must also be kept at hand.

*Shafts for passage of workmen.*—ART. 14. Principal or secondary shafts which serve for the passage of workmen shall have strong and well-secured stairways provided with handrails. Workmen shall not be permitted to pass along these stairways while carrying working tools or instruments, but such tools or instruments shall be taken to the place designated for their use either before or after the entrance or departure of the workers. In case there is only a main shaft, the movement of workmen shall be at fixed hours, all raising and carrying of the ore being deferred during this time.

*Stairways.*—ART. 15. The stairways used in shafts must be made with stringers and steps that are strong and well made. Each flight shall not exceed 5 meters in length, and stairways built in the same workings shall be equal in width and in distance between steps; they shall rest on strong landings at the foot, and in the upper part at the entrance they shall be held firmly with spikes or strong staples.

*Landings.*—ART. 16. The landings placed at the end of each flight of steps must cover the whole section of the shaft, leaving only the openings necessary for passing along the stairway; these openings shall be placed alternately on either side of the shaft so as not to be in line one under the other.

*Hoisting ore in cages, skips, or buckets.*—ART. 17. In no case may the ore be hoisted in cages, skips, or buckets by the same shaft used for the passage of workmen, except when the shaft is divided into sections each of which is used for a definite object, such as passage for workmen, and hoisting of ore and fire-fighting apparatus, etc.

ART. 18. The ore-hoisting apparatus shall be provided with steel cables or chains of sufficient strength and in a good state of preservation and properly greased; they must be inspected frequently, and shall be abandoned when defects are noted which make their use dangerous.

The cages or buckets, like every apparatus for hoisting ore, shall be provided with brakes or speed regulators whose efficiency is duly established; they must be managed by an expert and competent person who is of age and can read and write.

*Transport of persons in cages, etc.*—ART. 19. Carrying persons in cages, skips, or buckets intended for the hoisting of ore is forbidden, as is also using the cables for the raising or lowering of the workmen, or hanging from such cables.

*Signal system in main shafts.*—ART. 20. In main shafts there must be a signal system, either a bell, whistles, speaking tubes, or electric calls, etc., by

means of which one may announce to the workmen, and they to the man who handles the hoisting apparatus, every operation necessary to the service.

The arrangement and the mode of operation of the signals for the operations must be exact, and a copy of the system used must be on view at the shaft entrance and in all work stations for the information of the worker.

ART. 21. Only those persons are allowed to use the signals who, under the rules and regulations of each individual mine, are authorized to use them. Likewise only those persons may approach the shaft entrance and the machines or boilers who have to do so because of their work.

"*Astilletes*."—ART. 22. When "*astilletes*" are constructed at the shaft entrance their framework shall be secure, so that there may be no bending or other movement from the weight of the load which they must support.

*Recesses in underground sections*.—ART. 23. At each side of the galleries or underground sections where cars are running, if such galleries are not sufficiently wide, recesses must be provided every 5 or 10 meters, so that workmen on the track may take refuge therein. Care shall be taken that no workman not expressly permitted by reason of his duties travels on the platforms or cars that carry the ore.

*Drainage systems*.—ART. 24. Mine operators are required to construct drainage systems and to do all the work necessary for keeping the places dry where their workmen labor; the galleries must have suitable slopes so that water therein will drain into a special shaft, from which it shall be drawn off constantly by means of pumps, the employees working by shifts.

*Inspection of machines*.—ART. 25. The boilers and the machinery used in mining work shall be inspected periodically and frequently by the technical director of the work, and certification shall be made of the result of these inspections in a book expressly for this purpose, approved by the office of the inspector of mines and industries.

*Report of accidents*.—ART. 26. The directors or proprietors of the works covered by the present decree, while still required to give notice to the local authorities and to comply with the provisions of article 118 of the mining code, shall report directly to the office of the inspector of mines and industries every death or serious accident that occurs in the mine. He shall likewise communicate to the same office every cave-in, flood, or fire, etc.

*First-aid equipment*.—ART. 27. In every mine, peat bog, or stone quarry there must be first-aid equipment, a stretcher, bandages, etc., and everything necessary for giving first aid in case of accident.

*Infirmiry*.—ART. 28. In establishments at a distance from towns there must be a room for an infirmary, with at least three beds and an emergency surgeon's office.

According to the distance of these establishments from towns, the office of the inspector of mines and industries, after consultation with the public health service, shall indicate the quantity and quality of the medicines or means of relief which must constantly be kept on hand.

*Medical service*.—ART. 29. Any establishment located at more than 25 kilometers from a town and which employs more than 200 persons shall have in its service a doctor or authorized practitioner who can give first aid to the workers, in case of accidents occurring during work.

*Mechanical treatment of ores*.—ART. 30. In the mechanical treatment of ores, the safety provisions set forth in articles 2 to 6, inclusive, of the law of July 21, 1914, shall be observed.

ART. 31. In the reduction of ore, the office of the inspector of mines shall prepare, in each case, orders relating thereto, according to the system used, whether blast furnaces, electric furnaces, chemical processes, etc., which, before being put into practice, must be approved by the Department of Industries.

*Inspection*.—ART. 32. In view of the practical and technical nature of the mining industry, which requires an inspection personnel especially trained in such matters, the supervision of compliance with the present decree is intrusted to the office of the inspector of mines and industries.

ART. 33. Notwithstanding the provision of the preceding article, the National Labor Office shall have the right of intervention accorded to it by the law of July 21, 1914.

*Fines*.—ART. 34. Cases of nonobservance of these regulations shall be punished by the fines specified in article 9 of the law and the penalties set forth in the articles of the mining code pertaining thereto.



## DECREE OF MAY 14, 1920

## SPECIAL WARNINGS

The special warnings referred to in Section VII of the regulatory decree of April 14, 1915 (see p. 16), shall contain the following recommendations for the use of the workmen:

*Performance of the work*

Workmen are required:

1. Never to pass, when it can be avoided, through places where machines are in operation, [and] to walk carefully in passing through the factories and storehouses for the materials.
2. To make sure that the safety appliances on machines, transmissions, motors, etc., are in place and to keep them in good condition.
3. To consult their chief if the usual safety appliances for the performance of a task appear insufficient.
4. To warn their fellow workmen of an impending accident, when the latter are not aware of it.
5. Not to commit imprudent acts or expose themselves to dangers.
6. Not to perform work which has not been ordered, when the danger that may result therefrom is unknown.
7. Not to operate, out of curiosity, those parts of the machinery that start or shut off the power, when they are not assigned to such machinery or do not know how to run it.
8. Not to remove the safety appliances, especially if the machines are in motion.

*Machinery and tools*

Before starting a machine it shall be determined:

1. Whether all the working parts are in good condition and function well.
2. That the parts to be used are securely fastened.
3. That the safety appliances are in the desired position and will not slip as the result of vibrations or rough movements. Workmen must be strictly prevented from:
  1. Polishing or lubricating parts in motion.
  2. Climbing over the bed or other projecting parts of machines.
  3. Cleaning or oiling a machine while in motion or making slight repairs.
  4. Leaving the machine without first having stopped the motor.
  5. Starting a machine without knowing how it works.
  6. Letting fallen tools remain on the ground or leaving them on shelves or stairways, from which they may fall and hurt someone.

*Belts*

Putting the belts over pulleys by hand must be avoided. Repairs on belts must be made only when such belts are completely disconnected from the transmission apparatus.

*Gears*

The cleaning of gears in motion must be wholly avoided; before starting a machine it must be ascertained whether the gears have their proper safety appliances.

*Transmission apparatus*

Any sort of work on transmission apparatus while in motion must be absolutely avoided.

*Ladders*

Ladders must be examined carefully before using them; shafting ladders must not be used unless provided with hooks in the upper part.

*Chains*

Care must be taken:

1. To keep chains clean and greased at all times.
2. To test them carefully before doing any work and to adjust them whenever they begin to heat.

3. That the links are not subjected to flexion strains; moreover, avoiding rapid movements, harsh and violent shocks.

#### *Hoisting apparatus*

These must be tested before being worked. On raising a load into the air the apparatus shall be left with its load suspended for a moment. In all cases it is very dangerous—

1. To put the hands on loads in motion.
2. To pass under suspended loads or to work around them without resting them firmly upon supports.
3. To touch suspended pieces in order to guide the movements; this must be done by means of ropes or poles of suitable length.
5. To set the pieces to oscillating or to transfer loads over the heads of the workers.
6. To abandon a hoisting apparatus while loaded and when the mechanism is not completely stopped.

#### *Electrical apparatus*

In general, laborers must avoid working on running motors, electric conductors, and low-tension apparatus. Repairs to electric machines, apparatus, and conductors must be made after shutting off the current. Only in case of absolute necessity and by using every precaution may work be done on electric conductors and apparatus, and for this purpose it is advised:

1. That the hands be insulated by the use of rubber gloves.
2. That the feet be insulated by standing on boards resting on insulating material, or by wearing rubber shoes.
3. That wooden pincers or properly insulated hooks be used.

#### *Emery stone*

Emery stone must never be used unless protective eyeglasses are worn.

#### *Personal clothing*

Loose and frayed clothing is very dangerous when one is working near machines and therefore must not be worn.

Women working near machines shall cover the head with a cap or net, and they must not fix their hair near the machines or pulleys.

#### *Foremen*

Foremen, and in general all those who have under their direction a number of workers, shall be required to exercise continual vigilance so as to prevent industrial accidents as far as possible, being guided by their experience and judgment.

DECREE OF MAY 14, 1920

#### *Maritime work*

1. Every person, company, or enterprise transporting workers by sea or undertaking the loading and unloading of passengers or cargo on boats or vessels in general which operate in harbors or outer harbors shall comply with the following protective and safety provisions.

(a) Vessels used for the transport of workmen or passengers shall observe the necessary conditions for stability and safety and shall not carry a greater number of persons than that authorized by the maritime authorities.

(b) Ascent to and descent from ships and vessels in general which are anchored in the outer harbor shall always be effected by means of the so-called royal ladder, or, in its absence, by means of the "pilot's ladder," the use of any other means being forbidden.

(c) Neither loading nor unloading shall begin before the vessel is well secured alongside the wharf or steamer.

(d) In all loading and unloading operations, employers or contractors shall place their workmen under the direction of a person experienced in maritime work, who shall exercise continual vigilance in order to avoid accidents.

(e) Workmen who are not in a normal mental or physical condition, or who are carrying alcoholic beverages on their persons, may not be employed in the above-mentioned work.

(f) Loading and unloading machines and apparatus may not be used without previous verification of their state of preservation and safety.

(g) The weight of loads to be raised or lowered may not exceed the maximum load for the machines and apparatus.

(h) Workmen are forbidden: To remain under loads being lifted or lowered; to leave the machines and apparatus while loads are in the air; to pass loads over themselves; or to set loads in the air to oscillating, directly to touch loads in the air in order to guide their movements, as this operation must be performed by means of ropes or poles of suitable length.

(i) When operations require the construction of gangways on board vessels they must be of sufficient width and length and be provided with railings along the sides.

(j) If the coamings of the hatchways are less than 60 centimeters high, they must be provided with solid railings.

(k) When work is performed at night, the work place must be sufficiently lighted.

(l) Employers and contractors are required to provide such first-aid supplies in the work places as are required by the instructions of the National Labor Office.

2. Employers and contractors who disregard or disobey the preceding provisions shall be liable to the penalties prescribed in article 9 of the law of July 21, 1914, respecting the prevention of industrial accidents.

## MINIMUM WAGE LAW FOR RURAL WORKERS

LAW OF FEBRUARY 15, 1923

ARTICLE 1. Rural workers, over 18 and under 55 years of age, who are employed in agricultural or stock-raising enterprises, shall receive a minimum wage of 18 pesos a month, or 72 centesimos a day, when they are engaged by employers whose estates are assessed, for the purposes of the real-estate tax, at more than 20,000 pesos.

When the estate is assessed at more than 60,000 pesos, the minimum wage shall be 20 pesos per month, or 80 centesimos per day.

ART. 2. Rural workers between 16 and 18 and those over 55 years of age shall receive a wage of not less than 60 centesimos per day, or 15 pesos per month.

ART. 3. Notwithstanding the provisions of the preceding articles, the minimum wage for workers over 16 years of age may be less than the rates fixed above in cases of physical defect, organic weakness, or other similar cause.

In such cases the minimum wage shall be fixed by the departmental council or the subcouncil for the district corresponding thereto, with the advice of the medical officer of that locality.

ART. 4. Rural workers shall have Sunday of each week free. When the exigencies of the service require it, they may, by exception, work on Sunday, but they shall have at least one free day during the week, and the departmental inspectorate shall be notified thereof in the form to be established by the regulatory decree.

ART. 5. In addition to the wages referred to in this law, the employer shall furnish his workers with healthful living quarters and sufficient food, or, in lieu thereof, shall pay them an additional sum of 50 centesimos daily or 12 pesos monthly, provided that the workers shall be able to choose between these alternatives.

ART. 6. Employers who violate the provisions of this law shall incur a fine of 10 pesos for each worker concerned. In case of repetition, the fine shall be 25 pesos and in the same proportion, the imposition of the fine being governed by the provisions of the law of May 29, 1916, in so far as they are pertinent thereto.

The judges shall extend the time limits established by the said law if they consider them insufficient.

ART. 7. The provision of article 2 shall apply to those agricultural undertakings on estates assessed at more than 20,000 pesos.

## REGULATORY DECREE OF APRIL 28, 1924

ARTICLE 1. Persons farming estates assessed for the purpose of the real-estate tax at not more than 20,000 pesos shall grant their workers an entirely free day on Sunday or on some other day of the week.

ART. 2. If the assessed value is between 20,000 and 60,000 pesos, the rural workers shall be furnished with healthful living quarters and sufficient food, in addition to the weekly rest, and shall receive at least the following wages:

(A) Workers from 16 to 18 years of age and those over 55 years of age, 15 pesos per month, or 60 centesimos per day.

(B) Workers between 18 and 55 years of age, 18 pesos per month, or 72 centesimos per day.

ART. 3. When the assessed value exceeds 60,000 pesos, the workers shall receive a minimum wage as follows in addition to the benefits prescribed in the first part of the preceding article:

(A) Workers from 16 to 18 years of age and those over 55 years of age, 15 pesos per month, or 60 centesimos per day.

(B) Workers between 18 and 55 years of age, 20 pesos per month, or 80 centesimos per day.

ART. 4. For the purpose of the law, the assessment shall be made on the whole of the land farmed even if various establishments are placed thereon, which, when considered separately, would not reach the amount of the assessment on which the minimum wage rate and other obligations are based. In the matter of companies or partnerships, however, the assessment of the estates farmed by them shall be taken as the basis.

ART. 5. The term "employer" shall mean any person or enterprise farming an agricultural or stock-raising enterprise on his own account.

ART. 6. If an employer farms an estate part of which is his own property and the rest rented, the assessment for the purposes of the law and of these regulations shall be on the total estate. Employers or enterprises in this situation shall request of the general bureau of direct taxation or of the departmental revenue office a statement showing the assessed value of the rented part, if such value is less than 60,000 pesos and more than 20,000.

ART. 7. The duties prescribed in this chapter shall also govern rural workers employed in livestock and agricultural undertakings utilizing or transforming raw materials on the place where they are produced.

ART. 8. The minimum wage as well as the additional sums prescribed in article 5 of the law shall be paid in national currency.

ART. 9. If a rural worker suffers from a physical defect mentioned in article 3 of the law, the doctor examining him shall determine to what extent this defect reduces his working capacity and whether the reduction is permanent or temporary.

The medical certificate shall be taken as the basis in reducing the minimum wage fixed by the law in proportion to the reduction of the worker's capacity for work.

If the reduction of working capacity is only temporary, authorization for the payment of a wage less than the legal one shall be granted for the approximate time which the doctor predicts will be required for recovery.

If the infirmity continues beyond this period, the worker shall undergo another examination in order that another certificate be issued.

ART. 10. An employer shall not employ, for a wage less than the legal one, a worker who is ill or incapacitated unless such worker possesses certified copies of the authorization of the departmental council or subcouncil mentioned in article 3 of the law.

ART. 11. Employers shall furnish rural workers with weatherproof and easily ventilated lodgings, kept thoroughly clean at all times, and each worker shall have a bed and sufficient space to place conveniently a chest or box for his personal use.

ART. 12. The employer shall provide separate lodging for workers of both sexes.

ART. 13. Toilet facilities for the rural workers shall be provided in the lodging or near thereto.

ART. 14. Rural workers shall not be lodged, even temporarily, in barns or stables. When the exigencies of the service require the presence of the workers in such places the employer shall provide near by healthful sleeping accommodations.



ART. 15. Rooms designed for workers shall not, even temporarily, be used as storehouses for hides, hair, meats, oils, or any other products for sale or for use in work.

ART. 16. The employer shall provide a suitable place as a dining room for his workers, furnishing the necessary utensils.

ART. 17. Employers whose establishments are not provided with lodgings furnished as required, and whose workers do not avail themselves of the right to choose payment of an additional sum as provided in article 5 of the law, shall be allowed a period of six months in which to construct the necessary accommodations.

ART. 18. If unavoidable circumstances connected with the work, such as sickness among cattle, crop diseases, driving of herds, or urgent necessity for the completion of definite tasks, should require the continuance or noninterruption of work, the number of workers absolutely necessary for this purpose may be employed on Sunday.

Likewise, in each establishment one or more workers may be employed in the current necessities of the service. In the cases covered by this article the workers shall have a compensatory rest on some other day of the week, which shall be entered in the work book referred to in article 21.

ART. 19. Employers shall endeavor to employ their workers in rotation on Sunday work, unless reasons of special fitness should require the services of particular workmen.

ART. 20. The rest day may be spent within the establishment.

ART. 21. The National Labor Office shall have special work books printed, for the supervision of the observance of the law and these regulations, containing the following notations:

(A) Name, nationality, age, civil status, and address of the worker to whom the book is issued.

(B) The same concerning the employer.

(C) Department, judicial district, exact location of the establishment.

(D) Valuation of the estate being farmed, according to the scale.

(E) The date on which the worker was engaged.

(F) Terms of the contract by which the worker was employed: Wages, board, lodging, or in lieu thereof, the additional sum indicated in article 5 of the law; day of rest, and changes to which this day may be subject.

(G) Certification of the payment of wages, on each pay day.

In the case of citizen workers, the work book shall contain the number of the registration card for purposes of supervision by the labor inspectors.

ART. 22. Work books shall be issued at the price of 20 centesimos, and shall contain, in addition to the data indicated in the preceding article, the text of the law and of these regulations.

ART. 23. Within three months from the day on which the National Labor Office begins the issuance of work books to those concerned, they shall be furnished by employers to workmen in their service. The books may be obtained at the National Labor Office, at the departmental inspectorates, or at the police bureaus for the rural districts. After the three months have expired, no employer may engage or keep in his employ workers who are not provided with a book in accordance with the regulations.

ART. 24. The book may be kept by the employer, but with the obligation of delivering it to the worker any time that the latter may ask for it. When the contract is terminated, an entry shall be made in the book signed by the worker, unless he has a complaint to make against the employer.

ART. 25. The book shall be shown to the labor inspector whenever he may request it.

ART. 26. In the application of this law and its regulation, the worker may bring a direct action before the justice of the peace without prejudice to any action by the labor inspector. If the claim is admitted, the imposition and payment of the fine shall be made before the justice, in accordance with the procedure established in articles 4 to 8, inclusive, of the law of May 29, 1916. The amount of the fine shall be paid to the labor inspector so that he may remit it to the office.

ART. 27. Any worker who is paid wages lower than the minimum legal rates shall be entitled to apply for payment before the deputy mayor or justice of the peace, according to the circumstances.

ART. 28. If the infraction has been committed by a company or association, or if the employer does not reside at the establishment, legal action shall be taken against the representative or manager having charge of the direction of the work and on whom the penalty shall fall.

ART. 29. The general bureau of direct taxes shall furnish the labor inspectors with lists of the assessments of rural estates and with a certified copy of the declarations referred to in article 6. From these data the inspectors shall make up the records necessary for the supervision of the law and of these regulations. Any employer who obstructs the fulfillment of inspectors' duties shall be punished by fines of 10 pesos for each worker concerned.

### ISSUANCE OF WORK BOOKS FOR INSPECTION

#### *Instructions*

1. The intervention of the rural commissions in the minimum wage law for rural workers must be limited exclusively to the issuance of work books. Questions concerning the application of the law may be handled only by the departmental labor inspectors. The city commissions are not permitted to issue books. Workers in establishments coming under the jurisdiction of the city commissions shall apply for their books at the inspectors' offices.

2. The work book must be issued in the name of the rural worker. His full name must be entered under the caption "Property of —," and the other items relating to the nationality, civil status, age, number of the document of enrollment, and department in whose civic registry the worker is enrolled must be filled in at once. In case the worker is not enrolled, this shall be left blank, the book to be issued nevertheless.

3. When the preceding entries have been made, the issuing official must attach his signature on the proper line as evidence of his action in the matter, requiring previously that it be signed by the person who, in his own name or at the instance of another, applies for the book.

4. The issuing official shall also fill in the data mentioned in paragraph 2— which are those contained on page 1 of each book—attached to the present instructions. Once each month, said registers shall be sent to the office of the chief of police in order that he, in his turn, may send them to the departmental inspectorates of labor. If there are several inspectorates in the department, there shall be sent to each of them the reports transmitted by the commissions located in the zones corresponding to these inspectorates. With the reports just mentioned, and with the entries in the books issued directly by the departmental inspectorates, the latter shall form the registers of the rural workers in the department.

5. The books shall be numbered consecutively, beginning with No. 1, the number being written on the line headed "Notebook No. —." The department and the police district shall be noted on the proper lines. The departmental inspectorates of labor shall inscribe, under the heading "District," the initials "D. I. L. [S. D. T.]," and the item "Zone No. —" in case the department has more than one inspectorate.

6. The commissions may issue work books only to workers in rural establishments in the district. The departmental inspectorates, on the other hand, may issue them to all persons working in establishments located in their respective zones.

7. The book may be requested by the worker himself, by the employer, or by any other authorized person. But no book may be issued until all the data indicated on page 1 is filled in.

8. The price of the book is 20 centesimos. It shall not be issued without payment in advance. The sums received by the rural commissions shall be remitted monthly to the offices of the chiefs of police. The inspectorates shall request monthly of these offices the delivery of the sums collected in the course of the preceding month and shall remit them without delay to the central bureau, together with the sums which they have gathered directly, before the 15th of each month, specifying clearly the amount of the funds received from the offices of the chiefs of police, the number of books remaining at these offices, the funds received by the inspectorates, and the number of books still available at the bureaus.

9. The inspectorates shall send promptly to the offices of the chiefs of police the number of books requested by these offices in order to furnish the rural commissions with them. In departments where there are more than one inspectorate, the books must be requested of the inspector of the Department of the Capital, accounting also to him for the sums collected.

10. The rural commissions are requested to notify those interested that employers who, after the 15th of next October, employ workers who are not provided with the proper work book shall incur a fine.

## EIGHT-HOUR LAW

LAW OF NOVEMBER 17, 1915

*Work covered by the law.*—ARTICLE 1. The actual working hours of workers in factories, workshops, shipyards, quarries, construction enterprises on land or in ports and rivers; of the clerks or servants in commercial or industrial houses; of the motormen, conductors, and other employees of railways and street-car lines; and, in general, of all persons whose work is of the same nature as that of the workers and employees specified, shall not exceed eight hours per day.

*Workers for the State.*—ART. 2. This law also includes laborers employed in plants operated on behalf of the State.

*Alteration of the working day.*—ART. 3. In special cases the limit as to the hours of work per day for adults may be increased; but in no case shall the working hours exceed 48 for each 6 days of labor.

In such cases of change in the normal limit of the working day, notice shall be given to the proper authorities (*intendencia*) in accordance with the provisions of the regulations supplementary to this law to be issued by the executive authority.

*Rest periods.*—ART. 4. The executive authority shall regulate, within the working hours established by this law, the obligatory daily rest periods applicable to each class of workers.

*Work in various establishments.*—ART. 5. No factory, workshop, etc., shall employ laborers who work in another establishment the maximum number of hours authorized by this law; but when a laborer works in one establishment fewer hours than those authorized, he shall be permitted to work in others the remaining number of hours.

*Fines.*—ART. 6. Factories, workshops, etc., which permit their laborers or employees to work for a greater number of hours than permitted by this law shall be fined the first time 10 pesos for each workman in respect of whom the law has been violated and for each additional time 15 pesos. Laborers shall be fined the amount received by them for the extra work, but no fine shall exceed the extra amount earned in one month.

*Inspection.*—ART. 7. Compliance with the provisions of this law shall be under the supervision of 25 special inspectors, who are to be attached to the Labor Office and assigned to the different departments by the executive authority in the proportion deemed proper by it.

The salary of such inspectors shall be 1,080 pesos annually in the Department of Montevideo and 960 pesos in the other departments.

*Authority of inspectors.*—Such inspectors shall have the right to enter any industrial establishment and to demand whatever information may be necessary for the fulfillment of their duties, in accordance with the regulations to be promulgated for such purpose by the executive authority.

If any proprietor or representative of an establishment shall refuse to furnish an inspector with the means requested by him for the performance of his duties or if the inspector is opposed or molested in the exercise of the power conferred upon him by this article, such person shall be punished by a fine of 25 pesos for each violation.

ART. 8. This law shall become effective three months after promulgation.

## REGULATORY DECREE OF MAY 21, 1920

CHAPTER I.—*Actual hours of work*

*Meaning of "actual hours of work."*—ARTICLE 1. For the purpose of computing the 8-hour day the actual hours of work shall mean the whole of the time during which a workman or employee ceases to act freely at his own will and is at the disposal of an employer or superior in rank, except as provided in the following articles.

*Employees or workers with supervisory functions.*—ART. 2. In the case of employees or workmen who direct the work of others and who act independently of the continuous and direct supervision of the contractor or employer the actual hours of work shall mean the time during which the regular activities of the personnel under their orders are carried on, provided that they themselves at the same time take part in the work by directing it. In

the case of employees or workers who arrange their hours of work for themselves the actual hours of work shall be calculated in accordance with article 3 of the law.

*Factories where hours are not continuous.*—ART. 3. In manufacturing establishments when work is not continuous and general work begins with the starting of the machines there may be permitted an extension of time not exceeding 30 minutes, which shall not be reckoned in the actual general hours of work in the establishment, and which may be granted before the work begins or after it ends to the managers, foremen, machinists, and stokers, provided they are permitted to enjoy a corresponding rest during the regular working hours of the establishments.

*Work at distance from station or town.*—ART. 4. In work performed at a distance of more than 1 kilometer from a railway station or town, by gangs of roadmen working on repair of the roads or on the maintenance of highways or construction of bridges, the time spent in going to the place of employment shall not be computed as actual hours of work, provided the trip is not made on foot and the means of travel are at the expense of the contractor. The time not computed, however, shall not exceed one hour either in going or returning.

*Work at distance from port.*—ART. 5. In the case of maritime work performed at a distance from a port actual hours of work shall be counted from the time of arrival at the point of destination, provided the workmen travel at the expense of the employers and the trip does not take more than one hour.

#### CHAPTER II.—*Work not covered by the law*

ART. 6. The limitation of the hours of work shall not apply to rural industries, stock raising and, agriculture; persons employed in domestic service; drivers of carriages and taxis; directors or managers of commercial or industrial enterprises; technical directors of industrial services; when their duties are not governed by regular hours of work.

*Sharing in profits.*—ART. 7. The following, also, are not subject to the limitation of hours: Laborers, workmen, or employees who are partners in an enterprise, provided that the sums received by them in the form of wages or a share in the profits, or both, are not less than 3,000 pesos annually.

ART. 8. In small businesses, in order that a partner shall not be considered a worker or employee, he must have a minimum share in the profits in accordance with the following scale:

1. When the profits do not exceed 2,400 pesos yearly, or 200 pesos monthly:
  - (a) One partner—Minimum, 33 per cent.
  - (b) Two partners—Minimum, each 30 per cent.
  - (c) More than two partners—Dividends equal to the profits of the principal.
2. When the profits are more than 2,400 but not exceeding 4,800 pesos a year, or 400 pesos monthly:
  - (a) One partner—Minimum, 30 per cent.
  - (b) Two partners—Minimum, each 25 per cent.
  - (c) Three partners—Minimum, each 20 per cent.
  - (d) More than three partners—Dividends equal to the profits of the principal.
3. When the profits are more than 4,800 pesos but not exceeding 7,200 pesos a year, or 600 pesos monthly:
  - (a) One partner—Minimum, 20 per cent.
  - (b) Two partners—Minimum, each 20 per cent.
  - (c) Three partners—Minimum, each 18 per cent.
  - (d) More than three partners—Dividends equal to the profits of the principal.
4. Annual profits greater than 7,200 pesos, but not exceeding 12,000, or 1,000 pesos monthly:
  - (a) One partner—Minimum, 20 per cent.
  - (b) Two partners—Minimum, each 20 per cent.
  - (c) Three partners—Minimum, each 20 per cent.
  - (d) More than three partners—Dividends equal to the profits of the principal.
5. Annual profits in excess of 12,000 pesos will be governed by article 6.

In all cases the partnership must be proved by means of a contract, signed before a notary public, giving to the partners the power of inspecting the books of the firm.



CHAPTER III.—*Computing 48-hour week*

*Change of hours in special cases.*—ART. 9. When special circumstances require that the work of employees or workers shall not be interrupted after 8 hours, work may be continued, provided the hours of work shall not exceed 48 during each period of 6 days. In such cases notice shall be given immediately to the National Labor Office in the capital, or to the competent inspection authorities in other departments, stating the facts and the reasons therefor, and giving the maximum period of uninterrupted work of the workers. The labor inspectors shall, as far as possible, verify the accuracy of the statements.

*Establishments whose work is computed by 48-hour periods.*—ART. 10. Within the limits fixed by article 3 of the law under which these regulations are issued, regular hours of work shall not be compulsory in the following cases:

- (a) Salting houses, cold-storage houses, and analogous establishments.
- (b) Brickkilns.
- (c) The crew of coasting vessels while at sea.
- (d) Traveling salesmen.
- (e) The managers, agents, or heads of services who act with relative independence outside the principal location of the business.
- (f) Workers and employees whose duties are performed at a distance from the employer and not under his control, the time to be devoted by them to work and rest being subject to their own will.
- (g) Drivers of vehicles in general, if not excepted by the law or its regulations.
- (h) Persons employed on railway trains.
- (i) Persons employed in restaurants on trains.
- (j) Any kind of work in case of force majeure.
- (k) Duties or labors which, for technical reasons, are continuous and do not admit of relief of the person who started on them.
- (l) Persons employed on street cars.
- (m) Longshoremen engaged in loading and unloading overseas ships. [Added by decree of March 22, 1916:] Employees in the creamery industry. [Added by decree of March 5, 1920:] Workers in breweries.

*English week.*—ART. 11. Establishments which adopt the rule of working 45 hours each 5 days and 3 hours on the sixth, granting a rest period for the remainder of the sixth day, shall be permitted to operate more than 8 hours per day, but not more than 9, provided there is an agreement with the workers therefor.

*Balances.*—ART. 12. A commercial or banking house and industrial enterprises, as regards their office work, shall be permitted, on days of balancing or other exceptional work, to exceed the 8-hour limit by granting a corresponding rest period to the employees, within the limits fixed by article 3 of the law.

CHAPTER IV.—*Rest periods*

*Work demanding continuous operation.*—ART. 13. All operatives doing work that demands uninterrupted operation or attention shall be allowed, within a maximum of five hours, not less than one hour of rest; this hour may be divided into shorter periods of time and distributed within five hours' actual work.

In this category are included persons employed by electrical plants who work in gangs away from the central generating plant, comprising electricians, assistants, pavers, excavators, and day laborers in general; persons employed in depots—day laborers, etc.; persons employed in garages and drivers of automobiles and carriages, stablemen, cleaners, etc.; workers in workshops—mechanics, blacksmiths, tinsmiths, carpenters, boilermakers, turners, assistants, apprentices, and day laborers.

The work of guards, drivers, brakemen, and flagmen shall not exceed five and a half hours continuously. After this period they shall have a minimum rest of one and a half hours before completing the eight hours of labor.

In case of interruptions of traffic which cause disturbances in the service, the said maximum of five and a half hours and also the 8-hour day may be varied: *Provided*, That not more than 48 hours shall be worked during a period of six days.

*Work that is intermittent.*—ART. 14. In the case of work requiring intermittent and irregular operation, and in which some workers may be replaced by others, rests and time for eating being granted them within the establishment,

eight continuous hours are permitted thereon, all the time being counted as actual hours of work.

Included in this category are electricians, machinists, stokers, oilers, cleaners in generating plants, employees in the complaint department, telephone operators, electricians' assistants, linemen, and persons in charge of cables and installations; [added by decree of August 1, 1919:] employees and workers in theaters and moving-picture houses; [added by decree of April 9, 1920:] workers in flour mills.

*Watchmen.*—ART. 15. Workmen who are on guard within the establishment, at the order of the proprietor or contractor, ready to go on active duty at the first call and who have facilities for eating and sleeping during the hours of this service, may remain up to 24 hours in the establishment, with 24-hour intervals. Every two hours of guard duty in the form indicated shall be counted as one hour of actual labor for the purposes of article 3 of the law.

*Day labor in factories and workshops.*—ART. 16. Day labor in workshops and factories shall not be continuous for more than five hours, with a minimum rest of two hours before the completion of the 8-hour day.

[Added by decree of July 30, 1920:] However, if the continuous work lasts only four hours, the rest period may be reduced to 1½ hours, provided the workers and employers have agreed thereon.

*Night work.*—ART. 17. Night work shall be regulated in regard to the limits of continuous work by the rule of the preceding article, but the minimum rest period shall be one hour.

*Pavers, street cleaners, etc.*—ART. 18. Pavers, street cleaners and road repairers shall work normally a maximum of five consecutive hours with a minimum rest of two hours before completing the eight hours' work.

In case of exceptional storms causing interruptions to traffic, the workmen referred to in the preceding clause may work, without previous notification to the labor-inspection authority, more than eight hours and have less than two of rest, provided the limits established by article 3 of the law be not exceeded.

*Banks, etc.*—ART. 19. Employees of banks and commercial houses who ordinarily work fewer than 8 hours per day shall have at least 1 hour of rest after 4 hours' continuous work.

#### CHAPTER V.—*General provisions*

*Cases not specified.*—ART. 20. The cases not specified in the present decree shall be governed by the provisions applicable to them by analogy, so long as this regulation is not extended.

*Declaration to be required of worker by employer.*—ART. 21. Employers shall require of each workman, before employing him, a signed declaration as to whether or not he works in any other establishment, for the purposes of articles 5 and 6 of the law.

If the workman declares that he does not work in another establishment or that he works a fewer number of hours than he is authorized, the employers shall be exempt from responsibility if the declaration proves false and articles 5 and 6 of this law were violated.

If the required declaration should not be made, both employer and employee shall be liable to the penalty specified.

ART. 22. Any person coming within the case specified in article 10 under "j" shall make a report in the form specified in article 9 before or immediately after varying the 8-hour day, stating the time at which the variation began and the way in which the 48 hours of work have been distributed over the six consecutive days. The Labor Office shall keep a special register of such reports and shall acknowledge the receipt of each. In the cases mentioned under *a, b, c, d, e, f, g, h, i, l, and m*, and the case specified in article 11 of this decree the employers or contractors shall report, once for all, in the capital to the Labor Office and in the other Departments to the competent inspection authorities, declaring that they propose to take advantage of the permission given in this article. Those coming within the case specified in article 10 under "k" shall apply to the office for the requisite permit to work the extra hours, having previously notified the inspector for the district or department. Failure to comply with the provisions of this article shall be deemed to be a violation within the meaning of article 6 of the law.

ART. 23. In the case provided for by article 12, if the commercial houses, banks, etc., can fix in advance the dates on which it will be necessary to exceed

the 8-hour day, they shall report this, once for all, in the capital to the central office and in other Departments to the competent labor inspection authorities, specifying the said dates. Otherwise notice shall be given on each occasion.

#### CHAPTER VI.—*Inspectors*

*Powers of inspectors.*—ART. 24. The inspectors charged with supervising the observance of the law relating to the working day shall be empowered to enter the establishments during working hours, to observe the work, to question the employers or their representatives, and also the workmen, in regard to everything relating to the hours of work, rests, shifts, and working conditions.

*List.*—In order to facilitate the said supervision every establishment working normal hours shall post in a conspicuous place a list signed by the employer or contractor and with the seal of the Labor Office, giving the names of the employees and the hours of work and rest of each worker.

*Notebooks.*—The establishments with the exceptional working hours included in cases *a, b, c, g, h, i, k, l, m* shall record the hours worked by each employee daily in a notebook stamped by the Labor Office which shall be submitted to the inspector on request. The said books, when filled, shall be returned to the office for examination and filing. Absence or falsification of the lists or books or refusal to submit them to the inspector for signature or for removal, in which case a receipt is given, shall be considered a violation and shall be punished in accordance with article 7 of the law. The lists and books shall be renewed in general between the 1st and 13th of June every two years. In the case mentioned under "*j*" the establishment shall display a duplicate of the communication sent to the office until the 48-hour week is resumed.

*Data not to be required by inspectors.*—ART. 25. The inspectors shall not require data relative to business matters—sales operations, capital, technical processes, quality of materials used, price of the products, or other facts pertaining to the financial policy of the enterprise.

However, when there is a belief that the law is being evaded by presenting employees or workmen as partners, presentation of the contract and of the accounts may be required.

If properly kept accounts are lacking, the contract alone shall not suffice as proof that the partnership conforms to the requirements of articles 7 and 8.

ART. 26. The duties of the inspectors for the capital shall be fixed by districts. The National Labor Office shall determine the limits of said districts and shall assign to each an inspector.

*Register of establishments.*—ART. 27. The inspectors, while supervising the work within their districts, shall make up a register of the establishments comprised in their jurisdiction.

For this purpose the office shall provide them with identical forms to contain the following data: Name of the business or enterprise, name of the employer, number of workers, arrangements for hours of work and for rest periods.

*Register of fines.*—The office on its part shall keep a register of proceedings in cases of fines imposed by the inspectors.

ART. 28. The labor inspectors, at the time that they investigate the hours of work, shall make an inspection of the safety devices with which the machines are to be equipped for the prevention of accidents, in accordance with the law and the regulations thereunder.

ART. 29. Establishments not conforming to the law relative to the prevention of accidents shall be reported by the inspectors and the penalties which they have incurred shall be imposed.

[Since the enactment of the 8-hour law several decrees have been passed extending the scope thereof, three of which are briefly digested below.

#### DECREE OF OCTOBER 18, 1920

##### *Messengers*

[By a decree of October 18, 1920, messengers are included in the 8-hour law. It provides that every two hours during which a messenger is in attendance, expecting his services to be made use of, shall be computed as one hour of actual work. For purposes of supervision, employers or enterprises are required to provide messengers with individual note books in which shall be entered their working hours.

## DECREE OF DECEMBER 26, 1924

*Working hours of seamen*

[The total number of working hours of members of the crews of vessels sailing under the national flag shall not exceed 48 per week, except in cases of necessity, in which case the hours shall be entered in the register of the vessel in order that the overtime thus worked may be deducted in subsequent periods. For the purposes of the 8-hour law, hours of actual work on board vessels sailing under the national flag shall mean the time during which a member of the crew actually performs the work for which he was engaged.]

## DECREE OF JANUARY 21, 1927

*Working hours in refrigerating establishments*

[The working day in refrigerating establishments shall not in any case exceed eight hours, and a rest period of not less than 15 minutes shall be allowed after every hour and three-quarter's work.]

## COMPULSORY WEEKLY REST LAW

## LAW OF DECEMBER 10, 1920

*Extent of the law—Kinds of rest.*—ARTICLE 1. One day of rest shall be compulsory after every six days' work, or a rest day every six days, for every employer, director, manager, or agent, employee, and worker in any industrial or commercial establishment or branch thereof, regardless of the nature of the establishment, whether public or private, lay or religious, and though it be devoted to trade instruction or to philanthropy.

The rest must be of a minimum duration of 24 hours.

*Sunday rest.*—ART. 2. The rest granted after six days of work must be given on Sunday.

The following, however, are excepted from the prohibition of Sunday labor, in accordance with the provisions and regulations prescribed by the Department of Industries:

1. Work which can not be interrupted because of the character of the needs which it satisfies, for technical reasons, or because such interruption would be prejudicial to the public welfare, or to the industry or business itself.

2. Industries that can justify the necessity or urgency of a certain amount of work on Sunday, whether it be for the necessary repair or cleaning of the machinery or tools, or to prevent the total or partial loss of materials used, or because of the necessity of finishing work in process of execution, in order to avoid depreciation of the product, or for other plausible reasons such as possible or imminent damage.

3. In cases of emergency, such as accidents or force majeure, and those in which natural phenomena or other transitory circumstances of which it is necessary to take advantage, require it.

4. The industries or trades which supply foodstuffs which are daily and absolute necessities.

5. And in general whenever it is established that a general rest on Sunday of the whole personnel of an establishment is prejudicial to the public or interferes with the normal functioning of an establishment, whose continuous operation must be assured by reason of the very nature of the work.

*Rest which may be substituted for that of Sunday.*—In such cases the rest may be given:

(a) On another day of the week either to the whole personnel of an establishment simultaneously or by turns.

(b) From noon or 1 p. m. on Sunday until noon or 1 p. m. on Monday.

(c) On Sunday afternoon, with a compensatory rest of one day every two weeks by turn.

(d) By turn, substituting two half days for the rest of one day per week.

*Rest in rotation (one day after five days of work).*—ART. 3. The rest every six days shall be given in rotation.

*Compensatory rest.*—ART. 4. The personnel excepted in the cases of clause 2, article 2, shall enjoy a compensatory weekly rest equivalent to that of which



they were deprived by their work on Sunday; this work shall in all cases be reduced to the absolute and indispensable minimum.

*Applications for exceptions.*—ART. 5. Establishments considering themselves included in the exceptions referred to in article 2, shall appear before the Department of Industries, which shall grant or refuse the authorization applied for, after consultation with the city council, the chamber of commerce or industry, the employers' or workmen's organizations interested, and the Labor Office.

When one form of rest is incompatible with the functioning of an establishment, the adoption simultaneously of the various forms specified in this law may be applied for.

The authorization granted to any establishment shall be understood to apply to others of the same kind.

The decision of the Department (of Industries) may be appealed within two weeks, to the National Council of Administration, without further recourse.

ART. 6. Notwithstanding authorization obtained under the preceding article, the Department of Industries, after consulting with the organizations specified in the article mentioned, shall regulate the rest day in those establishments in which it may be permitted by turns; the provisions of these regulations may be appealed from under the conditions laid down above.

*Women and children.*—ART. 7. Exceptions in respect to the compulsory rest day shall not apply to women and to children under 16 years of age.

*Excepted duty on days of rest.*—ART. 8. The employee or workman who is employed, by exception, on a holiday, shall be entitled to a compensatory rest or to compensation in money at his option. In such case the pay or compensation shall not be less than twice the ordinary wage.

The employee or workman who has completed his 48 hours of work may not be employed on a rest day by an establishment other than that whose employee he is.

*Transfer and cumulation of rest.*—ART. 9. The employee or worker may not be, however, employed on a rest day without his consent, renewed each time, or by virtue of a written agreement.

Likewise, by a written agreement, half of the rest per week due the employee or worker regularly employed on a day of rest, may be cumulated to form a vacation period which shall be granted every 3, 6, or 12 months.

ART. 10. The transfer and cumulation of rest days permitted in accordance with the preceding article, shall be subject to the following conditions:

(a) Each eight hours of work performed during a rest day shall entitle the employee or worker to one day's holiday.

(b) The leave due the employee or worker at the expiration of his contract must be paid him in money, at the least in proportion to his salary or daily wage.

*Acts forbidden on days of rest.*—ART. 11. Not only the employment of employees and workers (but also to require their attendance, even to receive their pay) at shops or offices, whether public or private, and also their employment in the dispatching, receipt, transport, or delivering of goods shall be prohibited on rest days. It is likewise forbidden to open sales places, with the exception of show windows and outside displays. The departmental or local administrative council shall have power to authorize or forbid trading at fairs and peddling on these days.

*Crews on vessels and railways.*—ART. 12. The weekly rest of seamen and other employees on board vessels flying the national flag, and that of railway workers, shall be governed by special regulations prescribed by the Department of Industries, after consultation with the respective Departments and also with the employers' and workers' organizations, and the Labor Office.

Appeals against the provisions of these regulations may be made to the National Administrative Council as in the case provided for in article 5.

*Domestic service.*—ART. 13. The provisions of this law and especially the exceptions set forth in article 2 shall be applicable to domestic service.

Domestic service shall, however, be the subject of a special regulation. (See p. 44.)

*Supervision of the law.*—ART. 14. The Department of Industry, through the labor inspectors, shall undertake the supervision and inspection in respect to the rest day, determining likewise the conditions under which application can be made by the head of an establishment, occupation, industry, or trade to take advantage of the exceptions mentioned in articles 2 and 3.

*Fines.*—ART. 15. Factories, workshops, commercial or business houses, etc., violating the provisions of this law or the regulations issued by the administration, in accordance with the same, shall be fined 4 pesos, and 10 in case of a repetition.

The fine shall be imposed as many times as there are persons employed in violation of the present law, the maximum, however, not to exceed 100 pesos on each occasion.

In case of repetition, the fine shall be imposed as many times as the violation is proved.

*Responsibility of owners of enterprises, companies, or societies.*—ART. 16. Owners of enterprises, companies, or societies shall be jointly liable at civil law for violations proved against their directors or agents.

Infringements or violations shall in all cases be presumed imputable to the employer.

ART. 17. Anyone who obstructs the inspectors in the discharge of their duties and work of supervision shall be punished by a fine of 20 to 100 pesos and double the amount in case of repetition.

*Procedure.*—ART. 18. For the imposition of penalties and in other matters the procedure under the law of May 29, 1916, shall be followed.

ART. 19. The annual salary of the three chiefs of section of the National Labor Office shall be increased to 2,400 pesos.

## REGULATORY DECREE OF MAY 6, 1921

### CHAPTER I.—*Compulsory rest*

*Systems of rest.*—ARTICLE 1. In accordance with the law of December 10, 1920, one day of rest shall be compulsory after six days' work or a rest day after every six days (after five days of work) in the form specified in the following articles.

*To whom compulsory rest applies.*—The rest day shall be compulsory for every employer, director, manager or agent, employee or worker in an industrial or commercial establishment and branch thereof, irrespective of the nature of the establishment, public or private, lay or religious, even if existing for trade instruction or for philanthropic purposes.

*Exceptions to law.*—ART. 2. The following shall be exempt from the law under which these regulations are issued:

- (a) Rural industries.
- (b) Work done in the worker's own home.
- (c) Libraries, academies, museums, and other educational and recreational centers in which no gainful end is pursued.

*What is understood by "rest day."*—ART. 3. The term "rest day" shall mean a period of rest of 24 consecutive hours.

The Sunday rest may begin between midnight on Saturday and 8 a. m. on Sunday.

*Choice between systems of rest.*—ART. 4. Irrespective of the nature of the establishment, it shall be permitted to choose, without the necessity of seeking any authorization, either of the two general forms of rest spoken of in article 1.

[Added by decree of July 22, 1921:] Establishments which are both commercial and industrial may make use of both forms of rest.

### CHAPTER II.—*Rest after six days' work*

*Sunday rest.*—ART. 5. If it is decided to grant the rest day after six days' work, it shall be given on Sunday, subject to the exceptions determined hereinafter.

*Closing of establishments.*—ART. 6. Establishments not excepted shall close their doors all day on Sunday, being permitted only to exhibit their show windows and outside displays.

However, if the home of the employer, director, manager, or agent has no other door than that of the establishment, it may remain open, provided the public is informed, by means of signs or placards sufficiently visible, that the place is not open for purposes of sale or work.

*Mixed establishments.*—ART. 7. Establishments which contain both articles whose sale is permissible and those whose sale is prohibited shall announce by means of posters visible from the street which articles may be sold. These articles must belong to the principal line of goods in which the establishment deals, which fact shall be shown in the respective permits.

*Exceptions to Sunday rest.*—ART. 8. The following establishments are considered excepted from the Sunday rest:

(A) Work which can not be interrupted because of the character of the needs which it satisfies or because such interruption would be prejudicial to the public welfare or to the industry or trade itself, and because a general rest on Sunday of the whole personnel of the establishment would be prejudicial to the public:

1. Railways, street cars, and all transportation enterprises with a fixed itinerary.
2. Transportation by river and sea.
3. Baggage express and cartage of the necessary equipment for performing work on Sunday.
4. Postal, telegraph, and telephone services.
5. Gas and electricity works for public consumption.
6. Water works.
7. Hospitals, sanitariums, and other health institutions; charitable work of mutual-aid societies.
8. Drug stores that work regularly on Sundays.
9. Funeral establishments.
10. Hotels, inns, and boarding houses, and restaurants connected therewith and with railways.
11. Places where travelers may buy accessories and necessary articles for automobiles, bicycles, airplanes, and other conveyances.
12. Pools.
13. Feeding, care, and cleaning of animals.
14. Guarding and caretaking of establishments in which work is suspended on Sunday. [Added by decree of July 29, 1921:] Confectioneries, cafés, restaurants, and lunchrooms.

(B) Work which can not be interrupted because of technical reasons or because a general rest on Sunday for the whole staff would interfere with the normal functioning of the establishment whose continuous operation must be assured by reason of the very nature of the work:

1. Manufacture of lime.
2. Manufacture of preserved food.
3. Manufacture of chemical products.
4. Manufacture of explosive materials.
5. Manufacture of cement.
6. Manufacture of paper and cardboard.
7. Manufacture of beer and malts.
8. Manufacture of ice.
9. Manufacture of soap.
10. Manufacture of glass and its by-products.
11. Manufacture and refining of sugar.
12. Refining of petroleum and naphtha.
13. Distillation of alcohol.
14. Brickkilns.
15. Pottery and ceramic works.
16. Metal foundries.
17. Refrigerating and cold-storage plants.
18. Salting plants.

(C) Industries or trades which supply foodstuffs which are daily and absolute necessities:

1. The manufacture and sale, for children and invalids, of foods which must be prepared daily.
2. The slaughtering and shipment of meats required for consumption.
3. The stalls in the markets and those established within the district in which fresh meat, fish, fowls, vegetables, fruits, and pastries are sold.
4. Cow sheds and dairies.
5. Pastry shops.

(D) Industries requiring the performance of a certain amount of work on Sunday, for the following purposes:

1. Overhauling, cleaning, and repair of machinery, tools, or shops, which it is impossible to perform on any other day without interrupting or interfering with the work. This provision shall also apply to the making of inventories and balance sheets.

2. To prevent the total or partial loss of materials used, or because of the necessity of finishing work in process of execution, without depreciation of the products.

3. For plausible reasons such as possible or imminent damage, for example:

(a) Construction, demolition, or work for the purpose of completing repairs to insure the safety of a building.

(b) The renewal of water-pipe lines, the repair of lighting installations, and analogous tasks tending to assure the performance of work permitted on Sunday.

(c) Urgent repairs.

(d) Cases of emergency such as accident or force majeure; in cases when natural phenomena or other transitory circumstances of which it is necessary to take advantage, so require:

(a) The fishing industry and subsidiary undertakings.

(b) The warehousing, in the towns, of agricultural products during the harvest season.

(c) Preserving in the harvest season.

(d) Work in connection with sea bathing during the season.

(e) The sale of carnival articles on carnival Sundays.

#### *Rests that may be substituted for Sunday rest*

*Substitute forms.*—ART. 9. In the cases provided in article 8 of the regulations, the rest day in lieu of Sunday may be given in the forms provided under letters (a), (b), (c), and (d) of article 2 of the law.

*How exceptions are to be understood.*—ART. 10. The exceptions referred to in the preceding articles may be made for all or for only a part of the workers, according to whether or not the work of the whole staff or only of a part thereof is necessary for the realization of the end justifying the exception.

#### *Compensatory rest days and compensation in money*

*Reduced work.*—ART. 11. The personnel engaged in the work referred to in clauses (D) and (E) of article 8 shall perform the minimum amount of work absolutely necessary for the purposes indicated in said clauses.

*Compensatory rest.*—In case of work habitually performed every Sunday, such as the cleaning of machinery, tools, premises, etc., the said workers shall have at once a compensatory weekly rest equivalent to that of which they were deprived by their work on Sunday.

*Compensatory rest or money compensation.*—If the work is performed by exception on a Sunday, as in case of accidents, repair of machines, etc., said personnel shall have the power to choose either the compensatory rest or a money compensation, which shall not be less than twice the ordinary wages.

*Consent of the worker.*—In no case shall the employee or worker be obliged to work on a rest day without his consent, obtained each time, or by written agreement, for which the National Labor Office will supply the proper forms.

#### *Transfers and cumulation of rest*

*Cases in which transfers and cumulations are possible.*—ART. 12. In the cases under clauses (A), (B), (C), and (D), of article 8 the employee or worker may by virtue of a written agreement forego half of the rest due him each week and cumulate it in vacation periods which shall be granted every 3, 6, or 12 months, subject to the following conditions:

(a) Each eight hours of work performed on a rest day shall be equivalent to one day of vacation.

(b) The leave due at the expiration of the contract shall be paid for in money, at the least in proportion to the worker's salary or wage.

#### CHAPTER III.—*One day of rest after five of work*

*Rotative rest.*—ART. 13. All establishments, irrespective of their nature, may choose the system of 1 rest day every 6 days (1 day after 5 working days).



CHAPTER IV.—*Enforcement of the weekly rest*

*Work excepted from Sunday rest.*—ART. 14. The establishments covered by article 8 of these regulations shall draw up schedules showing the days and hours of rest and the names of the workers who are entitled thereto.

*Reduced work on Sunday.*—ART. 15. In cases of work indicated in clause (D) of article 8, which is performed habitually every Sunday, in accordance with article 11, paragraph 1,<sup>1</sup> there shall be recorded on the schedules the day and the hours when the compensatory rest is to be given.

*Excepted work on Sunday, accidents, force majeure.*—ART. 16. In cases of the work specified in clause (D) of article 8, which is performed on Sunday by exception, and in cases under clause (E) of article 8 permission shall be applied for in advance, specifying the hours during which the work will be performed and the form in which the rest or money compensation will be given.

The establishment shall keep a copy of this communication for the purpose of exhibiting it if required.

If previous notice is impossible, the facts giving rise to the exception shall be reported subsequently. In either case the notice given to the National Labor Office shall not relieve the interested party from any responsibility if the alleged reasons prove to be false.

*Work in which advantage is taken of natural phenomena or other transitory circumstances.*—ART. 17. In cases under clause (E) of article 8 employers shall communicate in advance to the National Labor Office the facts which may justify the exception requested, and the form in which the rest in lieu of the Sunday rest will be given, in order that it may be recorded on the forms used for purposes of supervision.

*Waiving and cumulation of rest.*—ART. 18. The waiving and cumulation of rest days referred to in article 12 shall be stipulated in a written agreement signed by the parties and by two witnesses for each of them. One copy of the document shall be deposited in the National Labor Office and the original shall be submitted to the inspectors at any time they may ask for it.

*Rest in rotation.*—ART. 19. In the cases referred to in article 13 there shall be recorded on schedules the rest days and the 5-day working periods.

*Persons under 16 years of age.*—ART. 20. If the labor inspectors at any time have reason to suppose that persons under 16 years of age are employed on Sunday, according them a rest day after six days' work, they shall require employers, managers, etc., to produce the proper proofs that such minors have the benefit of a rest day after five days' work.

*Laborers on public roads.*—ART. 21. The supervision of the rest period of workmen or employees working on the public roads shall be by means of identification books issued by the National Labor Office.

CHAPTER V.—*General provisions*

*Outdoor work.*—ART. 22. When a piece of outdoor work is not finished because of bad weather, it may be performed on a day of rest, by agreement between the contractors and the workers, provided the work has already been begun.

*Fines.*—ART. 23. Factories, workshops, commercial or business establishments, etc., that violate the provisions of the law, or the present regulations and those which may be issued in the future, shall be fined 4 pesos, and 10 pesos in case of repetition. The fine shall be imposed as many times as there are persons employed in violation of the present law, the maximum, however, not to exceed 100 pesos on each occasion. In case of a repetition of the offense the fine shall be imposed as many times as the violation is proved.

ART. 24. Owners of enterprises, companies, or societies shall be jointly liable at civil law for violations charged against their directors or agents. Infringements or violations shall in all cases be presumed imputable to the employer.

ART. 25. Anyone obstructing inspectors in the discharge of their duties and work of supervision shall be fined from 20 to 100 pesos, and double that sum in case of repetition of the offense.

ART. 26. For the imposition of penalties, the procedure under the law of May 29, 1916, shall be followed.

<sup>1</sup> As stated in the decree, but it should be second paragraph.

## COMPULSORY WEEKLY REST FOR DRIVERS OF AUTOMOBILES AND CARRIAGES AND FOR DOMESTIC WORKERS

LAW OF NOVEMBER 19, 1920

ARTICLE 1. The granting of at least one day of rest in each week to every driver of automobiles or carriages who works on a salary basis is declared compulsory.

ART. 2. Domestic-service workers shall likewise be entitled to the weekly rest.

ART. 3. Any employer not complying with the provisions of the preceding article shall be punished by a fine of 10 pesos or equivalent imprisonment for each violation.

### REGULATORY DECREE OF JUNE 16, 1921

#### CHAPTER I.—Concerning domestic workers

*Weekly rest.*—ARTICLE 1. Persons who employ domestic servants are required to allow them one day of rest per week.

*Manner in which it may be arranged.*—ART. 2. The weekly rest may be arranged between the employer and his domestic workers by adopting one of the following methods:

- (a) For 24 continuous hours, simultaneously to all the workers or by turns.
- (b) Substituting two half days of 12 continuous hours for the rest of one day per week. In this case the rest shall go into effect between 8 a. m. and 2 p. m.

*Memorandum book.*—ART. 3. Within 30 days following the promulgation of the present decree every domestic worker who is employed must provide himself with a special book, which will be furnished gratuitously by the National Labor Office, in which shall be recorded:

- (a) The full name of the domestic worker.
- (b) Residence, nationality, age, and civil status.
- (c) Name and address of employer.
- (d) Date of entry and salary.
- (e) Date of leaving.

(f) Manner in which the rest is to be granted, with a statement as to whether the transfers or cumulations referred to in article 7 are being made, noting in each case the dates on which they shall be effective. The notations (a) and (b) shall be filled in at the National Labor Office upon application for the memorandum book, and (c), (d), (e), and (f) at his earliest convenience by the employer in whose service the domestic worker may be.

*Workers without a memorandum book.*—ART. 4. No employer shall be permitted to have in his service workers who do not possess the regulation memorandum book. On the drawing up of the contract he shall require the presentation of said book, and if the worker does not have it he may engage him, but on the condition of giving immediate notice to the National Labor Office so that within the following five days the book may be sent to him.

*Those not considered servants.*—ART. 5. When they are not treated as servants the persons who are known to live with the family shall not be considered as domestic workers in the service of the employer. In such case the employer in question must procure, in the office of the respective justice of the peace (*Alcaldia*), a certification of the facts, attested by the signatures of two responsible witnesses. Said certificate shall be presented to the inspector and inspection aids whenever requested. This provision shall apply to wet nurses and persons acting as nurses for the sick, without requiring in such case the certification mentioned in the second sentence.

*Work excepted on rest days.*—ART. 6. Each time that the domestic worker is employed, by exception, on a day when he is entitled to rest, the employer must grant him a compensatory rest or compensation in money, at his option, paying in the latter case a salary not less than double the usual one. In a special part of the memorandum book, which shall be devoted exclusively to the recording of this extra work, there shall be entered the work performed and the compensatory rest, or, in lieu thereof, the compensation in money.

*Rest transfers.*—ART. 7. The domestic worker may come to an agreement with his employer, if the latter desires to employ him on all the rest days, so that half the holiday due him each week shall cumulate in a vacation period which shall be given each 3, 6, or 12 months.

Said transfers or cumulations shall be subject to the following conditions:

(a) Each rest day saved by working shall be equivalent to one day of vacation.

(b) The rest which is due the domestic worker at the expiration of the contract must be paid him in money, in proportion to the corresponding salary or wage, at least. In the memorandum book (item *f*) referring to the form of rest there shall be entered the said cumulations or transfers and the time when the cumulated and transferred rest is to be given.

*Employer must keep book.*—ART. 8. During the time the domestic worker is in his service the employer must keep in his possession the rest book. When the contract is terminated he shall return the book to the worker, a notation being made that the latter has had the benefit of the regulation rests, or, in lieu thereof, the corresponding compensation.

*Inspection.*—ART. 9. Employers are obliged to show the books to the labor inspectors and inspection aids whenever so requested in their respective domiciles. Such officials will, in each case, sign the book, if they find it according to regulations. If they notice therein omissions that reveal nonobservance of the rest period, they shall take possession of the book, giving a receipt therefor, and use it as proof to secure the proper penalties. The notations in the book shall be considered authentic proof.

*Powers of inspectors.*—ART. 10. The inspectors and inspection aids shall have no right to enter domiciles under pretext of duty, unless they are so authorized by the employer, nor to demand the presence of, nor question, any persons who may live or be in the house, except the employer and the domestic workers. The inspection must be made between 10 a. m. and 6 p. m.

*Destruction or loss of book.*—ART. 11. In case of destruction or loss of the book, which is in the possession of the employer, he shall notify the National Labor Office within five days after the facts have been established, in order that steps may be taken toward its replacement. He shall proceed in the same way when the book is used up, in this case returning the used volume.

*Acts prohibited on rest days.*—ART. 12. On days of rest it is forbidden not only to cause the domestic servants to work but also to bring the workers together to pay them. The workers who live in the house of the employer shall be allowed to take their rest there.

*Fines.*—ART. 13. Violations of the provisions of the present chapter shall be penalized by a fine of 10 pesos for each worker if they relate to rest and 4 pesos if they relate to the regulation formalities. Said infractions shall in all cases be presumed imputable to the employer.

## CHAPTER II.—Concerning drivers of automobiles and carriages

*Weekly rest.*—ART. 14. All owners of automobiles and carriages, whether for private or for commercial use, are required to grant to the drivers in their service one whole day of rest per week, with the exception of chauffeurs in the service of doctors, to whom the rest may be given in two half days, in which case the rest shall be given between 8 a. m. and 2 p. m. The obligation to give a day of rest obtains also for drivers in the service of the State, including the public administration properly so called, and for the drivers of vehicles similar to automobiles and carriages.

*Drivers for industrial and commercial establishments.*—ART. 15. Drivers in the service of industrial and commercial establishments shall be governed by the law of December 10, 1920, which establishes the compulsory weekly rest for all trades-unions, and by whatever administrative regulations may be promulgated in that regard.

*Provisions of preceding chapter applicable to drivers.*—ART. 16. The provisions contained in articles 3, 4, 6, and 7 of the present decree are applicable to drivers in the service of private individuals, with the following modifications:

(a) The memorandum book shall contain notations relative to the nature and number of the vehicle.

(b) The driver is required to carry the book with him, under pain of incurring a fine of 4 pesos. The same penalty shall be imposed in case of the driver's refusal to present the book when it is called for by the inspectors and inspection aids.

(c) When the book is lost, destroyed, or used up the driver shall apply for another within five days following the establishment of the facts, under pain of incurring the fine specified in the preceding clause.

*Fines.*—ART. 17. Every violation of the rest requirement shall be fined 10 pesos; violation of the regulative order, 4 pesos. In all cases, except those expressed by paragraph (b) of the preceding article, the violation is presumed imputable to the employer.

*Acts prohibited on days of rest.*—ART. 18. Drivers are likewise prohibited from working on rest days in vehicles owned by themselves or by a different employer. In case of doing so the violation shall be punished in the same way as set forth in the preceding article, the payment of the fine being at the expense of the driver or employer according to circumstances.

#### CHAPTER III.—*Inspection*

*Inspectors and aids.*—ART. 19. Compliance with the present provisions shall be supervised by the labor inspectors and inspection aids, who shall proceed in all matters compatible therewith in accordance with the other labor laws.

ART. 20. The inspection aids shall exercise their supervision under the immediate direction of the zone inspector, the latter being responsible in his district for compliance with the present provisions. Said aids shall act as reporters of violations, with sufficient powers to require presentation of the memorandum books by their holders and to take possession of the books in return for a receipt. If the violation is established, they shall give immediate notice thereof to the zone inspector, so that the latter may initiate proceedings in the case, evidence of the facts accompanying their notification.

*Resistance of inspectors.*—ART. 21. In accordance with article 17 of the weekly rest law, anyone who obstructs the inspectors or inspection aids in the discharge of their duties shall be punished by a fine of from 20 to 100 pesos and double the amount in case of a repetition of the offense.

*Procedure for imposition of fines.*—ART. 22. For the imposition of penalties and for other provisions, the procedure of the law of May 29, 1916, shall govern in so far as applicable.

### PROHIBITION OF NIGHT WORK IN BAKERIES, SPAGHETTI AND DOUGH FACTORIES, CONFECTIONERY STORES, AND SIMILAR ESTABLISHMENTS

#### LAW OF MARCH 19, 1918

ARTICLE 1. Work is prohibited in bakeries, spaghetti and dough factories, confectioneries, and similar establishments between 9 p. m. and 5 a. m.

ART. 2. Each proved violation of the provision of the preceding article shall be punished by a fine of 100 pesos, and of twice that amount in case of repetition.

The labor inspectors are charged with the enforcement of this law. The imposition and collection of these fines shall be made in accordance with the provisions of articles 2 to 10, inclusive, of the law of May 29, 1917, referring to the working day.

ART. 3. Each of the labor inspectors is to be given the sum of 30 pesos monthly for traveling expenses.

ART. 4. This law shall take effect one month after its promulgation.

#### LAW OF OCTOBER 15, 1920

ARTICLE 1. It is hereby declared that the prohibition established by article 1 of the law of March 19, 1918, includes the workers and owners of bakeries.

#### REGULATORY DECREE OF JANUARY 20, 1921

ARTICLE 1. The labor of workmen and employers in bakeries, and of workmen only in spaghetti and dough factories, confectioneries, etc., is prohibited between 9 p. m. and 5 a. m.

ART. 2. Every proved violation of the provision of the preceding article shall be punished by a fine of 100 pesos, and of double that amount in case of repetition.

ART. 3. The proprietors of bakeries who keep their ovens lighted or who light them during the hours in which night work is prohibited shall likewise be considered guilty of infraction and consequently subject to the penalties mentioned in article 2.



ART. 4. Within the period of one month from the ratification of the present decree, the proprietors of spaghetti and dough factories, confectioneries, and similar establishments shall be required to appear at the National Labor Office and make a statement as to their intention of working at night.

The proprietors of mixed establishments (bakeries and dough factories, confectioneries, etc.) shall be subject to the same requirement. After the specified time limit has expired, establishments of either class which are opened shall make the required declaration within five days after their opening.

ART. 5. When because of the quantity of bread taken from the bakeries in the early morning hours or because of other outward appearances it is believed that bread is being made during the hours in which work is prohibited, the inspector shall have power to submit a sample of the article to experts for their opinion, and their judgment may serve as the basis for initiating the necessary action.

ART. 6. The National Labor Office shall communicate to the departmental councils of administration the cases in which it has been established that bread dough has been left on boards during the night in order to proceed with baking it the following day.

ART. 7. The imposition and collection of the fines referred to in the laws of March 19, 1918, and October 15, 1920, and in the provisions of the present decree shall be governed by the law of May 29, 1915, articles 2 to 10 inclusive.

## SEATS FOR FEMALE EMPLOYEES

### LAW OF JULY 10, 1918

ARTICLE 1. Stores, shops, drug stores, factories, workshops, and other establishments and places in which women work shall have a sufficient number of chairs so that the female employees or workwomen may sit down whenever their work permits.

ART. 2. The labor inspectors are charged with securing enforcement of the present law, for which purpose they shall enter all the places indicated in the preceding article.

ART. 3. Violators of this law shall pay a fine of from 5 to 10 pesos for the first offense and 50 for following offenses.

ART. 4. In cases where because of the reports of the labor inspectors court proceedings are started in consequence of violations of the present law, they shall be tried summarily by the justices of the peace of the town where the establishment is located.

ART. 5. The sentence pronounced by a justice of the peace may be appealed on brief to the correctional judge of Montevideo or to the departmental judges outside the capital.

ART. 6. The case having been heard, the superior court shall render its decision within three days, the appearance of the parties not being necessary. From this sentence there shall be no appeal.

ART. 7. The labor inspectors shall always be a party to this type of court proceeding.

ART. 8. The fines imposed shall be paid into the treasury of public health.

ART. 9. The present law shall be in force three months after its promulgation.

## OLD-AGE PENSION LAW

### LAW OF FEBRUARY 11, 1919

*Right to pension.*—ARTICLE 1. Any person who has reached the age of 60 years, or other persons who are totally incapacitated and who are in abject poverty, are entitled to receive from the State a minimum pension of 96 pesos annually or its equivalent in direct or indirect aid.

*Foreigners.*—ART. 2. Foreigners or naturalized citizens must have resided at least 15 consecutive years in the country in order to be entitled to a pension, such pension not to be more than the minimum granted to nationals.

*Taxes to be imposed for granting of pensions.*—ART. 3. For the old-age pension benefits and other purposes of this law there are imposed the following taxes and tax increases:

1. A social-insurance tax of 20 centesimos monthly, to be paid by every employer or contractor for each workman or employee in his service.

2. A surtax to be paid by owners of real estate whose total value is not less than 200,000 pesos, in accordance with the following scale:

	Surtax (pesos) per 1,000 pesos
From 200,000 to 300,000 pesos-----	1. 05
From 300,000 to 400,000 pesos-----	1. 10
From 400,000 to 500,000 pesos-----	1. 15
From 500,000 to 600,000 pesos-----	1. 20
From 600,000 to 700,000 pesos-----	1. 25
More than 700,000 pesos-----	1. 30

3. A tax on playing cards of 20 centesimos per pack for imported cards and of 10 centesimos for domestic cards.

4. The internal-revenue tax on liquors, absinthe, bitters, vermouths, cognac, grappa, fernet, gin, kirschwasser, and whisky imported into the country is increased 12 centesimos per bottle not exceeding 1 liter, or per liter.

Fine wines are subject to an internal-revenue tax of 12 centesimos per bottle not exceeding 1 liter, or per liter. When the beverages covered by this section are contained in bottles of larger size than 1 liter, the tax shall be in proportion.

5. Alcohols, whether imported or domestic, excepting that intended for denaturing, are subject to an internal-revenue tax of 60 centesimos per liter.

6. The internal revenue consumption tax on imported brandies is increased 13 centesimos.

ART. 4. The expense of the pension benefits shall be met by the method of distribution within the limits established.

*Annual determination of pensions.*—ART. 5. The estimate to be made each year for pensions shall include a portion to be set aside as a reserve fund to meet any deficiencies that may arise, and also for founding almshouses for the indigent old or invalids who may be willing to contribute a part of the aid they receive for the privilege of residing therein.

Persons who are not entitled to a pension, because of fortuitous circumstances, are provided for from the public poor fund.

*State's contribution.*—ART. 6. If in the first year of the application of this law the revenue should not permit granting pensions in the minimum amount heretofore provided, the next budget shall provide a State contribution to furnish the additional amount needed to provide the minimum referred to in article 1.

*Cases of pension reduction.*—ART. 7. In case those entitled to old-age pension should be receiving other annuity or subsidy, the State shall pay them the full share if the amount received on account of the other annuity does not exceed 10 pesos; if they receive more than 10 pesos, for each unit or fraction in excess of said sum the State shall diminish the share in the proportion of one-half to one.

*Monthly payment of social insurance tax.*—ART. 8. The social insurance tax provided for by article 3, section 1, shall be collected by means of stamps, each of the value of one month's payment. The administration shall provide each contributor, including public offices having workers in their employ, with a book for entering the appropriate stamps. The payment of the tax to date shall be proved by exhibition of said book, which shall contain the name of the contributor, and also a serial number for the general register, which shall be kept in the Bureau of Direct Taxes.

The cost of the book shall be charged to the party to whom issued.

*Function of Insurance Bank.*—ART. 9. The proceeds from the taxes provided for by this law shall be deposited monthly in the State Insurance Bank, this institution being required to maintain a special fund out of which the payment of pensions shall be made whenever due. The service shall be performed gratuitously, the bank being permitted to charge only for the expense occasioned thereby.

*Regulations of the law.*—ART. 10. The rules and regulations established by the present law shall not affect any laws that may be enacted on insurance against industrial accidents, invalidity, and pensions.

*Legacies and donations.*—ART. 11. The pension fund provided for in the present law may accept legacies and donations.

*Annual payment of the insurance tax.*—ART. 12. The social insurance tax may be paid annually in advance. In such cases, stamps shall be sold for the amount of the annual payment.

[Articles 13 and 14 were revoked by the regulative decree of September 1, 1919.]

*Correction of proofs.*—ART. 15. The administration shall have the right to institute suit for correction of the proofs presented.

If it is proved in such suit that false testimony was given, the guilty person may be imprisoned for one or two years.

*Fines.*—ART. 16. Any violation of the provisions of the present law shall be punished by a fine of from 10 to 500 pesos.

Of these fines, 50 per cent shall go to the inspectors or to the informers.

*State's contribution.*—ART. 17. The amounts to be contributed by the State shall be included in the general expense budget.

ART. 18. The pensions referred to in this law shall be granted three months after its promulgation.

ART. 19. The executive authority shall make regulations under this law.

#### LAW OF SEPTEMBER 1, 1919

*Proofs of age and nationality.*—ARTICLE 1. Articles 13 and 14 of the law of February 11, 1919, are hereby revoked.

ART. 2. The proofs of age and nationality required under this law shall consist of birth certificates of the State registry for those born after July 1, 1879, and of baptismal certificates for births prior to that date. Also parochial certificates or those of the State which are valid for election registration, shall be sufficient proofs. The State Insurance Bank may accept as sufficient proof, for the purposes of this law, birth certificates, passports, and other documents of foreign countries, even though not countersigned, provided there is no doubt of their authenticity. The bank may also accept information, which is complete, consistent, and trustworthy concerning the age of any petitioners who are unable to find the required documents, provided the report of the bank's doctors does not clearly establish that the petitioner is of the age required by the law.

*Proofs of residence.*—ART. 3. The proof of 15 years' residence on the part of foreigners shall be furnished by a summary inquiry at which reliable witnesses shall testify. Such inquiries are obligatory and shall be held before the magistrate courts (*juzgados de paz*) of the jurisdiction in which the applicant resides, in the Department of Montevideo, and before the regular courts (*juzgados letrados*) in the other Departments. Such decisions shall be issued on ordinary paper and there shall be no costs. The certificates issued shall be in accordance with forms to be provided by the State Insurance Bank. If the party concerned is unable to appear before the departmental regular court (*juzgados letrados*) and does not know how or is unable to sign his application, another person, at his request, shall do so before the justice of the peace, who shall then go to the home of said party and attest the same. The application shall then be transmitted to the regular court to follow its legal course. This act may also be attested by a notary public.

*Suspension of pensions.*—ART. 4. The State Insurance Bank is empowered to suspend the pension of persons proved to be beggars or addicted to drink.

*Provisional pensions—Their payment.*—ART. 5. When five members of the board of directors of the State Insurance Bank deem the petitioner has the right to a pension under the Civil Code, the pension shall be granted provisionally, but the petitioner, assisted by the public defense counsel, shall bring suit demanding compliance with the requirements of the Civil Code and reimbursement of the provisional pensions paid by the bank. Such judgments shall involve no costs and shall be issued on ordinary paper, except when, in the opinion of the judge, the obligor's opposition to paying the pension has merited his being sentenced to pay the costs.

*Foreigners who are not entitled to pension.*—ART. 6. Foreigners who have come to the country, incapacitated for work, after the promulgation of the law of February 11, 1919, shall not be entitled to pension.

*Certification of proofs.*—ART. 7. The State Insurance Bank is recognized as having the same right which article 15 of the law of February 11, 1919, grants the administration for instituting suit for the correction of the proofs presented.

#### LAW OF JULY 5, 1921

##### *Method of applying real-estate surtax*

For assessing the surtax on real estate whose value is more than 200,000 pesos, prescribed by the old-age pension law, in the case of immovable property held in joint tenancy there shall be considered only the share of each joint-

owner, except in the case of conjugal partnerships, whose real estate, regardless of the legal situation, shall be considered, for purposes of the tax, as forming a single unit. Corporations, congregations, and, in general, associations in which the part of the individual members is not specified, whether or not they are corporate bodies, are likewise subject to the tax.

#### LAW OF JULY 5, 1921

##### *Payment of the social-insurance tax—Penalties for the delinquent*

ARTICLE 1. Those who are delinquent in the payment of the social-insurance tax prescribed by paragraph 1 of article 3 of the law of February 11, 1919, shall be penalized another stamp of a value equal to that of the tax owed if the payment is made within a month after the time limit has expired, and double that amount if the payment is made after that period. The same penalties shall be imposed in case the annual sums to be paid in advance are not paid on time. After the second month the payment of the tax and of the fines may be demanded by the inspectors before the proper justice of peace in a brief and summary trial under article 1177 of the Code of Civil Procedure. The accused shall pay the costs. In such cases 50 per cent of the fines shall go to the informers.

ART. 2. The social-insurance tax shall be based on the daily or monthly average of workers or employees in establishments with a normal working day, each 200 hours of work per month being counted as one worker or employee in establishments with an abnormal or discontinuous working day.

ART. 3. Those who are delinquent in the payment of the surtax prescribed by section 2 of article 3 of the law of February 11, 1919, shall be assessed the same penalties as those under the existing real-estate tax law for the Department of the capital. The payment of the tax shall be made within the same time as that prescribed by the said real-estate tax.

#### REGULATORY DECREE OF FEBRUARY 26, 1919

*Powers of Insurance Bank.*—ARTICLE 1. The State Insurance Bank is empowered to adopt all the measures it may deem necessary for better compliance with the provisions of the law under which these regulations are issued, especially articles 1, 2, 4, 5, 9, 12, 13, 14, and 15 thereof, and to this end is empowered to prescribe its internal regulations, which it shall submit for approval to the executive authority.

2. Notwithstanding the provisions of the preceding article, the State Insurance Bank shall prescribe in said regulations the fee or cost of investigation and proceedings in the case of each pension applied for, the obligation of the personal appearance of the party concerned, with absolute exclusion of any intermediary, representative, or attorney—payment to the party in person, and at his home in case of his permanent or temporary inability to come to the offices of the bank; the identity of the beneficiaries under the law to be assured by means of fingerprint cards to be issued to them free of charge by the respective offices. Likewise, measures shall be adopted giving its agents in places in the interior and on the seaboard power to exercise the functions assigned to the institution in the capital.

*Old people in public institutions.*—ART. 3. Any old person coming within the conditions stated in the law (article 1) but who receives assistance in public institutions, shall not be entitled to the pension referred to in article 1 of the law under which these regulations are issued.

ART. 4 (as amended by decree of April 7, 1919). The general board of direct taxes shall provide for the printing of the stamps to be sold in connection with the social-insurance tax provided for by article 3, paragraph 1, in the following denominations: 20 centesimos, 60 centesimos, 1 peso, 2 pesos, 5 pesos, 10 pesos, and 50 pesos.

*Sale of stamps.*—ART. 5. There is committed to the same board in the capital, and to the revenue bureaus and agencies in the Departments of the seaboard and interior, the sale of the stamps referred to in the preceding article, and also the providing each contributor with the book designed for the placing of the stamps, and the making up of the register in the form provided by article 8.



*Day when stamps are to be placed.*—ART. 6. On the 10th<sup>2</sup> day of each month, at the latest, any stamp which has not been pasted in the appropriate book in the square corresponding to the month, and duly canceled with a date marker, shall be considered as not placed, and the employer or manager shall be subject to the penalties of the law.

*Powers of labor inspectors.*—ART. 7. Compliance with the provisions referred to in articles 4, 5, and 6 shall be under the supervision of the inspectors of the National Labor Office. Such officials shall have power to enter establishments, to question workers or employees concerning all matters of interest to the inspection authority, to examine the stamp books of the contributors and in case of any violation, to withdraw them, giving a receipt. If any owner or representative of an establishment refuses to furnish an inspector the means he requests for the performance of his duty, or opposes or molests him in the exercise of the powers granted him by the preceding clause, such owner or representative shall be punished by a fine of 25 pesos for each infraction proved.

ART. 8. The general board of direct taxes shall, by means of the press, inform contributors of the date when it will be ready to issue stamps and books.

*Real-estate surtax—Form of collection.*—ART. 9. The tax which, under paragraph 2 of article 2, of the law, shall be paid by owners of real estate whose total value is not less than 200,000 pesos, shall be collected by the general board of direct taxes, to whom the contributors shall present a list of their holdings, containing the tax list number, the assessment and location of each piece of real estate, under a sworn declaration subscribed to personally or by a legally authorized agent. Said presentation and the payment shall be made in the month of July of each fiscal year, but the first payment, or that for the last four months of the present fiscal year, shall be made during the following month of March.

ART. 10. With the declarations mentioned in the preceding article, the general board of direct taxes shall prepare an alphabetical register of the owners covered by the law.

ART. 11. If, after the month of July of any year, any owner should acquire real estate of the value of 200,000 pesos he shall make the proper declaration and pay the surtax within two weeks from the date of the last deed.

ART. 12. If, after the payment of the surtax, the contributor should acquire new properties, he shall make another declaration and pay the proper additional sum within two weeks following the date of the deed.

ART. 13. The same procedure shall be followed whenever the value of the holdings changes from that in one class to a higher class in the scale of paragraph 2 of article 3.

ART. 14. When new acquisitions are made during the first half of the fiscal year, the additional tax shall be paid for the whole year; when they take place in the second half, only half of such tax shall be paid.

ART. 15. The surtax paid on the value of real property which is transferred during the fiscal year shall not be refunded.

*Extrajudicial or judicial collection of insurance tax and surtax.*—ART. 16. For the extrajudicial or judicial collection of the taxes created by sections 1 and 2 of the aforesaid article 3 of the law under which these regulations are issued the same procedure shall be followed as that prescribed by the seals and stamps law (art. 54) and the real-estate tax law for the Departments of the interior and seaboard (arts. 21 and 22), respectively.

*Tax on playing cards—Form of payment.*—ART. 17. The tax on playing cards, to which reference is made in section 3 of article 3 of the law, shall be paid in the following form:

(a) The present supplies shall be declared before the general board of internal taxes in the Department of the capital, and before the revenue bureaus or agencies in the Departments of the seaboard and interior, before the 20th of next March.

(b) The above offices shall accept these declarations and deliver to the parties concerned the stamps corresponding to the supply at the said date, in return for payment of the proper tax.

(c) The payment of the tax on the supplies referred to in the preceding section shall be proved by means of bands of the proper value affixed to the cover of each pack and which, in addition to the date of the law and the amount of

<sup>2</sup> Date changed by decree of Apr. 7, 1919.

the tax, shall bear the following inscription: Supply of March 20, 1919; made in Uruguay, or imported, according to the fact.

(d) The offices charged with receipt of the tax, immediately after the said date, shall see that their employees examine the stamps on the packs and determine whether the tax for all the supplies has been paid, showing in writing any infractions observed, in the form prescribed by the decree of March 28, 1905, for the imposition of the penalties provided by article 16 of the law under which these regulations are issued.

(e) August 31 next is fixed as the last day for liquidating, on the part of dealers, the supply of playing cards to which this article refers.

(f) September 30 is fixed as the last day for retiring from circulation and use any pack of cards not bearing the tax stamp described in article 19 of this decree.

(g) Violators of the preceding provisions or of any others of this decree shall be punished as specified in article 16 of the law and by the confiscation of the merchandise.

*Domestic card factories.*—ART. 18. Card factories in this country, and also importers of cards, shall apply for registration as such at the general board of internal taxes and present to said board, for noting, the legally registered trade-marks.

*Payment of tax on domestic cards.*—ART. 19. The payment of the tax on cards of domestic make, with the exception of the supplies on hand on March 20, shall be proved by the affixing of a stamp of the value of the tax, this stamp, to be printed upon that card of each pack which the general board of internal taxes may determine, shall be put on under the supervision of the fiscal employees at the time the last of the colors is printed on the cards, and for this purpose the said board shall control the respective matrices and plates. Of the manufacture of the latter the establishment manufacturing them shall keep a daily account, guaranteeing the monthly tax on the sales above the base of the sworn statement of the manufacturer. The general board of internal taxes may, however, adopt any additional measures it may deem suitable for determining the truth of such declaration.

*Bond to be required of manufacturers.*—ART. 20. The general board of internal taxes shall require of card manufacturers a mortgage bond covering the amount of the tax on the stock on hand and on the monthly sales, and in no case may the said tax exceed the amount of the bond.

*Notice to be given by importers of cards.*—ART. 21. Importers of playing cards must give written notice to the general board of internal taxes of each shipment, sending therewith that card of each pack specified by the said board, in order that the appropriate tax stamp may be applied thereto, on payment of its amount. The stamped cards shall be placed in their respective decks at the office of the collector of internal taxes in the customhouse.

*Wrapping of cards.*—ART. 22. The wrapping of each deck of cards, domestic as well as imported, shall be done in such a way as to leave visible the stamp showing the payment of the tax.

ART. 23. Each package of 12 decks of cards shall carry, in addition, an inspection ribbon or band. Said packages shall be made, and the band or ribbon applied, in the presence of the revenue agents in the factories or in the office of the collector of internal taxes in the customhouse, and the said agents shall cancel the bands in the way to be determined by the general board of internal taxes.

*Supervision of supplies of cards.*—ART. 24. The said board shall have power to verify, at any time, the supply of cards in factories, and upon any irregularity being established the tax shall become due and payable at once; and the manufacturer shall also incur the penalties specified in the law.

ART. 25. The internal tax officials shall have unrestricted access to all places in which cards are manufactured, stored, sold, or used, and they shall note in writing any infractions of the law under which these regulations are issued, a record which shall be subscribed by the employee and the violator, and if the latter refuses to do so, by two witnesses. If it should not be possible to comply with the latter requisite the employee shall call upon the police force for aid, which shall be given him at once, and the statement shall be signed also by the superior police official who has intervened.

*Imposition of fines.*—ART. 26. The general board of internal taxes shall decide any questions that may arise with reference to the parties concerned, and shall impose the fines provided by the law under which these regulations are issued. Appeal may be taken from these decisions to the Department of the Treasury.

ART. 27. The expenditures required in the enforcement of the part of the law relating to direct and internal taxes shall be charged against the proceeds of the tax until such time as such expenditures are incorporated in the law of the general budget of expenditures.

ART. 28. Montevideo is declared to be the only port through which cards may be imported into the Republic.

*Provisions concerning alcohols—Amplifications.*—ART. 29. The existing regulatory provisions with respect to alcohols are amplified by those following:

(a) Dealers in alcohols, regardless of their nature or to what use they may be put, shall be enrolled on the registers to be furnished by the general board of internal taxes, and they shall be required to keep such accounts as the said board may determine, in printed books which it shall furnish to the parties at cost price. This requirement includes producers of and dealers in vinic alcohols.

(b) Manufacturers and importers of alcohols may sell them only to dealers registered according to section (a).

(c) Every dealer in alcohols is required to note daily in the book referred to in section (a) the quantity of alcohol bought and sold, or transformed in the same establishment.

(d) The requirement of the customhouse permit set forth in article 5 of the decree of August 29, 1907, is extended to all alcohol, either denatured or for drinking purposes, which circulates in quantities of more than 1 liter.

(e) The general board of internal taxes shall supervise in the usual way the stills in liquor shops and shall regulate their use.

*Violations not penalized by the tax laws.*—ART. 30. All violations of the law under which these regulations are issued occurring in connection with alcohols and not penalized in the special tax laws, shall be punished in accordance with Article 16 of said law.

ART. 31. The general board of internal taxes is empowered to adopt any measures tending to the better administration of the tax, within existing legal and regulatory provisions.

*Account in Bank of the Republic.*—ART. 32. The Bank of the Republic shall open a special account in favor of the State Insurance Bank which shall be called "old-age pension law" and in which shall be entered all the revenues from the taxes and contributions created by the law under which these regulations are issued.

The sums collected in the Departments of the seaboard and interior shall be remitted to the proper branches of the said bank, in order to be credited to the said account.

#### DECREE OF APRIL 21, 1919

*Payment of social insurance tax when workers or employees are engaged temporarily or not continuously—Application of surtax*

ARTICLE 1. In cases where employers or managers employ workmen for a temporary period or for one which is not continuous, each period of 200 hours of work per month shall be considered as one workman or employee for the purposes of the payment of the social-insurance tax prescribed in paragraph 1 of Article 3.

ART. 2. The surtax described in paragraph 2 of article 3 and applicable to owners of real property valued at not less than 200,000 pesos, shall be assessed on all such property, once its value reaches the minimum figure specified in said section and in the proportions fixed by the same, gradation of rates not being permitted.

For the purposes of the payment of this tax, real estate belonging to husband and wife shall be regarded as belonging to a single proprietor, whatever the system under which it may have been managed.

#### DECREE OF SEPTEMBER 15, 1919

Penalties for violating the provisions of paragraph 2, article 3, of the law of February 11 shall be estimated at 50 per cent of the amount of the tax unlawfully withheld, subject to the limitation of 500 pesos as the maximum of any such fine.

RETIREMENT AND PENSIONS FOR PUBLIC-SERVICE EMPLOYEES  
AND LABORERS

LAW OF OCTOBER 6, 1919

## CHAPTER I

ARTICLE 1. There is created hereby, as an institution of the State and subject to the provisions of this law, the "Retirement and pension fund for public-service employees and workmen."

*Those entitled to pension.*—ART. 2. Employees and laborers in railroad, telegraph, street railway, telephone, water and gas distributing enterprises and in those that may be established hereafter, shall be pensioned in accordance to the present law.

Employees of restaurants and confectioneries run in connection with the railroads shall enjoy the same benefits, even when they work for concessionaires.

## CHAPTER II.—Administration of the fund

*Directors of the fund.*—ART. 3. The administration of the fund shall be in charge of an honorary board of directors composed of 9 members: 3 representatives of the enterprises, 3 of the employees and workmen of the same, and 3 to be named by the executive authority.

The members of the board of directors shall hold office for three years and shall be replaced by threes, the term of one representative of each party expiring each year; they shall, however, be eligible for reelection. When the first board of directors is constituted, the members whose terms are to expire in the first two years shall be chosen by lot.

*Rules and regulations.*—ART. 4. The board of directors, which shall function in the capital of the Republic, shall be governed by the rules and regulations to be prescribed for that purpose.

*Form of election.*—ART. 5. The delegates of the personnel of the enterprises shall be elected directly, by secret ballot.

The election lists of the enterprises and of the workmen and employees thereof shall consist of one principal and three alternates. In the first election, they shall consist of three principals and six alternates.

ART. 6. The form of election and the qualifications of the persons chosen shall be determined in the regulations to be issued under this law.

## CHAPTER III.—Capital of the fund

ART. 7. The capital of the fund shall be composed of the following items:

(a) A monthly contribution from the enterprises equivalent to 8 per cent of the total amount of salaries and wages paid to the personnel.

In the case covered by paragraph 2 of article 2 the preceding obligation shall rest upon the concessionaires.

(b) A compulsory deduction of 4 per cent of the total pay of the persons covered by article 2.

(c) Donations and legacies left to the fund.

(d) Fines imposed according to this law.

(e) Net receipts from sales of articles left on railroads and street cars, and overpayments not reclaimed within the period of six months.

(f) Interest on the funds accumulated.

(g) The increase in the first month's pay when employees or workmen are given better-paid positions, provided the pay is more than 50 pesos and the position is permanent.

ART. 8. A tax of from 1 to 3 per cent shall be levied on the services rendered by the different enterprises, to be borne by those who use said services, and in those cases in which the application of the tax is feasible. This tax shall become effective at the end of three years from the enactment of this law, and the executive authority shall determine in each case, according to the needs of the fund, the services to be affected, and the rate of the tax within the specified limits.

*Balance sheet and report.*—ART. 9. The directors of the fund shall present annually to the executive authority a balance sheet and a report of the work accomplished.



*Contribution by State.*—ART. 10. If the estimated resources should not be sufficient to cover the total amount of the pensions to be paid during the following year, the State shall contribute the difference. In such case the board of directors shall request the executive authority to adopt appropriate measures for covering that difference.

*Manner of making deductions.*—ART. 11. The directors of the enterprises whose personnel come under the benefits of this law are required to make the deductions referred to in section (b) [article 7] and to pay them in cash, together with the amount collected under sections (a), (e), and (g) of the same article, into the Bank of the Republic, to the credit of the fund, within 10 days after the end of each month, without any deduction under any pretext.

*Destination of capital.*—ART. 12. The capital obtained shall be the exclusive property of the fund, whose board of directors shall have charge of the payment of the pensions to be granted hereafter under this law.

*Investment of the capital.*—ART. 13. The capital of the fund, after deduction of the amounts required for current payments, shall be invested, after a resolution of the board of directors in each case, in national bonds, or in subsidiary State-guaranteed bonds, so that it may produce a larger and safer interest and the most frequent capitalization.

*Supervision of contributions.*—ART. 14. The board of directors of the fund shall propose measures for guaranteeing the responsibility of the comptroller of the contributions constituting its treasury, submitting such measures for approval to the executive authority.

*Nonattachable.*—ART. 15. The property and effects coming under this law are not subject to attachment.

#### CHAPTER IV.—*Retirement*

*How right to retirement is acquired.*—ART. 16. The right to retirement is acquired, in the proportion and under the circumstances determined by this law, after 10 years of service, whether continuous or not; previous service in any of these enterprises is to be counted, and the proper reimbursements made. Service in other departments of the Government and which is recognized by the civil pensions law shall also be included.

*When retirement pay is given.*—ART. 17. This right may be acquired by all employees and workmen who have served 30 years.

ART. 18. The same right may be acquired by the following who, though they have not served 30 years, have completed the minimum service fixed by article 16:

(a) Those discharged by the enterprises.

(b) Those declared physically unfit for continuing the work.

(c) Those who have reached the age of 50 years, whether or not at that date they are in the active service of the enterprises.

Employees and workmen included under this article shall be entitled to one-thirtieth part of the full pension for each year of service.

ART. 19. Employees or workmen who, whatever their length of service, have become permanently disabled in the line of duty are also entitled to retirement.

ART. 20. Retirement for invalidity may not be granted without a previous report from the doctor or doctors designated for that purpose by the board of directors, regarding the causes of the alleged physical or mental disability. The board of directors shall, moreover, order any investigation it may deem proper.

*Scale of retirement pensions.*—ART. 21. Retirement pensions shall be fixed in accordance with the following scale:

Those who earn 50 pesos or less shall receive as pension the full salary or wage.

Those who earn more than 50 pesos shall receive as pension 50 pesos, plus 95 centesimos for each additional peso of any salary or wage up to 60 pesos.

Those who earn more than 60 pesos shall receive as pension 59.50 pesos plus 90 centesimos for each additional peso of any salary or wage up to 80 pesos.

Those who earn more than 80 pesos, shall receive as pension 77.50 pesos, plus 85 centesimos for each additional peso of any salary or wage up to 100.

Those who earn more than 100 pesos shall receive as pension 94.50 pesos, plus 80 centesimos for each additional peso of any salary or wage up to 125.

Those who earn more than 125 pesos shall receive as pension 114.50 pesos, plus 75 centesimos for each additional peso of any salary or wage up to 150.

Those who earn more than 150 pesos shall receive as pension 133.25 pesos plus 70 centesimos for each additional peso of any salary or wage up to 175.

Those who earn more than 175 pesos shall receive as pension 150.75 pesos, plus 65 centesimos for each additional peso of any salary or wage up to 200.

Those who earn more than 200 pesos shall receive as pension 167 pesos plus 60 centesimos for each additional peso of any salary or wage up to 225.

Those who earn more than 225 pesos shall receive as pension 182 pesos, plus 55 centesimos for each additional peso of any salary or wage up to 250.

Those who earn more than 250 pesos shall receive as pension 195.75 pesos, plus 50 centesimos for each additional peso of any salary or wage up to 275.

Those who earn more than 275 pesos shall receive as pension 208.25 pesos, plus 45 centesimos for each additional peso of any salary or wage up to 300.

Those who earn more than 300 pesos shall receive as pension 219.50 pesos, plus 40 centesimos for each additional peso of any salary or wage up to 325.

Those who earn more than 325 pesos shall receive as pension 229.50 pesos, plus 35 centesimos for each additional peso of any salary or wage up to 350.

Those who earn more than 350 pesos shall receive as pension 238.25 pesos, plus 30 centesimos for each additional peso of any salary or wage up to 375.

Those who earn more than 375 pesos shall receive as pension 245.75 pesos, plus 25 centesimos for each additional peso of any salary or wage up to 400.

Those who earn more than 400 pesos shall receive as pension 252 pesos, plus 20 centesimos for each additional peso of any salary or wage up to 425.

Those who earn more than 425 pesos shall receive as pension 257 pesos, plus 15 centesimos for each additional peso of any salary or wage up to 450.

Those who earn more than 450 pesos shall receive as pension 260.75 pesos, plus 10 centesimos for each additional peso of any salary or wage.

All pensions of less than 100 pesos are subject to deduction of 4 per cent of the total amount.

*Calculation of amount of retirement pension.*—ART. 22. The amount of the ordinary retirement pension shall be calculated on the basis of the average earnings during the last five years of service and subject to the scale set forth in the preceding article.

*Who grants retirement pension.*—ART. 23. The retirement pension shall be granted by the board of directors of the fund, to whom application shall be made, supported by the proper documents.

*When retirement pension starts.*—ART. 24. A retirement pension shall date from the day when the worker retires, but it must be applied for during the period of his services or within six months thereafter. If application is made after the expiration of such six months, it shall be paid, in the proper cases, from the date of the petition.

*Disagreement of applicant.*—ART. 25. In case of disagreement on the part of the applicant, appeal may be taken from the decision of the board of directors to the departmental judge advocate, who, with the administrative papers and the certification which, ex officio and for his better guidance, he may request of the said board or of the applicants, shall decide, without further appeal, as to whether the law was applied correctly or not.

*Mediation of Insurance Bank.*—ART. 26. In the cases specified in article 18, sections (a) and (b), occurring before the completion of 10 years' service, the board of directors of the fund shall deposit all contributions, together with interest thereon, in the State Insurance Bank in the name of the contributing employee.

The State Insurance Bank, through the agency of the popular insurance section, shall pay the proper pensions, whenever applied for, in the form established by the bank.

The same procedure shall be followed with all those who, for whatever reason, leave the service before having completed 10 years' service.

*Workmen reemployed by enterprise.*—ART. 27. When a workman or employee covered by the preceding article returns to the employ of the enterprise, the contributions, together with interest thereon, referred to in that article, shall be redeposited in the pension fund, and the corresponding years of service shall be computed.

*Residence.*—ART. 28. Those who settle in a foreign country shall not be entitled to an annuity. In case of absence of more than six months, the express authorization of the board of directors shall be obtained.

*Loss of pension.*—ART. 29. The retirement pension is for life, and the right to receive it is not lost except for the causes specified in this law.

## CHAPTER V.—Pensions

*Right to pension.*—ART. 30. If under this law an employee or workman has acquired a right to a retirement pension, should he die, a pension shall be received by the widow, the invalid widower, the children, or, if there are no children, the parents, and, if they are not living, the unmarried sisters of the deceased. If the deceased had already been receiving a retirement pension, the persons just enumerated shall be entitled to a pension under the circumstances set forth in the following articles, provided they establish their claims and the existence of the retirement pension.

Such right shall exist in the case of article 18, even when the principal has not attained 50 years of age.

An employee or a workman who has served more than 10 years, and who dies while still employed, shall leave a pension equivalent to that to which he would have been entitled had he been retired for disability.

ART. 31. In case of death before the principal has completed the 10 years of service required by this law, the contributions paid in shall pass to the State Insurance Bank, which shall grant the proper pension.

*Amount of pension.*—ART. 32. The amount of the pension shall be equivalent to 50 per cent of the retirement pension which the principal was receiving or to which he was entitled.

*When pension starts.*—ART. 33. Every pension legally granted dates from the death of the original pensioner. However, application therefor must be made within three months following the said date; otherwise, the provision of article 24 shall govern.

*Manner and order of right to pension.*—ART. 34. Right to the pension shall be in the manner and order following:

- (a) To the widow or incapacitated widower, concurrently with the children.
- (b) To the children only.
- (c) To the widow, concurrently with the parents of the deceased, if they were dependent on him.
- (d) To dependent parents.
- (e) To unmarried sisters, if dependent.

*Illegitimate children.*—ART. 35. Illegitimate children who are legally recognized or declared to be such by judicial decree, shall receive that portion of a pension to which they are entitled according to civil law.

ART. 36. The right to the pension is lost:

- (a) By the widow or mother, in case of remarriage.
- (b) By the sons, when they become 18 years of age.
- (c) By the daughters or sisters, when they marry or reach the age of 25 years, unless in the former case they are incapacitated.
- (d) For the causes and under the circumstances specified in article 28.

*Increase.*—ART. 37. In cases (a) and (b) of article 34, when the right to pension ceases as to any of the persons mentioned therein, that part shall be distributed among the other children who are beneficiaries under this law.

*Who grants pensions.*—ART. 38. The pensions shall be granted by the directors of the fund, to whom application shall be made, supported by evidence proving that the applicant is entitled to the benefits of this law.

The board of directors shall definitely grant or reject the petition, but its decisions may be appealed from in the form and for the purposes specified in article 25.

*Those not entitled to pension.*—ART. 39. Those who are retired or receiving another pension from the same fund are not entitled to pension. The party to be benefited must choose the one desired, and when the choice is made he loses all rights to the others.

*Character of pensions.*—ART. 40. The pensions are for life, and the right to receive them does not become prescribed; it is lost, however, through the causes specified in this law, both with respect to pensions and retirement pensions.

## CHAPTER VI

*Retroactivity.*—ART. 41. Right to retirement and pension under this law is possessed by those employees and workmen mentioned in article 2 and who are employed at the time of the ratification of said law and thereafter; those who have left the employ of the enterprises since January 1, 1919, are also included.

*Acts that are void.*—ART. 42. The pensions are unattachable and inalienable. Any sale, transfer, or setting up of rights affecting them and impeding their free enjoyment by the person entitled to receive the same, shall be null and void.

*Suspension of right.*—ART. 43. Employees or workmen without a family to support and who have fulfilled the requirements for being retired, but who before being so have been sentenced to a term in the penitentiary, shall have that right suspended for the time of the confinement.

In case they have a family to support, those entitled to pension under this law shall receive that pension corresponding to the retirement pension suspended.

*Contributions of employees and workers.*—ART. 44. In order to fix the contribution of the laborers or employees and the monthly contribution of the enterprises, there shall be taken as the base the total earnings, including under this head, in those cases where the enterprises furnish living quarters which they own, the actual monthly pay, plus a sum equivalent to the rent, the amount of which shall be fixed by the enterprise for the purposes of article 7, sections (a) and (b).

*Workmen paid by the day or hour.*—ART. 45. For the purposes of the retirement pension for employees or workmen paid by the day or hour, 27 days, or 216 hours, shall be taken as a month.

*Crediting of previous service.*—ART. 46. Workmen and employees who have already been employed a number of years shall acquaint the directors of the fund with the previous period of work with which they are to be credited. This must be done within six months, after which time they shall lose all right.

*Making up back contributions.*—ART. 47. The employees and workmen referred to in the preceding article shall pay into the fund the contributions due from them for that time, in accordance with the salaries or wages which they received. These contributions shall be paid by means of a monthly deduction of 3 per cent from the present salary or wage. This deduction shall also be made by the enterprises in the form previously prescribed.

*Charging of back contributions.*—ART. 48. For employees and workmen retired before completing the payment of the sum in arrears, the amount still to be paid in shall be charged against their pension, this amount to be made up by means of a deduction of 10 per cent on the pension which they receive, or a larger discount if the retired worker so desires.

*Time pensions are effective.*—ART. 49. Although the right to the pension dates from January 1, 1919, it shall not become effective until two years after the date of the promulgation of this law.

ART. 50. However, the fund shall begin to provide pensions to date for the personnel discharged from the enterprises because of having reached the maximum age limit.

ART. 51. In the cases covered by article 16 the fund shall demand from the national civil pensions fund, or shall return to the same, the sums corresponding proportionately.

*Duty of enterprises.*—ART. 52. The enterprises covered by this law are required to furnish the board of directors of the fund with all information requested concerning their personnel and to permit such verification as the said directors may deem pertinent. They shall state in writing to the board of directors the size of the personnel at the time, and the age, pay, and years of service of each employee or workman. They shall also report each case of increase in pay, and also when a person resigns or is taken on, and in general the entire movement of the personnel in their employ.

*Fines.*—ART. 53. Enterprises making false statements or shown to be placing obstacles in the way of faithful compliance with this law shall be punished by a fine ranging between 200 and 1,000 pesos.

ART. 54. Enterprises failing to deposit, at the time and in the form presented by articles 11 and 47 of this law, the sums required under the law, shall incur a fine of 100 pesos for each day's delay until the time the said sums are received, together with 7 per cent interest per annum running from the first day of the delay.

The president of the board of directors shall have power to act as attorney in conducting the proper suits before the courts, to make effective the requirements and penalties of this law.

The decisions of the board of directors, recorded in the minute books and approved, shall constitute public documents.

*Those receiving pensions prior to the law.*—ART. 55. Those resident in this country who have obtained and are now receiving pensions granted by public-



service enterprises may take advantage of the provisions of this law under the same conditions and subject to the same retroactive features as those who are newly pensioned or retired.

ART. 56. The board of directors of the fund shall make regulations under this law and submit said regulations for approval to the executive authority.

#### REGULATORY DECREE OF MARCH 19, 1921

##### *Election of board of directors of the fund*

##### CHAPTER I.—*Election of representatives of the enterprises*

*Election system.*—ARTICLE 1. The enterprises coming under the law shall elect annually one principal and two alternates to the board of directors of the fund, the position of principal going to the one who receives the largest number of votes.

In case of a tie between two or more candidates, the procedure shall be according to article 25 of the present regulations.

*Who may vote.*—ART. 2. The vote shall be exercised by the legal representatives of the enterprises, but other persons may vote in the name of these representatives if there be presented an express authorization attested by a notary public.

*Method of determining number of votes of enterprises.*—ART. 3. For the purposes of the election the number of votes of the different utilities shall be in proportion to the amount of their 8 per cent contribution for the month of January, as follows:

Those having deposited from 1 to 100 pesos shall have 1 vote.

Those having deposited from 100 to 500 pesos shall have 2 votes.

Those having deposited from 500 to 2,500 pesos shall have 3 votes.

Those having deposited from 2,500 to 5,000 pesos shall have 4 votes.

Those having deposited from 5,000 to 10,000 pesos shall have 5 votes.

Those having deposited from 10,000 to 15,000 pesos shall have 6 votes.

Those having deposited from 15,000 or more pesos shall have 7 votes.

For utilities for which there are no data for the month of January the number of votes shall be based on the most recent data there is, and in accordance with the scale set forth in this article.

*Electoral board.*—ART. 4. The directors shall act jointly as an electoral board; they shall convene the electors by means of a notice published in two daily newspapers; they shall receive the votes on the day appointed; they shall count the votes and decide finally any question arising in relation to the matters under their control.

*Qualifications for election.*—ART. 5. The delegates elected by the enterprises shall be employees of the public utilities specified in article 2 of the law of October 6, 1919. If, however, during the exercise of his functions as delegate, one should cease to be such an employee, he may continue on the board of directors until the expiration of his term.

*Enterprises located outside the capital.*—ART. 6. Enterprises located outside the capital may vote by mail, sending the votes by registered letter to the board of directors, together with the proof of their right to vote.

##### CHAPTER II.—*Election of employees' delegates*

*Form of election.*—ART. 7. Employees of the enterprises referred to in article 1 shall elect annually, in the manner specified in the said article, one principal and two alternates.

ART. 8. The board of directors shall call elections two weeks in advance, notice to be given in the manner specified in article 4.

*Electors.*—ART. 9. All employees included in the monthly lists sent by the enterprises for the month preceding the convention are electors.

Five days before the date indicated, said enterprises shall be required to send a supplementary list of employees taken on or laid off, specifying the office and division in which the changes have occurred.

ART. 10. Employees who, regarding themselves as entitled to vote, find that they are not included in any of the lists submitted, may do so in the manner specified further on for challenged votes, recording in writing on the envelope the name of the voter and the position he occupies. The board of directors,

before counting the election returns, after notice to the respective enterprise, if it deems this necessary, shall decide as to the admission or rejection of the vote.

*Receipt of votes.*—ART. 11. On calling an election of the employees, the days and hours when the election board will receive votes shall be specified, and as many ballot boxes as may be needed for each election day shall be furnished. At the hour indicated and as soon as the boxes have been examined and locked, the reception of votes shall begin. At the time indicated for closing the election of that day the commission shall mark and seal the boxes and prepare a statement giving the number of votes cast and also the number of votes challenged and the causes of the challenges. Before sealing the boxes there shall be placed in each of them a copy of the list of votes cast during the day, these copies to be signed by the members of the board and delegates.

On the following election days the procedure shall be the same.

*List of candidates.*—ART. 12. Each elector employee shall vote for a list consisting of one principal candidate and two alternates to form part of the board of directors of the retirement and pension fund for public service employees and workmen.

The candidates named on the lists, in order that the vote may be valid, must satisfy the conditions specified in article 5, but in case of leaving their employment or work may exercise the prerogative set forth in the last part of said article.

The lists shall begin with the inscription: "Retirement and pension fund, etc., period ——" (the one in question). "To represent the employees of public enterprises on the board of directors of the fund I vote for Messrs.: Principal —— Alternates —— Date" (at the bottom).

*Recording the list.*—ART. 13. The election lists shall be recorded at least five days prior to the date on which the election begins. For this purpose the proper application must be accompanied by 50 signatures of employees, who on signing shall each write beneath his name the number of his identification card.

*Voting to be secret—Printing of ballots and envelopes.*—ART. 14. The voting shall be entirely secret, and placing on the ballot any signature or distinctive mark whatever shall not be permitted. The ballots shall be printed on ordinary white paper 23 by 14 centimeters, and the envelopes—all alike and made of paper that is not transparent—shall bear only the secretary's seal, placed in the square provided for that purpose in the upper right-hand corner.

*Delegates of the group.*—ART. 15. Every group of more than 50 employees may name delegates, with the power of challenging votes and of challenging and witnessing the process of counting. Notice of the naming of delegates must be given before the day of the election by a note to the board of directors of the fund.

*Election board.*—ART. 16. The board of directors, at the meeting on the day preceding that fixed for the elections, shall name, by a majority vote, the members who are to constitute the election board; all its members, however, may constitute this board if thought desirable.

The election board shall transmit to the board of directors the record of the election, in order that the said board may make the final count.

*The board room.*—ART. 17. The room occupied by the board shall communicate directly with another room which shall be locked and within which the voter may vote without being observed.

Before proceeding to the reception of ballots, a statement shall be prepared, signed by the election board and by the delegates of the electoral groups present at the proceedings, showing that the provisions of the preceding paragraph and the following article were strictly complied with.

*Secret room.*—ART. 18. The room into which the voter shall pass to inclose his ballot in the proper envelope shall have but one door communicating with the voting room, and this door shall be locked immediately after the voter enters the room. Before the opening of the polls, any other openings to the room must be closed and sealed by the election board, and persons must be denied access thereto.

In this room there shall be printed lists of the candidates of each electoral group, which lists shall be delivered in advance by those concerned to the election board.

Each hour, and whenever any delegate so requests, the chairman of the board shall go into the secret room to see if there are a sufficient number of ballots, renewing the supply if necessary.

*Voting procedure.*—ART. 19. When the polls are open the voters shall present themselves before the election board, giving the numbers on their identification cards. When their identity is verified by the delegates of the groups present, from whom there shall not be permitted any challenge other than that concerning the identity of the voters, and if this identity is not challenged, the chairman of the board shall immediately hand the voter an empty unsealed envelope, stamped with a rubber stamp, whereupon the voter shall pass into the adjoining room to inclose his ballot in said envelope. When this is done the voter shall return to the election room and deposit his ballot in the box, and the proper notation shall immediately be made in the register of the election officials.

*Challenge of identity.*—ART. 20. In case the identity of the voter is challenged, the fact shall be noted on the election list.

When this is done, the voter shall be given the proper envelope in which to place his ballot in the secret manner prescribed. Before the envelope is deposited in the ballot box, it shall be inclosed by the challenged voter in another envelope bearing the printed inscription: "Challenged vote"; after this is done, it shall be signed by the voter, who shall also put his fingerprint thereon. When the envelope is signed also by the chairman of the board, it shall be deposited in the box.

*Votes of employees outside the capital.*—ART. 21. The votes of employees who, by reason of their duties, are outside the Department of Montevideo, permanently or temporarily, shall be cast in accordance with the following rules:

(a) The board of directors shall send each enterprise a moderate number of envelopes to distribute among its employees.

(b) Having inclosed the list for which he votes in the proper envelope, which he shall obtain from the enterprise, the employee shall place it inside another envelope which he shall send sealed, together with his signature, fingerprints, number of his identification card, and a statement on the front of said envelope to the effect that it contains his vote, to the chairman of the election board in the offices of the fund.

(c) The packages with the votes shall be opened while the election is in progress and in the presence of the delegates of the electoral groups. In case there is no challenge the mailing envelopes shall be opened and the ballots deposited in the box, after the formality of sealing the inside envelopes and making the notation on the voting list. If challenge is made, the fact shall be noted on the list, and the mailing envelope shall be deposited unopened.

*Invalid lists.*—ART. 22. Lists containing corrections shall not be valid.

*Invalid votes.*—ART. 23. The committee shall openly reject any vote not strictly conforming to the conditions prescribed in the preceding article.

*Tabulation.*—ART. 24. When all the votes are deposited, the challenged votes shall first be separated. When the challenges have been decided by the board of directors, the counting of the ballots shall begin.

*System of counting.*—ART. 25. In the determination of results a mere plurality shall suffice. In the first place the total number of votes cast shall be counted. Then the lists shall be classified according to candidates. The classification being made, the votes cast for each list shall be counted, and that list having the largest number of votes shall be adjudged elected.

If two or more lists should obtain the same number of votes, that list shall be adjudged elected whose principal is an employee of a kind of enterprise whose employees are not represented on the board of directors of the fund.

In case the principals of the lists between which a tie has occurred are employees of similar enterprises, the decision shall be made by drawing of lots.

*Announcement.*—ART. 26. When the returns have been verified, the result shall be announced in the form of a certificate of election, subscribed by the board of directors and by delegates who may so desire.

*Executive appointee.*—ART. 27. When the election has been concluded in accordance with the preceding articles, the board of directors shall communicate the fact to the executive authority, who shall then appoint the member, who, together with the delegates of the employees and the enterprises, will complete the board of directors of the fund.

*Seating.*—ART. 28. The board of directors, at a special session, shall seat the newly elected members, and the assignment of positions shall immediately be made.

*Meaning of the word "employee."*—ART. 29. For the purposes of this regulation, by "employee" is meant any person who performs duties of any nature in the service of enterprises or capitalists, being entitled on that account to the retirement pension.

### REGULATORY DECREE OF JULY 12, 1920

#### *Application of article 47 of law of October 6, 1919*

1. Employees and workmen of the enterprises included under article 2 of the law creating the retirement and pension fund for public-service employees and workmen whose services prior to the promulgation of the law are not found for any reason in the books of the enterprises shall nevertheless fill out the identification card prepared by the directors of the fund and shall proceed to prove the fact of such services by the testimony of two competent persons, preferably those who may be working for the enterprise in question.

2. The salaries and wages of such employees and workmen, when proof of the same is not furnished by others, shall be calculated according to the following scale:

(a) The time of service of a worker by the day shall be reckoned at the rate of 27 days per month and at 1 peso per day.

(b) The time of service as a salaried employee shall be reckoned: For the first two years, at the rate of 20 pesos per month; for the next three years, at the rate of 30 pesos per month; and from that time to the date when the employee can prove what salary he received, half the time shall be calculated at the rate of 30 pesos per month and the other half by whatever salary the declarer may prove.

### RETIREMENT AND PENSION FUND FOR EMPLOYEES OF BANKING INSTITUTIONS AND THE STOCK EXCHANGE

#### LAW OF MAY 14, 1925

ARTICLE 1. There is hereby created a retirement and pension fund for employees of banking institutions and the stock exchange.

Notwithstanding the preceding clause, the employees of State banks who desire may remain enrolled in the civil fund to which they now belong, though they must notify the banking fund of their decision within six months of its creation.

[Modified June 14, 1927:] Employees who have rendered services covered by the civil fund, and who have after May 14, 1925, entered the employ of any of the official banks, or who may in the future enter the employ of said institutions, shall have the choice of continuing in the civil fund or of joining this fund; those in the first case within six months after the ratification of this law, and the others within the same length of time after the date of their appointment. Should an employee decide to change from the civil to the bank pension fund the former fund must reimburse the latter with the amount of the contributions which have been paid to it by the said employees. The provisions of this law govern the three State banks and any that may be established in the future.

ART. 2. The provisions of article 1 are applicable to the directors of official banking institutions.

ART. 3. The benefits of this fund shall be enjoyed by the employees of the institutions already established in this country and of those that may be established hereafter. The banks may be institutions with head offices in this country or branches of institutions established abroad.

#### *Administration of fund*

ART. 4. The fund shall be administered by an honorary council sitting in the capital of the Republic. It shall be composed of 5 members; 2 representing the directors of the banks, 2 the employees, and 1, who shall be president, shall be named as its representative by the national council of administration. Their term of office shall be two years.

ART. 5. Membership of the council representing the boards of directors and the employees shall be renewed by halves, the term of one representative of



each party expiring each year. When the first council is formed, the members to go out the first year shall be determined by lot. Such members as well as the representative of the national council of administration shall be eligible for reelection.

Two representatives forming part of the directorate or personnel of the same institution may not sit on the council.

ART. 6. The national council of administration shall prescribe the form of election and proceedings of the honorary council.

#### *Resources of fund*

ART. 7. The fund shall be composed of the following resources:

(A) A monthly contribution by the banks and stock exchange of 12 per cent of the salaries of the employees who join this fund.

(B) A compulsory deduction of 5 per cent from the salaries of such employees.

(C) Back payments of 6 per cent of the amount of salaries received by the employees during the years with which the employee is credited and of 12 per cent when the payments have to be deducted from his pension.

(D) The difference in salary for the first month in which an employee receives an increase of salary for any reason whatsoever.

(E) A yearly tax of one-half per 1,000, for five years, on the amounts loaned by each bank on mortgage, promissory notes, and overdrafts in accounts current.

[Modified June 14, 1927:] A yearly tax of one-half per 1,000 on the amounts loaned by each bank on mortgages, promissory notes, and overdrafts in accounts current.

Any banks that have begun to disburse half the pension to some of their employees, in accordance with clause E of article 13, may choose between continuing to do so or of paying as many months' salary as such employees may have years of service, up to a maximum of 15 salaries, without any deduction on account of amounts previously paid by the bank. In this case the fund shall pay the entire pension of the employees.

(F) Interest on accumulated funds.

(G) Donations and legacies.

(H) Fines collected in accordance with the present law.

ART. 8. Within 10 days after the end of each month the manager of each bank shall deposit in the Bank of the Republic, to the credit of the banking fund, the total amount of the contributions mentioned in clauses A and B of the preceding article.

He shall likewise deposit, during the first 20 days of each month, one-twelfth of the contribution mentioned in clause E of the same article, calculated on the monthly statement presented to the inspector of banks.

ART. 9. The council of the fund shall present annually to the national council of administration a balance sheet and a statement of the work accomplished, both of which shall be published and distributed among the members of the fund.

ART. 10. The council of the fund shall invest its available cash in public-debt bonds.

ART. 11. The council of the fund shall adjust the amount of the pensions to the resources of the institution, in such a way that there may be no deficit of any sort.

ART. 12. The property and effects pertaining to the fund created by this law are not subject to attachment.

#### *Pensions*

ART. 13. Right to a pension is acquired:

(A) At 60 years of age; but for each year of service in excess of 30, one year shall be deducted from the age.

(B) By having reached the age of 60.

(C) By being physically incapacitated.

(D) By loss of employment not due to the immorality of the beneficiary.

(E) By loss of employment after 10 years' service, not due to the immorality of the beneficiary. In this case the fund shall provide half the pension, the other half to be borne by the institution which dismissed the employee without sufficient cause.

[Modified June 14, 1927:] In cases of loss of employment not due to the immorality or any fault of the employee, the institution dismissing him shall turn over to the fund the amount of as many months of his last salary as the years he has spent in the employ of said institution. This amount shall be paid the employee, when he is credited with less than 10 years' service in monthly quotas not less than the salary and provided he does not take another position entitling him to a pension. When the dismissed employee has more than 10 years' service, the amount shall be held by the fund, which shall immediately grant the corresponding pension. The maximum to be paid on this account shall be the equivalent of 15 months' salary.

Should the bank deem that the payment of this contribution is not in order, the decision as to whether there has been sufficient cause for the dismissal shall be made by the council of the fund; but either of the parties may appeal to the court of appeals, in accordance with article 17 of this law.

Until the decision is rendered the employee shall receive half the salary, which the bank shall pay monthly to the fund; but if the council decides unanimously that sufficient cause is not proved for the dismissal, the employee shall be entitled to receive his entire salary, which the bank shall pay.

A reduction of more than 10 per cent in salary, whether in one amount or in successive amounts, unless it is justified by the conduct of the employee, entitles the latter to the protection of the present article, when in the judgment of at least four members of the council of the fund the real object of the reduction is to create for the employee an untenable position for the purpose of compelling him to quit his position.

The council's decision shall be appealable to the court of appeals. The decisions rendered by the courts of appeals in the two cases mentioned in the two preceding paragraphs shall be subject to review only by the same court.

The closing of a bank, or branch, the withdrawal of affiliated offices or agencies of foreign institutions, entitles the fund to demand the contributions and indemnities corresponding to the retiring personnel. In cases of suspension of payment or bankruptcy, this right remains, the fund being a privileged creditor.

The indemnities accorded by this law to dismissed employees shall be paid, without prejudice to contractual or legal actions.

Should an employee with more than 10 years' service be dismissed because of his immorality, the only cause for the loss of his pension, the wife and children shall be entitled to the pension as long as they are without other resources.

The pension shall be granted if the employee who is dismissed for the above-mentioned reason should die or become incapacitated.

(F) A minimum of 10 years' service is required for obtaining a pension.

ART. 14. The employees of official banking institutions who join the fund created by this law shall pay to the said fund the appropriate percentage of their salaries for sums in arrears, but any payments made to the civil pension and retirement fund shall be considered valid.

ART. 15. Services covered by any of the pension laws in force shall be recognized for the purposes of pensions, and pensions corresponding to the last services rendered shall be paid by the fund.

ART. 16. The maximum pension shall be based on the average salary of the last five years of service, with a reduction of 15 per cent when that average exceeds 960 pesos. If the average is more than 960 pesos, it should be reduced by the deduction, the pension being fixed at that amount.

For the calculation of the pension treated in this law, the provisions of the civil retirement and pension law of 1904 shall govern, with the exception of the deduction, which shall be that established in the preceding paragraph.

ART. 17. Applications for pensions shall be made to the council of the fund, and after the due reports and investigations, shall be accepted or rejected by a majority of the votes of the members of the council. Pensions shall date from the first day after the employee quits work.

Whenever the employee believes that the council has not strictly adhered to the law in its decision, he may appeal to the court of appeals, and the latter's decision shall be final.

ART. 18. Right to a pension shall be forfeited by those who settle in a foreign country or who are dismissed because of their immorality. Those receiving a pension may obtain permission from the council of the fund to leave the country for a period not exceeding six months. To obtain such permission for a longer period, a legislative authorization shall be necessary.

Employees of foreign banks shall have their personal contributions returned to them, without interest, when such persons are transferred to other branches of the same bank outside the country. Should they return to this country as bank employees they shall be entitled to have their former services in this country recognized provided they repay to the fund the total amount of the contributions returned to them at the time of the transfer.

ART. 19. Ex-employees of banking institutions who are now receiving regular payments from the same on account of pension, retirement, or anything of an equivalent nature, are included in the benefits of the present law, the amount of such payment to be fixed in accordance with the rules established by this law.

Persons covered by this article shall be obliged to make the reimbursements and to accept the deductions prescribed.

#### *Pensions*

ART. 20. When an employee dies after 10 years' service, his widow and children shall be entitled to a pension, or in lieu thereof, his parents, or if he has no parents, his unmarried sisters. This pension shall consist of 50 per cent of the pension to which the deceased would have been entitled at the date of death, increased by 10 per cent for each minor child, until reaching as a maximum the full amount of the pension. Moreover, the heirs above mentioned shall be paid as a bonus an amount equal to six months of the full salary of the deceased at the time of death.

ART. 21. In case of the death of an employee who has not completed 10 years' service, the council of the fund shall pay the family, in a lump sum, the amount of as many months' salary as the deceased had years of service.

ART. 22. In order to grant the pensions referred to in article 20 and those to the heirs of the employee, whose death shall likewise occasion the pension there established, the following order shall be observed:

1. The widow concurrently with the children.
2. The benefits of this law are also extended to the widow and minor children of any employees who have died since the date of presentation of the proposal of this law, but the corresponding dues must be paid to date.
3. The children only.
4. The widow concurrently with the parents, provided the latter were dependent on the deceased for support.
5. The parents alone, when they have been left without means of support.
6. The unmarried sisters of the deceased who are left without means of support.

ART. 23. Illegitimate children who have been acknowledged or who have been declared legitimate by judicial decision shall be entitled to that portion of the pension due them in accordance with the provisions of the civil law now in force.

ART. 24. Right to a pension is forfeited:

1. By the widow or mother on remarriage.
2. By male children on reaching the age of 18 years.
3. By daughters or sisters, on marrying.
4. For the reasons included in article 18.

ART. 25. In the case of pensions granted concurrently, the termination of the right of one of the parties to the pension shall increase the amount paid the remaining parties, but only by 50 per cent of the amount the latter were receiving.

ART. 26. Pensions granted under the present law can not be cumulated with any other salary or pension of the State or its dependencies.

ART. 27. Pensions are not subject to attachment.

#### *Prior services*

ART. 28. The council of the fund is authorized to count services performed prior to the passage of this law, in banking institutions and the stock exchange and in those organizations and institutions recognized by the civil retirement and pension laws for public employees and laborers, provided they were working in institutions now governed by this fund and that they make the appropriate back payments, the council being authorized to accept these in installments to be agreed on. The term of one year, counting from the date of the creation of the council, is hereby fixed for employees having prior service to

present themselves for the purpose of having their claims approved. The council shall decide all applications, securing the substantiating information from the institutions named in support of the petitioner's statements.

ART. 29. Employees accepting pensions who have not paid their quotas for prior services shall be subject to a deduction of not less than 15 per cent until the debt is completely canceled. In case of death, the balance due shall be deducted from the pensions in the same proportion.

#### *Penalties*

ART. 30. Any banks that fail to deposit in the form indicated the contributions specified by this law shall incur a fine of 100 pesos for each day's delay.

ART. 31. Any bank making a false declaration or placing obstacles in the way of the enforcement of this law shall be punished by a fine of from 1,000 to 5,000 pesos, according to the seriousness of the offense.

ART. 32. The president of the council of the fund shall be vested with the necessary legal authority to appear before the tribunals and courts in order to enforce the obligations and penalties of this law.

#### *General provisions*

ART. 33. The banks and the stock exchange covered by this law are required to furnish all the information and proofs demanded either by the council of the fund or by the bank inspector.

ART. 34. The balance sheets of private banks shall be countersigned by the bank inspector for the purpose of controlling their operations, in order to guarantee full payment of the tax imposed by this law.

ART. 35. A pension of more than 400 pesos per month may not be granted.

ART. 36. The boards or managers of the banks shall send in monthly to the offices of the council of the fund signed sheets containing the pay roll of these institutions.

ART. 37. The obligation of the banks to make the contribution specified in clause E of article 7 shall begin with the operations of the first day of the month following the promulgation of the present law.

ART. 38. The employees required for the work of this institution shall be named and dismissed by the council of the fund by a majority vote of its members, and such employees shall be entitled to the benefits of this law.

ART. 39. The fund shall begin the distribution of pensions three years after the promulgation of the present law, and may not grant them except in order of priority and in maximum amounts of 30,000 pesos per annum during the first 15 years.

The following cases are excepted:

- (A) Total disability.
- (B) Employees 60 years of age having rendered 35 years' service.
- (C) Pensions of those who may have died after the introduction of this bill (clause 2, art. 22).
- (D) Those now receiving pensions from banking institutions.

In these four cases pensions shall become effective from the time such conditions occur.

ART. 40. Employees who work in more than one of the institutions covered by this law shall be pensioned on the basis of the highest salary.

[Modified June 14, 1927:] Employees who work in more than one of the institutions included in this law or who exercise professional functions may cumulate the amount of their pension for each position which they occupy by paying to the fund the respective contributions and reimbursements, with the limitation established in articles 16 and 35 of the law of May 14, 1925.

To take advantage of this right, they shall pay the discounts and quotas for past services on that salary only.

ART. 41. The national council of administration shall issue the regulatory decree for the present law and that of the fund shall formulate the by-laws of the institution.

[Added June 14, 1927:] The terms of this law, as regards the protection given discharged employees and those whose salaries are reduced as well as the provisions of article 40, are retroactive to May 14, 1925.



## NATIONAL LABOR OFFICE

DECREE OF OCTOBER 10, 1919

ADMINISTRATION OF THE NATIONAL LABOR OFFICE

*Director*

ARTICLE 1. The director represents the office in all his acts, his duties being as follows:

- (a) To exercise general supervision over all the work.
- (b) To examine the functioning of the office.
- (c) To sign official papers and correspondence.
- (d) To authorize expenditures.
- (e) To grant to the personnel leaves of absence of five days.
- (f) To correct or suspend employees when they deserve it, giving notice to the department.
- (g) To initiate and broaden the field of activities which he may deem conducive to better execution of the laws and to greater enlightenment on legislative questions.

*Assistant director*

ART. 2. The assistant director is, in the division of authority, the immediate chief of the personnel, for whose order and discipline he is responsible to the director.

*Duties of assistant director*

- (a) To take the place of the director in case of absence or disability.
- (b) To organize the divisions; to assign the personnel therein; to change the status of employees in accordance with their duties.
- (c) To sign regulations pertaining to office procedure.
- (d) To edit the Bulletin and any other publications of the office.
- (e) To organize the library; being empowered, for this purpose and that of the preceding number (d), to employ the services of the personnel at his pleasure.

*Secretary*

ART. 3. Duties of the secretary or the employee who acts in this capacity until the creation, by law, of this section, shall be:

- (a) To initiate and carry on correspondence, conferring with the director or assistant director concerning the substance of the reply.
- (b) To keep in official books a copy of papers sent out, together with the documentary evidence, if any, bearing on the case.
- (c) To comply and secure compliance with the orders of the director or assistant director.
- (d) To enter in a special book the regulations affecting the personnel and of which said personnel is to be notified.
- (e) To keep the attendance book of the employees, in which he shall make observations regarding each case.
- (f) To notify his chiefs concerning changes that may be made in the office.
- (g) To draw up all official communications that may be assigned to him.
- (h) To conduct all conferences relating to the service.

*Inspector generalship*

ART. 4. The inspector general is the immediate chief of all the inspectors, and as such is responsible for their discipline and for the order of the work intrusted to the section.

*Duties of inspector general*

- (a) To supervise the organization and services of inspection and to advise concerning anything relating to these services.
- (b) To submit the proper reports in matters submitted to him by the director's office and in the communications of his subordinates which he may be obliged to pass on for their consideration.

(c) To send to the office of the director monthly, a report of the work performed by his subordinates, and another for publication in the Bulletin, showing the results obtained in the enforcement of the existing laws and decrees and indicating the omissions and defects noted.

(d) To supervise the work of the inspectors, making periodical trips for the purpose of superintending the progress of the work.

(e) To comply and secure compliance on the part of his subordinates with the orders transmitted to him by the office of the director.

(f) To keep the following books:

1. One in which shall be noted all the reported violations of the labor laws.
2. One noting all the regulations transmitted to the inspectors.
3. One containing copies of matters forwarded to the office of the director.
4. One containing the list of employers' and workmen's organizations, with the respective location, number of members, and directors of the same.
5. One containing the legal actions and reports of the inspectors, with the dates of delivery and return.

(g) To prepare each year a report of the extra work done by the inspectors, showing the zeal displayed by them, for the purposes of the service sheets of these officials.

#### *Section chiefs*

ART. 5. Section chiefs are responsible for the discipline and application of the employees under their orders and likewise for the distribution of the work in accordance with their specified duties; section chiefs are required:

(a) To revise and correct all the work of those under them.

(b) To distribute the work among their subordinates so that they will not delay the proper functioning of the office.

(c) To prepare every six months a report of the work accomplished, noting whether there has been any rivalry among their respective employees because of the service sheet.

ART. 6. The duties of the statistical and intelligence section are:

1. To investigate, collect, arrange, and compile data on: (a) Industrial accidents and workmen's insurance (occupation, nationality, sex, civil status, salary or wage, causes, description of the injury, healing period, etc.).

(b) Strikes and lockouts (date, occupation, character, number, causes, duration, results, etc.).

(c) Labor migration (immigration and emigration movements, occupation, sex, civil status, origin, etc.).

(d) Articles of prime necessity (foods, current prices).

(e) Clothing (cost of that of the working classes).

(f) Rents (comparative rates).

(g) Workmen and employees employed by the State, public administration, municipality, industries, businesses, enterprises, agricultural work (occupation, salaries, age, sex, civil status, nationality, hours of labor, of rest, kind of machinery in use, etc.).

(h) Workers employed and unemployed (number, occupation, civil status, age, nationality).

(i) Workers on the sick list (number, diagnosis, occupation, sex, nationality, civil status, etc.). [Revoked by decree of September 24, 1920.]

(j) Workers' and employers' organizations (associations, unions, number of members, character, etc.).

2. To watch the supply and demand of labor, endeavoring at the same time to put the employing and working elements in touch with each other (in the country this service shall be performed by the departmental labor inspectors).

3. To gather the history of any movement in the district for the preparation of monthly statistics, including the supply, demand, and number placed.

4. The statistics of demand and of workers placed shall include as essential data the profession or occupation of the worker, nationality, sex, civil status, and birthplace. The last is to be included only in the case of demand. In the case of workers placed, only the occupation and sex shall be given.

5. To oversee compliance with the laws making it compulsory, in introducing a new industry, to employ a certain proportion of Uruguayan workers, periodical reports on this matter must be sent to the director's office.

6. To supervise the activities of private employment agencies, endeavoring at the same time to secure data concerning their operations for statistical purposes.

7. To keep a special record of the supply of and demand for agricultural workers, in accordance with the decree of the Department of Industries relating thereto.

8. To study the condition of each trade and to specify the measures it may deem expedient to be adopted when there is a shortage or surplus of supply or demand in a certain trade.

ART. 7. The duties of the public employment registry section are:

(a) To establish, with the consent of the director's office, contacts with similar bureaus in other countries, for the greater success of its activities.

(b) To keep a special register for domestic service, in which shall be noted all facts concerning the previous life of each worker, the name, sex, nationality, civil status, houses where he has worked, etc.

(c) In addition to these data, the section shall keep a register in which it may note all other matters required for the fulfillment of its duties.

ART. 8. Duties of the mail and file section are:

(a) To attend to the incoming mail, transmitting all matters to the secretary's office for appropriate decisions.

(b) To prepare notices and summons.

(c) To issue the leaflets and books showing working hours.

(d) To file in the archives completed transactions keeping for this purpose the proper index books.

(e) To guard the equipment of the office, not being permitted to deliver any part of it to employees without previous authorization from a superior.

ART. 9. The duties of the treasury and accountancy section are:

1. Of the treasury:

(a) The collection of fines.

(b) The administration and custody of the securities of the office.

(c) The equipment of the office and of the employees.

2. Of the accounting office: A classified notation of:

(a) The collections.

(b) The administration of the amounts of fines.

(c) The receipts and disbursements of the office.

(d) That relating to the equipment of the employees (operations concerning wages, discounts, drafts, etc.)

#### *Inspectors in the capital*

ART. 10. The inspectors shall be regarded as administrative officials, their functions being the following in addition to those that may be intrusted to them by the director and the inspector general:

1. To make inspections in their respective zones; to keep the inspector general informed as to the execution and fulfillment of the labor laws, and also of the complaints made to them and of the difficulties encountered on their visits.

2. To communicate by note to the inspector general any observed violations of the various laws with whose enforcement they are charged.

3. To prepare a monthly account of the visits made, a report of the industries which they have inspected, and a report on any strikes and lockouts that have occurred in their respective zones.

4. To make any investigations concerning working conditions they may be called upon to make.

5. To intervene at the proper time in disputes between workmen and employers.

6. To gather each day at the office at specified hours, to receive orders from the inspector general or his representative, remaining there only long enough for that purpose.

7. To keep a record on which shall be noted daily the inspections made, the name of the establishment, locations, number of workmen, working hours, registration number, etc.

#### *Departmental inspectors*

ART. 11. The departmental inspectors shall have the duties:

1. Provided in paragraphs 1, 2, 3, 4, 5, and 7 of article 10 and, in addition, the following:

2. To keep on file:

(a) A collection of the laws and decrees with whose enforcement they have been charged;

(b) Circulars and instructions issued by the office;

- (c) A complete account of the establishments in their zones;
  - (d) Licenses renewed or canceled;
  - (e) Legal actions occasioned by the reports of the inspectors and a duplicate of any reports which had to be forwarded to the director's office;
  - (f) Printed matter necessary to the service sent to them by the office.
3. To send to the inspector general itineraries of their journeys each time they go on a tour of inspection.

#### DECREE OF MARCH 5, 1920

##### *Inspection aids—Their functions*

Inspection aids shall:

- (a) Attend daily to the work of the office and inside labor inspection service.
- (b) Substitute for the inspectors when the good of the service so requires; but only for the purpose of inspecting conditions under which work is done and of pointing out violations without imposing fines or intervening in the imposition of any penalty. When a violation has been proved they shall furnish the zone inspector with the proofs of the case so that the latter may initiate the due proceedings.

#### DECREE OF MAY 27, 1921

##### *Sections of industrial accidents and woman and child labor*

ARTICLE 1. There is committed to the Labor Office the organization, with its present personnel, of two new sections charged with services not specified in the existing regulations on "Industrial accidents" and "Woman and child labor."

ART. 2. Duties of the "Industrial accidents" section shall be:

- 1. To prepare all reports relating to industrial accidents, safety appliances, condition of machinery, buildings, etc.
- 2. To prepare an account of the accidents occurring during the year, properly classified.
- 3. To establish models of safety devices for the purpose of aiding industry in complying with the law on prevention of industrial accidents.
- 4. To set forth in a special book the condition of the establishments inspected, giving the necessary data.
- 5. To issue the proper certificates in each case.
- 6. To send each month to the office a report of the accidents that have occurred, together with the necessary data for statistical purposes.
- 7. To present, each year, a study which may facilitate improvements in safety devices in use.

ART. 3. Duties of the "woman and child labor" section shall be:

- 1. The supervision of existing social laws in establishments where women and children are employed, and particularly the chair law.
- 2. The formulation of methods of control to be put in practice as soon as the law regulating the employment of women and minors has been enacted.
- 3. The making of investigations concerning the material and moral condition of women and children employed in industry and commerce, informing the office quarterly of the results obtained.

#### DECREE OF JULY 22, 1921

##### *Price of weekly-rest leaflets and books issued by National Labor Office*

ARTICLE 1. The National Labor Office is authorized to issue the weekly-rest leaflets and books at 5 and 10 centesimos, respectively. The office shall, however, provide said documents gratuitously during the first three months in which they are issued.

ART. 2. The proceeds from the copies issued shall be used in paying the cost of the same.

ART. 3. The accountancy and treasury section of the office shall make a special account for the printed matter referred to, and in due time shall remit the appropriate vouchers to the General Accounting Office of the Nation.



## LIST OF BULLETINS OF THE BUREAU OF LABOR STATISTICS

*The following is a list of all bulletins of the Bureau of Labor Statistics published since July, 1912, except that in the case of bulletins giving the results of periodic surveys of the bureau only the latest bulletin on any one subject is here listed.*

*A complete list of the reports and bulletins issued prior to July, 1912, as well as the bulletins published since that date, will be furnished on application. Bulletins marked thus (\*) are out of print.*

### Conciliation and Arbitration (including strikes and lockouts).

- \*No. 124. Conciliation and arbitration in the building trades of Greater New York. [1913.]
- \*No. 133. Report of the industrial council of the British Board of Trade on its inquiry into industrial agreements. [1913.]
- No. 139. Michigan copper district strike. [1914.]
- No. 144. Industrial court of the cloak, suit, and skirt industry of New York City. [1914.]
- No. 145. Conciliation, arbitration, and sanitation in the dress and waist industry of New York City. [1914.]
- \*No. 191. Collective bargaining in the anthracite-coal industry. [1916.]
- \*No. 198. Collective agreements in the men's clothing industry. [1916.]
- No. 233. Operation of the industrial disputes investigation act of Canada. [1918.]
- No. 225. Joint industrial councils in Great Britain. [1919.]
- No. 283. History of the Shipbuilding Labor Adjustment Board, 1917 to 1919.
- No. 287. National War Labor Board: History of its formation, activities, etc. [1921.]
- No. 303. Use of Federal power in settlement of railway labor disputes. [1922.]
- No. 341. Trade agreement in the silk-ribbon industry of New York City. [1923.]
- No. 402. Collective bargaining by actors. [1926.]
- No. 468. Trade agreements, 1927.
- No. 481. Joint industrial control in the book and job printing industry. [1928.]

### Cooperation.

- No. 313. Consumers' cooperative societies in the United States in 1920.
- No. 314. Cooperative credit societies in America and in foreign countries. [1922.]
- No. 437. Cooperative movement in the United States in 1925 (other than agricultural).

### Employment and Unemployment.

- \*No. 109. Statistics of unemployment and the work of employment offices in the United States. [1913.]
- No. 172. Unemployment in New York City, N. Y. [1915.]
- \*No. 183. Regularity of employment in the women's ready-to-wear garment industries. [1915.]
- \*No. 195. Unemployment in the United States. [1916.]
- No. 196. Proceedings of the Employment Managers' Conference held at Minneapolis, Minn., January 19 and 20, 1916.
- \*No. 202. Proceedings of the conference of Employment Managers' Association of Boston, Mass., held May 10, 1916.
- No. 206. The British system of labor exchanges. [1916.]
- No. 227. Proceedings of the Employment Managers' Conference, Philadelphia, Pa., April 2 and 3, 1917.
- No. 235. Employment system of the Lake Carriers' Association. [1918.]
- \*No. 241. Public employment offices in the United States. [1918.]
- No. 247. Proceedings of Employment Managers' Conference, Rochester, N. Y., May 9-11, 1918.
- No. 310. Industrial unemployment: A statistical study of its extent and causes. [1922.]
- No. 409. Unemployment in Columbus, Ohio, 1921 to 1925.

### Foreign Labor Laws.

- \*No. 142. Administration of labor laws and factory inspection in certain European countries. [1914.]

### **Housing.**

- \*No. 158. Government aid to home owning and housing of working people in foreign countries. [1914.]
- No. 263. Housing by employers in the United States. [1920.]
- No. 295. Building operations in representative cities in 1920.
- No. 469. Building permits in the principal cities of the United States in [1921 to] 1927.

### **Industrial Accidents and Hygiene.**

- \*No. 104. Lead poisoning in potteries, tile works, and porcelain enameled sanitary ware factories. [1912.]
- No. 120. Hygiene of the painter's trade. [1913.]
- \*No. 127. Dangers to workers from dusts and fumes, and methods of protection. [1913.]
- \*No. 141. Lead poisoning in the smelting and refining of lead. [1914.]
- \*No. 157. Industrial accident statistics. [1915.]
- \*No. 165. Lead poisoning in the manufacture of storage batteries. [1914.]
- \*No. 179. Industrial poisons used in the rubber industry. [1915.]
- No. 188. Report of British departmental committee on the danger in the use of lead in the painting of buildings. [1916.]
- \*No. 201. Report of committee on statistics and compensation insurance cost of the International Association of Industrial Accident Boards and Commissions. [1916.]
- \*No. 207. Causes of death, by occupation. [1917.]
- \*No. 209. Hygiene of the printing trades. [1917.]
- \*No. 219. Industrial poisons used or produced in the manufacture of explosives. [1917.]
- No. 221. Hours, fatigue, and health in British munition factories. [1917.]
- No. 230. Industrial efficiency and fatigue in British munition factories. [1917.]
- \*No. 231. Mortality from respiratory diseases in dusty trades (inorganic dusts). [1918.]
- \*No. 234. Safety movement in the iron and steel industry, 1907 to 1917.
- No. 236. Effects of the air hammer on the hands of stonecutters. [1918.]
- No. 249. Industrial health and efficiency. Final report of British Health of Munition Workers' Committee. [1919.]
- \*No. 251. Preventable death in the cotton-manufacturing industry. [1919.]
- No. 256. Accidents and accident prevention in machine building. [1919.]
- No. 267. Anthrax as an occupational disease. [1920.]
- No. 276. Standardization of industrial accident statistics. [1920.]
- No. 280. Industrial poisoning in making coal-tar dyes and dye intermediates. [1921.]
- No. 291. Carbon-monoxide poisoning. [1921.]
- No. 293. The problem of dust phthisis in the granite-stone industry. [1922.]
- No. 298. Causes and prevention of accidents in the iron and steel industry, 1910-1919.
- No. 306. Occupation hazards and diagnostic signs: A guide to impairments to be looked for in hazardous occupations. [1922.]
- No. 392. Survey of hygienic conditions in the printing trades. [1925.]
- No. 405. Phosphorus necrosis in the manufacture of fireworks and in the preparation of phosphorus. [1926.]
- No. 426. Deaths from lead poisoning. [1927.]
- No. 427. Health survey of the printing trades, 1922 to 1925.
- No. 428. Proceedings of the Industrial Accident Prevention Conference, held at Washington, D. C., July 14-16, 1926.
- No. 460. A new test for industrial lead poisoning. [1928.]
- No. 466. Settlement for accidents to American seamen. [1928.]
- No. 488. Deaths from lead poisoning, 1925 to 1927.
- No. 490. Statistics of industrial accidents in the United States to the end of 1927. [In press.]

### **Industrial Relations and Labor Conditions.**

- No. 237. Industrial unrest in Great Britain. [1917.]
- No. 340. Chinese migrations, with special reference to labor conditions. [1923.]
- No. 349. Industrial relations in the West Coast lumber industry. [1923.]
- No. 361. Labor relations in the Fairmont (W. Va.) bituminous-coal field. [1924.]
- No. 380. Postwar labor conditions in Germany. [1925.]
- No. 383. Works council movement in Germany. [1925.]
- No. 384. Labor conditions in the shoe industry in Massachusetts, 1920-1924.
- No. 399. Labor relations in the lace and lace-curtain industries in the United States. [1925.]
- No. 483. Conditions in the shoe industry in Haverhill, Mass., 1928.

**Labor Laws of the United States (including decisions of courts relating to labor).**

- No. 211. Labor laws and their administration in the Pacific States. [1917.]  
No. 229. Wage-payment legislation in the United States. [1917.]  
No. 285. Minimum-wage laws of the United States: Construction and operation. [1921.]  
No. 321. Labor laws that have been declared unconstitutional. [1922.]  
No. 322. Kansas Court of Industrial Relations. [1923.]  
No. 343. Laws providing for bureaus of labor statistics, etc. [1923.]  
No. 370. Labor laws of the United States, with decisions of courts relating thereto. [1925.]  
No. 408. Laws relating to payment of wages. [1926.]  
No. 444. Decisions of courts and opinions affecting labor, 1926.  
No. 467. Minimum-wage legislation in various countries. [1928.]  
No. 486. Labor legislation of 1928.

**Proceedings of Annual Conventions of the Association of Governmental Labor Officials of the United States and Canada. (Name changed in 1928 to Association of Government Officials in Industry of the United States and Canada.)**

- \*No. 266. Seventh, Seattle, Wash., July 12-15, 1920.  
No. 307. Eighth, New Orleans, La., May 2-6, 1921.  
No. 323. Ninth, Harrisburg, Pa., May 22-26, 1922.  
No. 352. Tenth, Richmond, Va., May 1-4, 1923.  
\*No. 389. Eleventh, Chicago, Ill., May 19-23, 1924.  
\*No. 411. Twelfth, Salt Lake City, Utah, August 13-15, 1925.  
No. 429. Thirteenth, Columbus, Ohio, June 7-10, 1926.  
No. 455. Fourteenth, Paterson, N. J., May 31 to June 3, 1927.  
No. 480. Fifteenth, New Orleans, La., May 15-24, 1928.

**Proceedings of Annual Meetings of the International Association of Industrial Accident Boards and Commissions.**

- No. 210. Third, Columbus, Ohio, April 25-28, 1916.  
No. 248. Fourth, Boston, Mass., August 21-25, 1917.  
No. 264. Fifth, Madison, Wis., September 24-27, 1918.  
\*No. 273. Sixth, Toronto, Canada, September 23-26, 1919.  
No. 281. Seventh, San Francisco, Calif., September 20-24, 1920.  
No. 304. Eighth, Chicago, Ill., September 19-23, 1921.  
No. 333. Ninth, Baltimore, Md., October 9-13, 1922.  
No. 359. Tenth, St. Paul, Minn., September 24-26, 1923.  
No. 385. Eleventh, Halifax, Nova Scotia, August 26-28, 1924.  
No. 395. Index to proceedings, 1914-1924.  
No. 406. Twelfth, Salt Lake City, Utah, August 17-20, 1925.  
No. 432. Thirteenth, Hartford, Conn., September 14-17, 1926.  
No. 456. Fourteenth, Atlanta, Ga., September 27-29, 1927.  
No. 485. Fifteenth, Paterson, N. J., September 11-14, 1928.

**Proceedings of Annual Meetings of the International Association of Public Employment Services.**

- No. 192. First, Chicago, December 19 and 20, 1913; Second, Indianapolis, September 24 and 25, 1914; Third, Detroit, July 1 and 2, 1915.  
No. 220. Fourth, Buffalo, N. Y., July 20 and 21, 1916.  
No. 311. Ninth, Buffalo, N. Y., September 7-9, 1921.  
No. 337. Tenth, Washington, D. C., September 11-13, 1922.  
No. 355. Eleventh, Toronto, Canada, September 4-7, 1923.  
No. 400. Twelfth, Chicago, Ill., May 19-23, 1924.  
No. 414. Thirteenth, Rochester, N. Y., September 15-17, 1925.  
No. 478. Fifteenth, Detroit, Mich., October 25-28, 1927.

**Productivity of Labor.**

- No. 356. Productivity costs in the common-brick industry. [1924.]  
No. 360. Time and labor costs in manufacturing 100 pairs of shoes, 1923.  
No. 407. Labor cost of production and wages and hours of labor in the paper box-board industry. [1926.]  
No. 412. Wages, hours, and productivity in the pottery industry, 1925.  
No. 441. Productivity of labor in the glass industry. [1927.]  
No. 474. Productivity of labor in merchant blast furnaces. [1928.]  
No. 475. Productivity of labor in newspaper printing. [1928.]

#### Retail Prices and Cost of Living.

- \*No. 121. Sugar prices, from refiner to consumer. [1913.]
- \*No. 130. Wheat and flour prices, from farmer to consumer. [1913.]
- No. 164. Butter prices, from producer to consumer. [1914.]
- No. 170. Foreign food prices as affected by the war. [1915.]
- No. 357. Cost of living in the United States. [1924.]
- No. 369. The use of cost-of-living figures in wage adjustments. [1925.]
- No. 464. Retail prices, 1890 to 1927.

#### Safety Codes.

- \*No. 331. Code of lighting: Factories, mills, and other work places.
- No. 336. Safety code for the protection of industrial workers in foundries.
- No. 350. Specifications of laboratory tests for approval of electric headlighting devices for motor vehicles.
- No. 351. Safety code for the construction, care, and use of ladders.
- No. 375. Safety code for laundry machinery and operations.
- No. 378. Safety code for woodworking plants.
- No. 382. Code for lighting school buildings.
- No. 410. Safety code for paper and pulp mills.
- No. 430. Safety code for power presses and foot and hand presses.
- No. 433. Safety code for the prevention of dust explosions.
- No. 436. Safety code for the use, care, and protection of abrasive wheels.
- No. 447. Safety code for rubber mills and calenders.
- No. 451. Safety code for forging and hot-metal stamping.
- No. 463. Safety code for mechanical power-transmission apparatus.—First revision.

#### Vocational Workers' Education.

- \*No. 159. Short-unit courses for wage earners, and a factory school experiment. [1915.]
- \*No. 162. Vocational education survey of Richmond, Va. [1915.]
- No. 199. Vocational education survey of Minneapolis, Minn. [1917.]
- No. 271. Adult working-class education in Great Britain and the United States. [1920.]
- No. 459. Apprenticeship in building construction. [1928.]

#### Wages and Hours of Labor.

- \*No. 146. Wages and regularity of employment and standardization of piece rates in the dress and waist industry of New York. [1914.]
- \*No. 147. Wages and regularity of employment in the cloak, suit, and skirt industry. [1914.]
- No. 161. Wages and hours of labor in the clothing and cigar industries, 1911 to 1913.
- No. 163. Wages and hours of labor in the building and repairing of steam railroad cars, 1907 to 1913.
- \*No. 190. Wages and hours of labor in the cotton, woolen, and silk industries, 1907 to 1914.
- No. 204. Street-railway employment in the United States. [1917.]
- No. 225. Wages and hours of labor in the lumber, millwork, and furniture industries, 1915.
- No. 265. Industrial survey in selected industries in the United States, 1919.
- No. 297. Wages and hours of labor in the petroleum industry, 1920.
- No. 356. Productivity costs in the common-brick industry. [1924.]
- No. 358. Wages and hours of labor in the automobile-tire industry, 1923.
- No. 360. Time and labor costs in manufacturing 100 pairs of shoes, 1923.
- No. 365. Wages and hours of labor in the paper and pulp industry, 1923.
- No. 394. Wages and hours of labor in metalliferous mines, 1924.
- No. 407. Labor costs of production and wages and hours of labor in the paper box-board industry. [1926.]
- No. 412. Wages, hours, and productivity in the pottery industry, 1925.
- No. 413. Wages and hours of labor in the lumber industry in the United States, 1925.
- No. 416. Hours and earnings in anthracite and bituminous-coal mining, 1922 and 1924.
- No. 435. Wages and hours of labor in the men's clothing industry, 1911 to 1926.
- No. 438. Wages and hours of labor in the motor-vehicle industry, 1925.
- No. 442. Wages and hours of labor in the iron and steel industry, 1907 to 1925.
- No. 450. Wages and hours of labor in the boot and shoe industry, 1907 to 1926.
- No. 452. Wages and hours of labor in the hosiery and underwear industries, 1907 to 1926.
- No. 454. Hours and earnings in bituminous-coal mining, 1922, 1924, and 1926.
- No. 471. Wages and hours of labor in foundries and machine shops, 1927.



#### **Wages and Hours of Labor—Continued.**

- No. 472. Wages and hours of labor in slaughtering and meat packing, 1927.
- No. 476. Union scales of wages and hours of labor, 1927-28. Supplement to Bul. No. 457.
- No. 482. Union scales of wages and hours of labor, May 15, 1928.
- No. 484. Wages and hours of labor of common street laborers, 1928.
- No. 487. Wages and hours of labor in woolen and worsted goods manufacturing, 1910 to 1928.
- No. 492. Wages and hours of labor in cotton-goods manufacturing, 1910 to 1928. (In press.)

#### **Welfare Work.**

- \*No. 123. Employers' welfare work. [1913.]
- No. 222. Welfare work in British munitions factories. [1917.]
- \*No. 250. Welfare work for employees in industrial establishments in the United States. [1919.]
- No. 458. Health and recreation activities in industrial establishments, 1926.

#### **Wholesale Prices.**

- No. 284. Index numbers of wholesale prices in the United States and foreign countries. [1921.]
- No. 440. Wholesale prices, 1890 to 1926.
- No. 453. Revised index numbers of wholesale prices, 1913 to July, 1927.
- No. 493. Wholesale prices, 1913 to 1928. (In press.)

#### **Women and Children in Industry.**

- No. 116. Hours, earnings, and duration of employment of wage-earning women in selected industries in the District of Columbia. [1913.]
- \*No. 117. Prohibition of night work of young persons. [1913.]
- No. 118. Ten-hour maximum working-day for women and young persons. [1913.]
- No. 119. Working hours of women in the pea canneries of Wisconsin. [1913.]
- \*No. 122. Employment of women in power laundries in Milwaukee. [1913.]
- No. 160. Hours, earnings, and conditions of labor of women in Indiana mercantile establishments and garment factories. [1914.]
- \*No. 167. Minimum-wage legislation in the United States and foreign countries. [1915.]
- \*No. 175. Summary of the report on conditions of woman and child wage earners in the United States. [1915.]
- \*No. 176. Effect of minimum-wage determinations in Oregon. [1915.]
- \*No. 180. The boot and shoe industry in Massachusetts as a vocation for women. [1915.]
- \*No. 182. Unemployment among women in department and other retail stores of Boston, Mass. [1916.]
- No. 193. Dressmaking as a trade for women in Massachusetts. [1916.]
- No. 215. Industrial experience of trade-school girls in Massachusetts. [1917.]
- \*No. 217. Effect of workmen's compensation laws in diminishing the necessity of industrial employment of women and children. [1918.]
- No. 223. Employment of women and juveniles in Great Britain during the war. [1917.]
- No. 253. Women in the lead industries. [1919.]

#### **Workmen's Insurance and Compensation (including laws relating thereto).**

- \*No. 101. Care of tuberculous wage earners in Germany. [1912.]
- \*No. 102. British national insurance act, 1911.
- No. 103. Sickness and accident insurance law of Switzerland. [1912.]
- No. 107. Law relating to insurance of salaried employees in Germany. [1913.]
- \*No. 155. Compensation for accidents to employees of the United States. [1914.]
- No. 212. Proceedings of the conference on social insurance called by the International Association of Industrial Accident Boards and Commissions, Washington, D. C., December 5-9, 1916.
- \*No. 243. Workmen's compensation legislation in the United States and foreign countries, 1917 and 1918.
- No. 301. Comparison of workmen's compensation insurance and administration. [1922.]
- No. 312. National health insurance in Great Britain, 1911 to 1921.
- No. 379. Comparison of workmen's compensation laws of the United States as of January 1, 1925.
- No. 423. Workmen's compensation legislation of the United States and Canada as of July 1, 1926.
- No. 477. Public-service retirement systems, United States and Europe. [1928.]

Miscellaneous Series.

- \*No. 174. Subject index of the publications of the United States Bureau of Labor Statistics up to May 1, 1915.
- No. 208. Profit sharing in the United States. [1916.]
- No. 242. Food situation in central Europe, 1917.
- No. 254. International labor legislation and the society of nations. [1919.]
- No. 268. Historical survey of international action affecting labor. [1919.]
- No. 282. Mutual relief associations among Government employees in Washington, D. C. [1921.]
- No. 299. Personnel research agencies: A guide to organized research in employment management, industrial relations, training, and working conditions. [1921.]
- No. 319. The Bureau of Labor Statistics: Its history, activities, and organization. [1922.]
- No. 326. Methods of procuring and computing statistical information of the Bureau of Labor Statistics. [1923.]
- No. 342. International Seamen's Union of America: A study of its history and problems. [1923.]
- No. 346. Humanity in government. [1923.]
- No. 372. Convict labor in 1923.
- No. 386. Cost of American almshouses. [1925.]
- No. 398. Growth of legal-aid work in the United States. [1926.]
- No. 401. Family allowances in foreign countries. [1926.]
- No. 420. Handbook of American trade-unions. [1926.]
- No. 461. Labor organizations in Chile. [1928.]
- No. 462. Park recreation areas in the United States. [1928.]
- No. 465. Beneficial activities of American trade-unions. [1928.]
- No. 479. Activities and functions of a State department of labor. [1928.]
- No. 489. Care of the aged in the United States. (In press.)
- No. 491. Handbook of labor statistics, 1929 edition. (In press.)

