

Instructions of the Ministry of Labor Concerning the Establishment of Labor Consultative Conferences in Private Enterprises

April 29, 1950

(Approved at the twenty-ninth administrative meeting of the Government Council on April 21, 1950)

1. In accordance with the people's government's policy of "development of production, prosperity of the economy, consideration of both public and private interests, and benefits for both labor and capital", in private industrial and commercial enterprises, in order to facilitate consultations between labor and capital on various specific issues related to improving production, business and employee benefits, in Labor-management consultation meetings may be established with the consent of both parties.

2. The organization of labor-management consultation meetings is generally applicable to private factories and shops that employ more than 50 people; those that employ less than 50 people may handle it according to the spirit of this instruction and specific circumstances. At the same time, in the same industry or industry in the same city, when both employers and employees deem it necessary, a labor-management consultation meeting for the industry or industry may also be established.

3. The labor-management consultative conference is an organ for equal consultation between labor and management, and is not responsible for enterprise management and administrative management.

4. The composition of the labor-management consultation meeting shall be based on the principle that the representatives of both labor and management shall select an equal number of representatives. Natural representative), the number of representatives of the two parties shall be determined through negotiation between the two parties, generally two to six persons per party is appropriate.

5. The representatives participating in the labor-management consultation meeting should be relatively fixed. After each party selects a representative, the name of the representative should be notified to the other party. However, both parties have the right to replace their representatives when necessary.

6. The labor-management consultation meeting in industrial and commercial enterprises shall have regular meetings, and the number of meetings per month shall be determined through negotiation between the two parties. In addition to regular meetings, when necessary, a party can propose and obtain the consent of the other party, and it can be called at any time. The meeting time is generally based on the principle of not occupying production time. Labor-management consultation meetings in the same industry or industry do not need to specify a fixed period, and can be convened when both parties agree.

7. The chairman of the labor-management consultation meeting shall be assumed by the representatives of the labor and management who attend the meeting in turn (if the labor representative acts as the representative once, the management representative shall act the next time), and each meeting shall be convened by the rotating chairman.

8. The labor-management consultation meeting may discuss the following issues with the consent of both parties:

- A. Related to the conclusion of a collective contract and how to implement the provisions of the collective contract;
 - B. Discussion on production plans and the completion of production tasks and Improve production, quality, save materials, tools, etc.;
 - C. Improve production organization, such as labor allocation, machine tool adjustment, raw material allocation, etc.;
 - D. Improve technology, improve operation methods, improve production efficiency and workers' technical level matters related to improvement of business and management, drafting and revision of factory rules, reward and punishment system, etc.;
 - E. Matters related to the employment and dismissal of employees, rank promotion and other personnel issues;
 - F. Relevant wages, working hours, living conditions, remuneration and other employee welfare facilities and other matters;
 - G. Matters related to the safety and health of industrial and commercial enterprises and employee diseases, casualties, disabilities, female workers' maternity benefits, etc.
9. Both employers and employees have the right to propose proposals through their respective representatives for various issues negotiated in the labor-management consultation meeting. When the consultation meeting is in session, if necessary, the chairman may notify the original proposer or relevant person in charge to report at the meeting.
10. The negotiation procedures of the labor-management consultation meeting are as follows:
- A. The representatives of the labor and management sides will separately notify each other of the issues to be negotiated before the meeting, so that the representatives of both parties can study in advance and solicit opinions from relevant parties and employees;
 - B. When the meeting is held, the rotating chairman submits the issues to the meeting research plan one by one in the order agreed by both parties to obtain an agreement;
 - C. The agreement on general issues can be established after the unanimous consent of the representatives of both labor and management. Negotiations on relatively important issues must be reported by the representatives of both parties to the relevant personnel and all employees, and can only be established after obtaining consent; Discussion is allowed;
 - E. For relatively important matters that have been agreed upon, three copies of the meeting minutes agreed and signed by the representatives of both parties must be written. Each party holds one copy, and the other copy is sent to the local labor bureau for record.
11. For matters that have been agreed, the representatives of the labor and management shall communicate among the relevant personnel and employees or jointly convene a meeting to communicate and be responsible for implementation; for matters that have not been agreed, the two parties shall discuss and negotiate separately after the meeting for the next time. Negotiate again in the meeting.
12. If a dispute arises during the meeting and cannot be resolved, it shall be handled in accordance with the labor dispute resolution procedures.

13. The agreement established between labor and management shall not conflict with the provisions of government laws and collective contracts. If it is necessary to amend the collective contract, it must be handled according to the procedures for signing the collective contract originally.

14. After receiving this instruction, local labor bureaus should convene local trade union organizations and representatives of industrial and commercial groups to discuss the implementation of this instruction, with a view to gradually implementing it in a prepared and step-by-step manner under the condition of mutual consent and voluntary consent of both employers and employees, and report the implementation situation and experience to the headquarters at any time.