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THE ROLE OF THE FACTORY TRADE-UNION COMMITTEE
IN DEFENSE OF WORKERS' LEGAL RIGHTS

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Two assumptions are implicit in any paper examining the obligation of Soviet factory trade-union organizations to defend the legal rights of industrial workers. First, that Soviet workers have legal rights that can be defended. Second, that Factory Trade-Union Committees attempt to defend those rights. Neither of these assumptions should be accepted at face value.

Traditionally, Soviet trade-union organizations have attempted to protect workers from the "bureaucratic excesses" of management while, at the same time, urging those same workers to produce more and better goods in shorter periods of time. Soviet theorists contend that there can be no contradiction in these goals as, under socialism, the workers are themselves the beneficiaries of increased production.²

Several western observers ridicule this claim.³ They argue, not without some merit, that any "trade union" which has higher levels of productivity as a primary goal cannot defend workers' rights. Meanwhile, a second group of western scholars points out that, within very narrowly defined limits, Soviet trade unions can do, and, in fact have done much to enhance the living and the working conditions of Soviet workers.⁴ This group argues that an increase in industrial production and the fulfillment of workers' rights are not necessarily mutually exclusive ends.

If the first group is correct, Soviet trade unions are not unions at all, but serve as agents of Party control

whose chief task is to force workers to meet monthly, annual, and quinquennial production plans. However, if the second group is correct and Soviet factory trade-union officials do attempt to defend the rights of workers, it may be advisable to reevaluate many of our own views of Soviet trade-union activity. In order to judge the relative merit of both positions, it is necessary to turn our attention to the Soviet definition of workers' legal rights.

The 1970 "Fundamental Principles of Labour Legislation" declares that every Soviet citizen has eight labour rights:

- the right to conclude a labour contract
- the right to a guaranteed and proper wage
- the right to rest
- the right to healthy and safe work conditions
- the right to free professional education
- the right to membership in a trade union
- the right to participate in management
- the right to social insurance and workers' compensation payments 5

Of these eight, the right to conclude a labour contract, the right to a guaranteed and proper wage, the right to healthy and safe work conditions, and the right to membership in a trade union are the most important for our discussion.

THE RIGHT TO A LABOUR CONTRACT. All adult Soviet citizens are legally guaranteed a job in accordance with their educational level, their professional skills, and their individual qualifications. The terms of that employment are established in an agreement entered upon voluntarily by the citizen and by the administration of the place of work. The employee has the right to terminate that contract upon two weeks prior written notice while

the administration must receive the prior permission of the Factory Trade-Union Committee before it can dismiss an employee. The right to a guaranteed labour contract is protected further by statutes governing hiring, transfer, temporary transfer, termination and dismissal of labourers.⁶

During a 1975 interview, Vasili Dzhelomanov, an administrator with the Organizational Department of the All-Union Central Council of Trade Unions (AUCCTU), stated that a worker can leave work whenever he likes so long as he has given two weeks prior written notice.⁷ However, the administration can remove a worker only if that worker is a labour discipline problem or if that worker has had difficulties of a personal nature affecting his work performance. In either case, the Factory Trade-Union Committee must examine the case and, if it does not concur with the previous decision of management, the worker can not be removed. The factory administration can choose to take the union decision to a Peoples' Court, but the judge almost always agrees with the decision of the union committee. The worker can take a decision to dismiss to a Disputes Commission, or to a Court; but again, the court usually, although not always, accepts the decision of the Factory Trade-Union Committee as final.

The story of Nikolai Timofeevich, a fictitious character based upon cases before the Supreme Courts of the Soviet Union and of the Russian Republic, can elucidate further the procedures factory directors must take before a worker can be removed.⁸ Nikolai Timofeevich, a war veteran, worked in a

Leningrad machine shop. He was a drunk and arrived at work late with great regularity. After a series of disciplinary measures failed to correct his irresponsible attitude toward labour, the factory director, Vadim Anatolovich, removed Nikolai from the main production line and assigned him to a menial position in the supply office. This reassignment necessitated a reduction in Nikolai's salary. Nikolai maintained that since Factory Trade-Union Chairman Vsevolod Nikolaevich had not been consulted, this move was illegal. He petitioned Vsevolod Nikolaevich to call the Factory Disputes Commission (KTS) into session to review the case.⁹

The Disputes' Commission, in this case consisting of Vsevolod Nikolaevich and Vadim Anatolovich, was unable to reach a unanimous decision, thus sending the case before a meeting of the entire Factory Trade-Union Committee (FZMK). The committee ruled on the basis of a 20 to 15 vote, that the transfer of Nikolai Timofeevich was indeed a proper and a justified disciplinary action. Superior union bodies, the City Procurator's Office, and the District (raion) Peoples' Court all later concurred. After a nine month period, all channels of review had been exhausted.

Nikolai Timofeevich continued to perform his duties poorly. Finally, even his co-workers in the supply office, themselves exiled from other duties as a result of drunkenness, refused to work with Nikolai. Vadim Anatolovich fired Nikolai on the spot, asking Vsevolod Nikolaevich and the Factory Trade-Union Committee for approval of that decision only after the

dismissal order had been given. When superior union officials refused to hear his case, Nikolai turned to the City Procurator's Office which, with the help of a favorable ruling from a District (raion) Peoples' Court, forced Vadim Anatolovich to reinstate Nikolai at a level equivalent to his last position in the supply office with full payment of back wages. The Court reached its decision on the basis of the Factory Union Committee's failure to approve Nikolai's dismissal before the actual order had been issued. In order to prevent any further difficulties, Vadim arranged with Vsevolod Nikolaevich to place Nikolai in charge of the trade-union library at the factory.

As the story of Nikolai Timofeevich illustrates, there are at least a half-dozen instances at which a factory or a shop trade-union officer or committee may fail to defend the legal rights of a dismissed worker. The union committee may not compel factory or shop administrators to exhaust all channels of disciplinary action before dismissing a worker; or, the union chairman may refuse to convene the Disputes Commission to hear a worker's complaint. At another stage, the entire union committee may ignore the impasse the adjudication process reaches when the Disputes' Commission fails to obtain a unanimous decision. In yet another instance, trade-union officials may work with factory administrators to dismiss a worker; or, the Factory Trade-Union Committee may grant ex post facto approval of a dismissal order. Finally, the trade-union committee may fail to approve and fail to reverse a managerial decision to dismiss. It is important to determine if actual union committees uphold with any regularity the norms of labour legislation con-

cerning dismissals at all of these points.

The Peoples' Court decided to reinstate Nikolai Timofeevich on the basis of the Factory Union Committee's failure to approve his dismissal before Vadim Anatolovich ordered his removal. Such occurrences are not unusual. During the first half of 1971, for example, fourteen of the thirty-three workers reinstated by the Supreme Court of the Estonian Republic had been fired without the prior approval of a factory committee.¹⁰ These illegal dismissals add to the already heavy workload of regional union officials, of procurators, and of the court system.

During a 1975 interview, A. A. Kliuev,¹¹ Chief of the Legal Department of the Leningrad Regional (oblast') Council of Trade Unions, indicated that his office handled between 140 and 150 complaints each day. Generally, worker petitions reaching the Leningrad Regional Trade-Union Council focus upon one of six concerns:

- recruitment to and dismissal from a position
- transfer of workers within a single enterprise
- wages
- bonus and "socialist competition" premiums
- hospital, illness and disability benefits
- pension payments

The case of Nikolai Timofeevich involves, at one point of another, each of the first three categories.

When some illegal action occurs, Kliuev contacts regional economic officers to ensure the factory administrator involved is forced to live up to the standards established by law. If that approach fails, the Regional Council itself will attempt to deal with the issue through the Regional Party Committee. Finally, when all other channels are exhausted, Council lawyers

represent the slighted worker in court.

When the factory trade-union authorities failed to support Nikolai Timofeevich's opposition to his initial transfer, he had four choices. He could have accepted the decision of the factory authorities as final; he could have turned to the regional union council's legal department; he could have contacted the chairman of the regional committee of his trade union; or, he could have approached the Procurator's Office. N. I. Zinov'ev, Chairman of the Leningrad Regional Committee of Workers in Machine Construction;¹² A. S. Martushev, Chairman of the Leningrad Regional Committee of Workers in Auto and in Highway Transport;¹³ and, G. A. Gromozdova, Chairman of the Leningrad Regional Committee of Workers in Textile and in Light Industries,¹⁴ all indicated during 1975 interviews that a considerable amount of their time, and the time of their subordinates, is spent handling complaints such as those of Nikolai Timofeevich. Each regional committee chairman and secretary as well as the various secretaries of the Leningrad Regional Trade-Union Council maintain regular visiting hours for just this purpose. Like A. A. Kliuev, these other regional officers attempt to resolve conflicts through their personal contacts with regional economic and Party officials. If these efforts fail, workers such as Nikolai Timofeevich may turn to the District (raion) or to the City Procurator's Office.

American political scientist Gordon Smith, citing unpublished Soviet data summarizing the activities of the U.S.S.R. Procuracy and of the R.S.F.S.R. Procuracy over the past twenty

years, reports that labour related complaints constitute a significant percentage of all grievances brought to procuratorial offices. In 1972, according to Smith, labour violations constituted approximately half of all complaints reviewed by procuratorial officials in the R.S.F.S.R. with approximately one-half of those cases being decided in the worker's favor.¹⁵

Data published by the Soviet Supreme Court further substantiates Smith's findings. According to Biulleten' Verkhovnogo Suda SSSR,¹⁶ in Donets Region (oblast') during 1967, regional representatives of the Procuracy brought 490 protests (protesty), 453 presentations (predstavleniia), 108 disciplinary proceedings (privlech' k distsiplinarnoi otvetstvennosti), and fourteen criminal proceedings (privlech' k ugolovnoi otvetstvennosti) against managerial personnel (dolzhnostnykh lits) while bringing twenty-three civil actions (isk) totalling 1099 rubles. District (raion) representatives of the Procuracy brought an additional eighty-eight civil actions, totalling 5671 rubles, against managerial violators of labour legislation. When all else fails, and even the Procuracy does not assist, a worker can turn, as did Nikolai Timofeevich following his transfer to the supply office, directly to the courts.

Soviet courts have enforced the right of union organizations to insure a worker's labour contract. Professor M. McAuley reported that, by the early 1960s, almost one-half of all claims for reinstatement to work were being granted by the courts. When the courts were faced with a worker who had been dismissed without prior permission of the Factory Trade-Union Committee, they usually reinstated the worker even if there had

been sufficient legal grounds for dismissal.¹⁷

These trends continued throughout the 1960s. In 1967, on the average, Soviet courts found illegalities in dismissals and ruled that management reinstate employees in 51.7% of all cases.¹⁸ Courts in the Russian Republic alone reinstated 1344 persons to their place of employment.¹⁹ Often-times, higher judicial agencies placed blame for these illegal dismissals upon lower judicial bodies,²⁰ officials of the Procuracy,²¹ and enterprise level union and administration officials.²² Local union and management personnel apparently violate the law with greater regularity in Uzbekistan, Georgia, Tadzhikistan, Azerbaidzhan, and Kazakhstan, requiring higher reinstatement rates.²³

I. Kositsyn, Chief of the Comrades' Court and Labour Disputes Section of the AUCCTU Legal Department, warns against misinterpretation of this evidence. During a 1975 interview, Kositsyn pointed out that, as in the United States, only a small percentage of labour dismissals ever come to formal adjudication.²⁴ In recent years, when factory union agencies have not lived up to their obligation, some other, higher union institution increasingly will. Therefore, the cases reaching the Procuracy and the court system represent union failures, not union successes. And even at that, Kositsyn continued, union decisions are upheld about 50% of the time.

The story of Nikolai Timofeevich underscores both the successes and the failures of union efforts to improve defense of workers' right to a legal contract. On the one hand, Vsevolod Nikolaevich and the union committee worked with

Vadim Anatolovich to remove Nikolai; on the other, procedures existed to insure enforcement of legal norms even when an enterprise union committee has failed to do so. This story, and the data upon which it has been based, might suggest that Kositsyn's observations are overly optimistic. Nevertheless, they are not without substance. It is probable that trade-union organizations at a majority of Soviet industrial enterprises do, in fact, attempt to protect a worker's right to a labour contract.

THE RIGHT TO A GUARANTEED AND PROPER WAGE. All adult Soviet citizens are legally guaranteed a wage in accordance with their professional skills, their time at work, and their productivity. That salary is calculated according to a base salary determined by the level of individual qualification as well as by the type of employment. The base salary is supplemented by social wage payments, annual bonuses, and premiums resulting from socialist competition.²⁵ As a result of the 1965 Economic Reforms, much of the calculation of individual wages now takes place within a workers' enterprise.²⁶

Following the 1965 Reform, individual enterprises gained more autonomy, resulting in a general dispersion of economic relationships. This decentralization was accomplished in part through the establishment of three funds derived from enterprise profits.²⁷ Individual enterprises came to distribute the Incentive Fund among overachievers in socialist competition. The Fund for Social and Cultural Needs directed money for the improvement of

factory social, health, and recreational facilities. Finally, the Fund for the Development of Production supplied additional capital for construction and for technological innovation. Policy makers hoped that enhanced incentives for individual workers and for factories would stimulate production. The creation of these profit funds has meant that a larger percentage of a worker's take-home pay currently is derived from enterprise profits (See Table I).

The establishment of the Fund for Social and Cultural Needs, and of the Incentive Fund substantially modified the duties of the Factory Trade-Union Committee.²⁸ The first provided slightly increased funding for, and significantly more flexibility in the union operation of educational, cultural, health and recreational facilities. The second fund resulted in greater union participation in the calculation of workers' wages through their role in the organization of socialist competition. Both changes broadened the opportunities for the unions to exert influence over the daily management of the industrial enterprise. These opportunities arose at a time when Party and union officials were urging improvement in union defense of workers' rights. It is probable that at least some union officials attempted to use their new authority in accordance with these demands.

The use of prerogatives both by factory management and by factory union officials has led some Soviet labour law specialists to speculate that enterprise administrators now have the legal authority to establish local norms regulating the labour relationship.²⁹ After the Fall, 1973, the discussion

TABLE I: PERCENT OF SALARY BY
TYPE OF PAYMENT, 1961
AND 1971.

TYPE OF PAYMENT	INDUSTRY AS WHOLE		IN MACHINE-CONSTRUCTION	
	1961	1971	1961	1971
BASIC WAGE	73.2%	61.2%	72.3%	59.4%
PAYMENT FOR OVERFUL- FILLMENT OF NORMS	7.6	11.6	11.8	16.4
PREMIUM FROM WAGE FUND	7.4	11.0	7.2	10.4
PREMIUM FROM FUND OF MATERIAL STIMULATION	0.0	5.2	0.0	5.6
OTHER FORMS OF PAY	11.8	11.0	8.7	8.2

SOURCE: R. Batkaev, "Osnovy organizatsii zarabotnoi platy ee formy i sistemy," Sotsialisticheskii trud, 1973, No. 4, 87-99/

of this controversial thesis intensified as a result of the appearance of a much disputed book, Lokal'nye normy trudovogo prava i material'noe stimulirovanie (Local Norms of Labour Law and Material Stimulation), written by L'vov University's R. I. Kondrat'ev.³⁰

According to Kondrat'ev, the expansion of union and of managerial prerogatives in numerous areas of joint decision-making accompanied the growth of enterprise autonomy. He argues that joint union-management decisions governing a broad sweep of enterprise activities, including discipline, work hours, vacation schedules, disputes resolution, and, most importantly, wage determination constitute the establishment of legal and of material labour norms by local officials. In other words, factory authorities have begun to create their own legally binding norms largely independent of central decrees.

Kondrat'ev closely examined the activities of factory officers in determining wage payments to prove his argument, and found that plant directors and factory trade-union chairmen had effectively gained the authority to determine the take-home pay of individual workers through the distribution of profit sharing premiums, supplemental social service benefits, and, indirectly, through vacation days. Such local norms, according to Kondrat'ev, meaningfully deviate one from the other (See Table II).

Much of the public disagreement with Kondrat'ev arises out of his definition of legal norms. For example, during a meeting held by the Labour Law Section of Leningrad State Univer-

TABLE II: NUMBER OF DAYS DURING WHICH TIME
 . DISABLED PERSONEL WILL RECEIVE
 NORMAL WAGES, AS DETERMINED BY
 POSITION IN ENTERPRISE AND LENGTH
 OF SERVICE, AT THE LENIN LIFT AND
 TRANSPORT EQUIPMENT FACTORY,
 KHAR'KOV, 1972.

CATEGORY OF WORKER	SIZE OF ALLOWENCE IN DAYS ACCORDING TO UNINTERRUPTED LENGTH OF SERVICE			
	From 1 to 5 Years Inclusive	From 6 to 10 Years Inclusive	From 11 to 15 Years Inclusive	More than 15 Years
WORKERS AND JUNIOR STAFF ASSISTANTS OF ALL SHOPS AND DUTY POSTS, FOREMEN AND PRODUCTION SUPER- VISORS OF ALL SHOPS (EXCEPT MECHANICS, AND CONTROL SUPER- VISORS).	8 days	14 days	17 days	21 days
WORKERS IN SMELTING SHOPS AND MACHINE OPERATORS OF PRODUC- TION SHOPS.	12	17	20	23
TECHNICAL PERSONNEL AND WHITE COLLAR WORKERS OF ALL SHOPS.	5	12	14	21
WORKERS OF NON-PRO- DUCTIVE GROUPS (CHILD SERVICES, THE HOUSING DEPARTMENT, ETC.).	5	8	10	15

SOURCE: R. I. Kondrat'ev, Lokal'nye normy trudovogo prava i material'noe stimulirovanie (L'vov: Izd. 'Vishcha Shkola' pri L'vov gos. universitet, 1973), p. 111.

sity's Juridical Faculty on November 28, 1974³¹ to discuss Kondrat'ev's work with the author himself, A. S. Pashkov, chief of the section, took his guest to task for failing to appreciate the difference between locally constituted norms and local clarification of centrally established norms.

The significance of the debate over local labour norms does not lie in the possible validity of Kondrat'ev's thesis; the discussion of that position is significant for us as a potential source of erosion in the principle of Democratic Centralism. It also provides important evidence that Soviet wages are now established at the local level. While the 1965

Economic Reforms did not fulfill the intended goal of rationalizing the Soviet economy, they did expand the options open to factory administrators. Factory union officials have benefited from the decentralization at least as much as their managerial counterparts have for they now are able to play a meaningful role in the determination of wage payment.

At first glance, the changes in formulation of wage payments brought about by the Economic Reforms would appear to be another attempt at increasing levels of industrial production. During the past decade, the percentage of a worker's salary resulting from various forms of production premiums has grown significantly. On further analysis, the system of wage determination has other implications. Kondrat'ev indicates that a substantial number of regional and factory trade-union officials use their newfound influence over wage determination to insure payment of a "proper" wage. The fact that "proper" is closely

related to industrial productivity is significant; but that fact does not necessarily prohibit further union actions in defense of workers' rights.

The last decade has witnessed a marked increase in the ability of local union officers to influence the size of a worker's paycheck. Given the fact that local union organizations have attempted to use their expanded authority in other areas to insure adherence to workers' rights, it is conceivable that the unions' new power over wage determination will eventually be used to improve the financial position of Soviet workers. At a minimum, no aspect of the unions' role in wage determination would appear to prohibit other activity in defense of workers' rights.

THE RIGHT TO HEALTHY AND SAFE WORK CONDITIONS. All adult Soviet citizens are legally guaranteed healthy and safe working conditions. Factory administrators are required by law to utilize contemporary methods of technical safety, to provide protective clothing, to take all reasonable preventative measures against industrial accidents and illnesses, and to maintain high levels of industrial sanitation. Factory trade-union officials are required by law to participate in all decisions affecting the general work environment. They can do so by entering into an enterprise collective agreement with management,³² and by organizing an enterprise labour safety inspection.³³

The factory trade-union chairman, representing the workers, and the factory director, representing management, consent to the provisions of the collective agreement.³⁴ This contract establishes a system of mutual obligations for worker and for manager alike. The workers agree to fulfill production norms, to maintain high levels of labour discipline, and to encourage technological innovation while the factory administration agrees to involve workers in factory management as well as to improve the living and the working conditions of all employees and their families.

In principle, the annual agreement is established as the result of a three month negotiation process. During the fourth quarter of each calendar year, representatives of union and of management form a commission to review the suggestions of individual workers, of trade-union groups, and of shop brigades. This commission recommends a draft contract to the factory trade-union chairman and to the factory director. Once both have agreed to the final terms of that contract, the factory union committee organizes an open meeting to discuss the draft. The proposed agreement can become legally binding only after the approval by a majority of the enterprise's employees (or, in the case of a particularly large factory, by a majority of representatives elected by the employees). During each subsequent quarter, the factory union committee organizes an open meeting to review management compliance with the agreement. If, after two quarters the administration has failed to honor its previous pledges, the workers of the plant have the right to request that the ministry concerned remove the plant director. This last action is said

to occur in a handful of instances each year.

This system of enterprise collective agreements has gained considerable strength in recent years. The 1965 Economic Reforms significantly increased the range of concerns included in the agreements as well as the severity of sanctions for noncompliance.³⁵ Union administrators and legal specialists now claim that agreement procedures are followed in most industrial enterprises. However, this is not always the case. In some instances, Soviet factory directors, like some of their western counterparts, fail to bargain in good faith. In December, 1972, for example, a resolution of the AUCCTU Secretariat berated the management and union officials of the Bashneft', Azneft', and Kaspormorneft' Oil Associations (ob"edinenie) for failing to adhere to safety norms.³⁶ Specifically, workers in several professions did not wear the legally required protective clothing. Moreover, facilities did not exist for the distribution, the cleaning, the repair, and the storage of such attire. The AUCCTU Secretariat instructed the Central Committee of the Union of Oil Workers to work with the ministries concerned to insure that the directors of the associations fulfill obligations to properly cloth production workers. Under ideal conditions, subjects such as these could have been regulated by enterprise collective agreements.

On balance, when collective agreements are not fulfilled, simple negligence such as that of the Bashneft', Azneft' and Kaspormorneft' Oil Associations appears to be less important than inadequate human and financial resources. Leningrad's Bus Depot No. 4, for example, has more than 2000 drivers and 500 repair

shop workers.³⁷ Both Director A. I. Krivolopov and Union Chairman I. P. Martuseivich profess strong belief in the necessity of a health work environment and in full adherence to the provisions of the collective agreement. Unfortunately, they often lack adequate resources to act as they desire.

Director Krivolopov laments that his operation is undermanned by over 400 drivers. The remaining drivers must substitute for the missing employees. Inevitably, labour regulations governing work time are violated. The alternative would be to ignore the needs of the tens of thousands of Leningraders who depend upon the service provided by the depot. In addition to such violation of hourly norms, the sanitary conditions at the depot often leave much to be desired. Many of the students living nearby consider the depot's cafeteria to be one of the most dismal dining halls in the entire city.

Director Krivolopov and Union Chairman Martuseivich admit that every need of every worker is not met. However, they are proud of their honest relationship. Not long ago, Krivolopov reported, the director of Bus Depot No. 1 failed to repair union facilities as required by the enterprise collective agreement. The director claimed that there was simply not enough money. The union committee disagreed; the Regional Trade Union Committee of the Union of Autotransport and Highway Workers entered the case to audit the books. The money was not there. Both Krivolopov and Martuseivich want to avoid a similar situation occurring at Depot No. 4.

Dedicated as they are to the welfare of their employees,

Krivolopov and Martuseivich must compromise. Labour regulations governing working hours must be overlooked; food services must remain inadequate. Numerous other Soviet factory directors and union chairmen face similar problems. Try as they might to function as the model factories of their collective agreements, many Soviet industrial officials lack adequate resources to fulfill mutually agreed upon obligations. This is also true of those enterprises trying to meet the demands of industrial safety inspectors.

Both intra-trade-union regional committees and inter-trade-union regional councils maintain a permanent staff of full-time safety inspectors.³⁸ These inspectors are certified by the AUCCTU or by their branch trade-union central committee upon completion of an established curriculum. Backed by criminal and civil legislation, the inspectors have the right to enter any factory at will, and to inspect any area within that enterprise they choose. If their demands are not met, regional trade-union and Party officials as well as officials of the regional office of the Procuracy can intervene in the case. Once such intervention occurs, the question can be resolved only by higher trade-union, ministerial and judicial officials.

In addition to the permanent safety inspectors hired by regional trade-union organizations, individual factory trade-union committees organize voluntary safety commissions. Each enterprise and shop has the right to organize their inspection system according to individual needs. However, the chairman of the safety commission must be a member of the factory trade-

union committee. In principle, an inspection will occur at the start of each work shift. If the volunteer inspector discovers a safety violation, he must report it to the shop foreman and to the shop trade-union leader. If that condition is not corrected by the beginning of the next shift, the shop trade-union officer must report that failure to the factory trade-union committee. Finally, if the management persists in ignoring the violation, the factory trade-union chairman can request the full-time permanent regional inspector to enter the plant. The regional inspector has the authority to levy fines up to 50 rubles per violation, initiate criminal or civil proceedings, or, in extreme cases, have the ministry close the enterprise.

In spite of this complex system of safety inspection, factory conditions do not always meet minimal conditions of safety. While AUCCTU Chairman, A. N. Shelepin often criticized local union officials for turning their backs on safety violations. Shelepin told the Fourteenth Trade-Union Congress in 1968³⁹ that while much had been done to improve working conditions serious problems remained. He pointed out that labour standards at many enterprises were not enforced and that the requirements governing working conditions at factories were not always observed. Shelepin continued by observing that poorly organized production, inadequate supervision, and inappropriate attitudes among trade-union and management officials as well as among workers all contributed to the unsafe conditions found at a significant number of factories. He urged that trade union organizations increase their efforts to reduce accidents and

to eliminate health hazards. Moreover, he demanded that these same organizations pay greater attention to preventive measures for averting injuries and strengthen their control over labour safety. Shelepin, his successor as AUCCTU Chairman, A. I. Shibaev, AUCCTU Secretary V. I. Prokhorov, and Party General Secretary L. I. Brezhnev have made similar remarks to the Fifteenth⁴⁰ and Sixteenth⁴¹ Trade-Union Congresses as well as to the Twenty-Third,⁴² Twenty-Fourth,⁴³ and Twenty-Fifth,⁴⁴ Party Congresses.

Any evaluation of the attempt by Soviet trade-union officials to guarantee safe and healthy work conditions must remain uncertain. Union, Party and economic officials have undertaken serious efforts to improve working conditions. Strong legislation and permanent enforcement procedures exist in theory, and, to a lesser degree, in practice. Nevertheless, all of the evidence available at this time indicates that safe and healthy work conditions do not exist at a significant number of industrial enterprises. When faced with a choice between meeting the demands of enterprise collective agreements and of safety inspectors or meeting the demands of the production plan, enterprise managers and union officials generally continue to favor meeting the demands of the production plan.

In the final analysis, there can be little doubt that much progress has been made in the field of labour protection. Few observers, either western or Soviet, doubt that contemporary Soviet working conditions are vastly superior to what they were even a decade ago. Few observers, either western or Soviet, doubt that much more remains to be done before the idealistic norms of Soviet labour law can begin to be reflected in actual

industrial conditions.

THE RIGHT TO UNION MEMBERSHIP. All adult Soviet citizens are legally guaranteed the right to join a trade union. In 1975, there were approximately 106 million union members, "almost 99%" of the total Soviet workforce.⁴⁵ Union members pay 1% of their salary in membership dues and have the right to participate in union decisions as well as to elect union officials.⁴⁶ Those western observers who view higher levels of industrial production as the primary goal of Soviet trade-union activity often denigrate such participation. Their criticism has considerable basis in fact.

Soviet trade-union officials are elected either directly, or indirectly through other elected bodies.⁴⁷ Those officials who are elected directly are placed on a list of candidates offered to the collective (in this case, either shop or factory union members) by the auditing (revisionnyi) commission for approval. The approval of a candidate by the collective may be obtained through a minimum of 50% of those present voting in the affirmative, a 2/3 quorum being required.

The lynchpin of such an electoral system is the auditing commission. That body consists of leading trade-union and Party officials at a given level. It meets to discuss possible nominees drawn from a field of voluntary trade-union activists (the aktiv) and from lower ranking union officials. The supervisory role of this commission insures that the rank-and-file union membership does not make a mistake in the nomination procedure. As one person interviewed explained, "What would happen if a collective were to nominate a comrade whose greatest

capacity lie in the area of the consumption of vodka?"

The auditing commission may receive recommendations from lower ranking trade-union officials as well as from the rank and file membership. Once a list of candidates has been prepared, it is presented to the collective as a whole. In larger bodies a conference of delegates representing the collective would convene for this purpose. Each nominee is openly discussed and, theoretically, new names can be added to the list of candidates at that time. Following the discussions, an open voice vote is held to accept the list of candidates as a whole. Once this has been done, a secret ballot is held (an open vote if the group is so small as to negate the purpose of a secret ballot) at which time members of the collective can vote "for" (za), or "against" (protiv) each candidate. Candidates receiving a "for" vote of a simple majority of those present are elected. New nominations are held at that time to fill positions of candidates who fail to win the approval of the collective (not a frequent occurrence, but known to happen in extraordinary situations). The presidium is elected at the first plenary session, a quorum of 2/3 with 50% of those present voting in the affirmative being required. Union officers are thus indirectly elected by the collective they represent.

The nomenklatura system of personnel management provides senior union authorities with numerous opportunities to determine the outcome of such elections.⁴⁸ Under that system, union officials at an enterprise of "national significance," for example, would be selected by their union's central committee prior to the actual election. In this manner, the careers of all salaried

full-time personnel, including factory trade-union chairmen, are governed by the nomenklatura list. Factory chairmen become accountable to higher union institutions. Occasionally chairmen will be brought in from outside of the factory; most likely, the chairman will be a Party member.⁴⁹ In all cases, the future career of a factory union chairman depends more upon the evaluation of his union superiors than upon the evaluation of the workers. Higher union institutions pay the chairman's salary, obtain his nomination to a union post, and have sole authority to remove him from that position. Not surprisingly, this system can isolate chairmen from the workers whose interests and rights they are to defend.

Those few sociological studies dealing with worker-union relations demonstrate that while attendance at union meetings may be unusually high (See Table III), the quality of participation often leaves much to be desired (See Tables IV & V).⁵⁰ Such responses indicate that, to the extent to which the workers surveyed may be said to be typical, a significant proportion of the Soviet industrial workforce does not believe their opinions matter in the eventual resolution of enterprise problems. This attitude undermines the legitimacy of worker "participation" in union affairs.

Leading trade-union officials now recognize this failure. Labour legislation has been amended to strengthen the authority of shop, as opposed to factory, union officials in an attempt to bring union operations closer to the worker.⁵¹ In addition, the AUCCTU,⁵² central committees of individual unions,⁵³ and regional inter-union councils⁵⁴ have organized massive and un-

TABLE III: ATTENDENCE AT UNION MEETINGS,
TALLIN EARTH MOVING FACTORY
(1967) AND MAY UPRISING TEX-
TILE COMBINE IN ARMENIIA (1968)

HOW OFTEN DO YOU ATTEND UNION SHOP MEETINGS?	TALLIN	ARMENIIA
EACH TIME	40.5%	45.4%
OFTEN ENOUGH	26.1	20.0
FROM TIME TO TIME	14.4	14.7
SELDOM	6.7	9.0
NOT AT ALL	6.2	7.8
NO ANSWER	6.1	3.1
N = 335	100.0	100.0

SOURCE: V. A. Maslennikov, "Trudovye proizvodstvennye kollektivy v sotsial'no-pravovykh issledovaniakh," in Akademiia Nauk SSSR, Institut gosudarstva i prava, Pravo i sotsiologiya (Moskva: Nauka, 1973), pp. 291-323; "Tablitsa 1: Resultaty ankety o poseshchaemosti sobranii i chastote vystuplenii," p. 312.

TABLE IV: FREQUENCY OF PRESENTATIONS BY WORKERS,
TALLIN EARTH MOVING FACTORY (1967), AND
MAY UPRISING TEXTILE COMBINE IN ARMENIIA
(1968).

HAVE YOU MADE A PRESENTATION
AT PARTY, YOUNG COMMUNIST LEAGUE,
OR UNION MEETINGS IN LAST THREE
YEARS?

	TALLIN	ARMENIIA
YES	30.0%	51.1%
NO	60.6	40.6
Anomic response (1)	46.0	50.1
Others said what I wanted to say	37.0	13.5
Shyness (2)	5.8	13.6
Question not of interest	5.5	3.7
Not Clear (3)	5.7	19.1
NO ANSWER	9.4	8.3
N = 335	100.0	100.0

NOTES:

1. "Anomic Response;" Tallin: "Ne videl v etom smysla;" Armenia: "Nikto ne proiavlial interesa k moemu mneniiu," 13.2%; "Ne uvern, chto k moemu mneniiu prislushivalutsia," 13.0%; "Schitaiu, chto moe mnenie ne imeet nikakogo znachenii," 13.1%; and "Na predpriatii sushchestvuet zazhim kritiki," 10.8%.
2. "Shyness Response;" Tallin: "Iz-za robosti ili stesneniia;" Armenia: "Ne mogu vystupat' pered liud'mi."
3. "Not Clear Response;" Tallin: "Ne znal, chto skazat' po etomu povody;" Armenia: "Zatrudniaius' otvetit'."

SOURCE:

V. A. Maslennikov, "Trudovye proizvodstvennye kollektivy v sotsial'no-pravovykh issledovaniakh," in Akademiia Nauk SSSR, Institut gosudarstva i prava, Pravo i sotsiologiya (Moskva: Nauka, 1973), pp. 291-323; "Tablitsa I: Rezul'taty ankety o poseshchaemosti sobranii i chastote vystuplenii," and explanatory passages, pp. 312-313.

TABLE V: ANSWERS TO THE QUESTION: WERE YOUR SUGGESTIONS CONCERNING THE DISTRIBUTION OF THE ENCOURAGEMENT FUND AND THE FUND OF SOCIAL, CULTURAL MEANS AND HOUSING CONSTRUCTION TAKEN INTO CONSIDERATION? (1); TALLIN EARTH MOVING FACTORY (1967).

RESPONSE	ENTIRE FACTORY	COMMUNIST OR YOUNG COMMUN- IST LEAGUE MEMBER	WORK TENURE OF TEN OR MORE YEARS
YES	33.6%	42.9%	33.4%
NO	66.4	57.1	66.6
N = ?	100.0	100.0	100.0

NOTES: 1. "Uchityvalis' li Vashi predlozheniia pri raspredelenii pooshchritel'nogo fonda i fonda sotsial'no-kul'turnykh meropriatii i zhilishchnogo stroitel'stva na 1967 goda?"

SOURCE: V. A. Maslennikov, "Trudovye proizvodstvennye kollektivy v sotsial'no-pravovykh issledovaniakh," in Akademiia Nauk SSSR, Institut gosudarstva i prava, Pravo i sotsiologiya (Moskva: Nauka, 1973), p. 316.

precedented training programs to make local union officials more sensitive to this problem. Since the appointment of A.N. Shelepin as AUCCTU Chairman in 1967, these programs have grown beyond all previous development and, no doubt, have had some positive impact. Still, all of these measures can exert only limited influence over the actions of more than one-half million primary trade-union organizations.

No one can deny the very limited nature of union democracy in the Soviet Union. On balance, central trade-union and Party officials have the ability to exert more pressure upon an enterprise union officer than do the workers with whom that officer must deal. In the end, it is possible to argue that the workers' legal right to union membership has not been met to the extent that union members can exert only limited influence over their leaders.

Accepting for the moment the proposition that union leaders are divorced from rank-and-file union members, how is this separation significant for the defense of workers' rights? Does it mean that union officials will never take an action of benefit to workers? Probably not. What it does mean is that union officials will be most likely to act on the workers' behalf then they perceive their own interest as similar to that of the workers.

Increased industrial production appears to be in the best self-interest of factory trade-union leaders. Labour discipline violations curb productivity. Therefore, efforts to enforce labour discipline norms can be viewed as compatible with a factory union chairman's best interest. In the opinion of many in

the west, union efforts to enforce such norms undermine other efforts to protect workers' rights. On the contrary, in recent years, a growing number of union officials have come to justify efforts to improve working conditions and to guarantee other workers' rights on the basis of the need to improve labour discipline.

Labour turnover, absenteeism/truancy, and alcoholism create a severe drain on the Soviet economy. Contemporary legal writers identify the underlying causes of such deviant behaviour as social in nature.⁵⁵ During a joint 1975 interview, three leading Soviet experts on labour discipline, V. I. Nikitinskii, S. S. Karinskii, and A. A. Abramova suggested that the labour discipline violator tends to be poorly educated, childless, and male.⁵⁶ Recent sociological research confirms these generalizations (See Tables VI, VII & VIII). If the labour law specialists and sociologists are correct, severe sanctions against violators of discipline will not improve industrial performance, while a healthier work environment would.

Articles have begun to appear in the popular press advocating approaches linking labour discipline with improved work conditions. In one article appearing in the Leningrad evening newspaper Vechernyi Leningrad, the author argued that improved cafeteria facilities and factory operated transportation services for workers could eliminate much of the truancy and absenteeism found in many enterprises.⁵⁷

This approach to labour discipline exemplifies the growing interrelationship between attempts by union officials to discipline workers and attempts to improve working conditions. View-

TABLE VI: VIOLATIONS OF LABOUR DISCIPLINE
 (TRUANCY), ALLOWING FOR WORKERS
 WITH VARIED LEVELS OF EDUCATION
 (IN % OF EACH GROUP), AT THREE
 FACTORIES IN THE CITY OF ISKITIM,
 NOVOSIBIRSK REGION, 1965.

FACTORY	% OF TOTAL WORKFORCE A VIOLATOR	% of TOTAL 4th CLASS OR LESS A VIOLATOR	% OF TOTAL 5th & 6th CLASS A VIOLATOR	% OF TOTAL 7th, 8th & 9th CLASS A VIOLATOR	% OF TOTAL 10th, 11th CLASS & MORE A VIOLATOR
CHERNORECHENSKII CEMENT FACTORY:	18.5%	20.33%	18.2%	12.8%	6.4%
BOILER-RADIATOR FACTORY:	27.6	28.07	27.3	18.3	10.9
FACTORY OF REENFORCED CONCRETE CONSTRUCTION, No. 5:	45.0	48.0	48.1	40.2	15.7
N = ?					

SOURCE: N. A. Filatov, V. N. Turchenko, Trud i distsiplina
 (Moskva: Izdat. Poli. Lit., 1971), p. 50.

TABLE VII: RELATIONSHIP BETWEEN FAMILY STATUS
AND TRUANCY IN FORESTRY ENTERPRISES
OF THE NOVOININSK DISTRICT, NOVGOROD
REGION, 1968.

FAMILY STATUS	% OF THOSE ABSENT, BY CATEGORY
NO FAMILY	51.0%
CHILDLESS FAMILY	27.2
FAMILY WITH CHILD	20.8

N = 486

SOURCE: V. N. Smirnov, Distsiplina truda v SSSR (Leningrad: Leningradskii gos. universitet, 1972), p. 108.

TABLE VIII: RELATIONSHIP OF ABSENTEEISM ACCORDING TO NUMBER OF TIMES ABSENT, BY SEX AT THE LENINGRAD ARTISTIC GLASS FACTORY, 1968.

NUMBER OF TIMES ABSENT	M A L E		F E M A L E	
	% of those men absent	% of total male work- force	% of those women absent	% of total female work- force
I	62.2%	9.6%	80.0%	.9%
II	20.0	3.1	-----	-----
III	14.5	2.2	20.0	.2
V OR MORE	3.5	.5	-----	-----
TOTAL	100.0%	15.4%	100.0%	.1%
N	55		5	

SOURCE: V. N. Smirnov, Distsiplina truda v SSSR (Leningrad: Leningradskii gos. universitet, 1972), p. 105.

points such as these appear to be gaining wide acceptance among union leaders and management officials alike. For example, the director of Leningrad Bus Depot No. 4 stated that the psychological climate of an enterprise often determines the state of labour discipline at that factory.⁵⁸ According to Director Krivolopov, union agencies must maintain close contact with workers, and must participate actively in management decisions for enterprises to succeed; union officials must communicate the demands of workers to management. Krivolopov instructed all shop administrators to seek union approval for managerial decisions, and to conform to the wishes of their union counterparts concerning the work environment. He believes this to be the only possible means for keeping both turnover and discipline problems at manageable levels.

During another interview, Iu. I. Riabkova, Deputy Trade-Union Chairman at Moscow Watch Factory No. 2, Site 2, expressed a similar opinion.⁵⁹ Most discipline problems at Riabkova's plant arise from an inordinately large number of youthful workers. The union committee works in close contact with the Young Communist League to develop programs socializing new workers. These programs represent efforts to deal with potential difficulties before they arise.

Several senior union and Party officials have joined in by arguing that labour discipline will improve only after a healthy work environment has been created.⁶⁰ Where such opinions predominate, union leaders acting in their own best interest will defend the legal rights of workers as an effective means to the

desired end of higher productivity. It is impossible to know at this time the extent to which this occurs. At a minimum, the acceptance by a large number of concerned individuals of the notion that labour discipline and work environment are somehow related must raise serious questions about the claim of those who suggest that Soviet trade-union organizations can not act in defense of workers' rights simply because Soviet trade unions attempt to raise industrial output.

At the beginning of our discussion, we noted that the choice of topic implied two assumptions. First, that Soviet workers have legal rights that can be defended. Second, that Factory Trade-Union Committees attempt to defend those rights. After examining the available evidence, it does appear that both assumptions are justified.

A complex and extensive body of legislation has emerged codifying the labour rights of Soviet citizens. These rights include the right to a guaranteed labour contract, the right to a proper wage, the right to safe and healthy work conditions, and the right to join a trade union. A set of legal principles relating to each of these rights has been widely accepted by union and by management alike. Soviet workers do have theoretical legal rights.

It also appears that many of these theoretical rights find practical expression. In particular, Factory Trade-Union Committees are playing an instrumental role in protecting a worker's right to a labour contract, and are playing an important role in protecting a worker's right to a proper wage. However,

when juridical rights come into conflict with other desired ends, such as increased industrial production, a significant number of factory union and management officials tend to overlook the juridical rights.

A foundation does exist at this time to support further efforts to bring labour practices closer to legal principles. The 1965 Economic Reforms led to the creation of local legal norms. As the scholarly debate concerning the legal significance of such norms continues, the practical implications of locally established rules and regulations will continue to grow. Those who argue that standards established by municipal and by factory officials constitute law help to create an atmosphere in which greater autonomy for enterprise management and union officials can become possible. If their debate should move out of the juridical faculties into the offices of managers and union chairmen, it is very possible that the relationship of union with management could undergo a profound change; one ultimately beneficial to efforts to improve union defense of workers' legal rights.

Labour legislation in recent years has expanded the rights of the shop trade-union committee in a number of areas, particularly those relating to the resolution of labour disputes. These new laws recognize difficulties in union administration arising from the isolation of trade union chairmen from factory workers. In order to make the local union organization more responsive to the worker, Soviet lawmakers have moved the central locus of a number of union activities from the factory committee to the shop level union organization. Eventually, such a change could lead

to some reduction of union isolation from production line workers.

The AUCCTU, several branch trade-union central committees, and numerous inter-union councils have expanded educational programs designed to train union officers. These efforts have already helped many union representatives better understand their obligation to defend the rights of workers. If such programs continue to expand, it is possible that union organizations will come to defend better the workers they should represent.

While it is significant that the right of a Soviet worker to a labour contract is well protected and that the right of a worker to a proper wage is essentially guaranteed, the right to safe working conditions and to meaningful union membership will undoubtedly become more important as the Soviet economy continues to become increasingly complex and as the Soviet labour force continues to become increasingly sophisticated. It remains questionable whether or not a generation of union leaders who have fought so hard to establish legal principles will be ready to fight for a transformation of basic labour practices. Impetus for change in daily union-worker-management relations most likely will come either from below (from the rising generation of union leaders), or, perhaps, more likely, from above (from the Party). In either case, we should expect the issue of implementation of theoretical legal rights to remain an important one throughout the next decade.

1. The author would like to take this opportunity to express his gratitude to the International Research and Exchanges Board of New York, to the Centre for Russian and East European Studies of the University of Toronto, and to the Kennan Institute for Advanced Russian Studies for the considerable financial support each organization provided during research on Soviet trade-union activity. In addition, the author would like to thank Professors A. Kahan and P. H. Solomon, Jr., as well as Dr. S. F. Starr and Dr. B. Chotiner for their valuable comments during the preparation of this paper.
2. For a discussion of the concept of "dual functioning" trade unions, see: B. Ruble, "Soviet Trade Unions: A Changing Balance in Their Functions," doctoral dissertation (unpub.), University of Toronto, Toronto, Canada, Fall, 1977.
3. A. Broaderssen, The Soviet Worker (New York: Random House, 1966); R. Conquest, Industrial Workers in the USSR (London: Bodley Head, 1967); F. S. Haylenko, Trade Unions and Labor in the Soviet Union (Munich: Institute for the Study of the USSR, 1965); and, J. B. Sorenson, The Life and Death of Soviet Trade Unionism: 1917 - 1928 (New York: Atherton, 1969).
4. E. C. Brown, Soviet Trade Unions and Labor Relations (Cambridge: Harvard University Press, 1966); L. G. de Bellcombe, Les conventions collectives de travail en Union sovietique (Paris: Mouton, 1958); I. Deutscher, Soviet Trade Unions (New York: Oxford, 1950); T. Lowit, Le syndicalisme de type sovietique (Paris: Colin, 1971); M. McAuley, Labour Disputes in Soviet Russia (Oxford: Clarendon Press, 1969); and, E. Morrell, "Communist Unionism: Organized Labor and the Soviet State," doctoral dissertation (unpub.), Harvard University, Cambridge, Mass., 1965.

5. Sbornik zakonodatel'nykh aktov o trude (Moskva: Iurid. lit., 1974), p. 7.
6. Spravochnik profsoiuznogo rabotnika (Spravochnik) (Moskva: Profizdat, 1974), pp. 82-95.
7. Interview with author, February 4, 1975.
8. This case has been designed to include a number of important features found in cases appearing in Biulleten' Verkhovnogo Suda SSSR (BVS SSSR), in Biulleten' Verkhovnogo Suda RSFSR (BVS RSFSR), and in Sotsialisticheskaya zakonnost' (Sotszak) during the period 1965-1975. It should be recognized that no one case would include all of the events cited here.
9. As this case involved more than one shop, the Factory Disputes Commission (KTS) becomes, in effect, the "court" of first instance.
10. BVS SSSR, 1972, No. 1, 42-44.
11. Interview with author, January 13, 1975.
12. Interview with author, April 11, 1975.
13. Interview with author, May 8, 1975.
14. Interview with author, April 16, 1975.
15. G. B. Smith, "The Soviet Procurator: Ombudsman or Monitor?" unpublished paper presented at the National Convention of the American Association for the Advancement of Slavic Studies, St. Louis, Mo., October 6-9, 1976.
16. BVS SSSR, 1968, No. 6, 37-39.
17. M. McAuley, Labour Disputes, pp. 210-214.

18. BVS SSSR, 1968, No. 6, 37-39.
19. Ibid.
20. Ibid., p. 40.
21. Ibid.; N. Kobetz, "Preduprezhdenie narushenii zakonodatel'stva o trude," Sotszak, 1971, No. 8, 22-25.
22. BVS SSSR, 1968, No. 6, 39.
23. Ibid.
24. Interview with author, February 7, 1975.
25. Spravochnik, pp. 44-66, 127-167.
26. For further discussion of the 1965 Economic Reforms and the impact of those reforms upon wage formulation, see: A. Katz, The Politics of Economic Reform in the Soviet Union (New York: Praeger, 1972); and, K. W. Ryavec, Implementation of Soviet Economic Reforms (New York: Praeger, 1975). For a further discussion of the Soviet wage system, see: L. Kirsch, Soviet Wages (Cambridge: MIT Press, 1972).
27. For further discussion of the three profit funds, see: J. Adam, "The Incentive System in the USSR: The Abortive Reform of 1965," Industrial and Labor Relations Review, October, 1973, 84-92; and, E. Nash, "Western Influences on the USSR's New Incentive System," Monthly Labor Review, April, 1967, 37-40.
28. For further discussion of these changes, see: V. Gershanov, V. Shelomov, Prava fabrichnogo, zavodskogo, mestnogo komiteta profsoiuza (Riga: Mezhotraslevoi institut povysheniia kvalifikatsii

- spetsialistov narodnogo khoziaistva Latvinskoi SSR, 1973); and, Iu. V. Rebrov, Problemy ispol'zovaniu osnovnykh proizvodstvennykh fondov (Moskva: Ekonomika, 1974).
29. During the late 1960s and early 1970s, several articles appeared in the Leningrad journals Pravovedenie and Vestnik Leningradskogo Universiteta discussing the role of local norms in Soviet labour law. The persistence with which these articles appear suggests lively private discussions.
 30. R. I. Kondrat'ev, Lokal'nye normy trudovogo prava i material'noe stimulirovanie (L'vov: Izd. "Vishcha Shkola," Izd. pri L'vovskom gos. universitete, 1973).
 31. A seminar attended by the author. This description of the discussion surrounding Kondrat'ev's work is largely based upon the comments of the specialists attending this meeting.
 32. Spravochnik, pp. 74-81.
 33. Ibid., pp. 218-228.
 34. The following account is based upon discussions with several Soviet trade-union officials. Their portrayal of the collective agreement process is corroborated by Soviet legal textbooks, such as N. G. Aleksandrov (ed.), Sovetskoe трудовое право (Moskva: Iurid. lit., 1972), pp. 209-223; and, V. Smoliarchuk, Prava profsoiuzov v regulirovanii trudovykh otnoshenii rabochikh i sluzhashchikh (Moskva: Profizdat, 1973), pp. 60-67.
 35. For a further discussion of the impact of the Economic Reforms upon the enterprise collective agreements, see: R. I. Kondrat'ev, "Ekonomicheskaya reforma i dal'neishee sovershenstvovanie kollektivno-dogovornykh otnoshenii," in Ministerstvo vysshego i srednego spetsial'nogo obrazovaniia Ukrainskoi SSR, L'vov gosudarstvennyi universitet, Respublikanskai

mezhvuzovskaia nauchnaia konferentsia na temu "Rol' pravovoi nauki v sovershenstvovanii prakticheskoi deiatel'nosti gosudarstvennykh organov, khoziaistvennykh i obshchestvennykh organizatsii, 22-26 apreliia, 1967g.," Tezisy dokladov' i nauchnykh soobshchenii (L'vov: Izdat. L'vovskogo gos. universiteta, 1967), pp. 208-210.

36. Sbornik postanovlenii VTsSPS (SP VTsSPS), 1972, No. 4, 69-71.
37. Based upon interview with author, May 28, 1975.
38. The following account is based upon discussions with several Soviet trade-union officials. Their portrayal of the safety inspection system is corroborated by Soviet legal textbooks, such as I. Dvornikov, R. Livshits, M. Rumiantseva, Trudovoe zakonodatel'stvo (Moskva: Profizdat, 1971), pp. 350-381; and A. P. Kupchina (ed), Profektivy ob okhrane truda (Moskva: Profizdat, 1974).
39. Trud, February 28, 1968, pp. 2-6.
40. Sovetskie profsoiuzy, 1972, No. 8, 4-33.
41. Sovetskie profsoiuzy, 1977, No. 8, 5-29.
42. L. I. Brezhnev, Otchetnyi doklad Tsentral'nogo komiteta KPSS XXIII s"ezdu KPSS (Moskva: Izdat. Poli. Lit., 1966), pp. 103-104.
43. XXIV s"ezda KPSS, Stenograficheskii otchet (Moskva: Partizdat, 1971), tom 1, pp. 103-104; tom 2, pp. 107-112.
44. XXV s"ezda KPSS, Stenograficheskii otchet (Moskva: Partizdat, 1976), tom 1, pp. 109-110; tom 2, 128-133.
- . Ibid., p. 132.
- . Spravochnik, pp. 422-429.

47. The following account is based upon discussions with several Soviet trade-union officials. Their portrayal of the trade-union election process is corroborated by Spravochnik, 21-29.

48. For further discussion of general personnel procedures, including the nomenklatura system, see: J. Hough, The Soviet Prefects (Cambridge: Harvard University Press, 1969), pp. 149-177. For a discussion of the trade-union nomenklatura system before 1965, see: E. Morrell, "Communist Unionism," pp. 174-190. There is little reason to believe that the union nomenklatura system has changed significantly since Morrell finished his work.

49. For example, in January, 1977, approximately 80% of the factory trade-union chairmen in the city of Voronezh were Party members (V. Adashchik, "Printsipal'no po-deloymu," Trud, January 1, 1977, p. 2).

50. In particular, see: V. A. Maslennikov, "Trudovye proizvodstvennye kollektivy v sotsial'no-pravovykh issledovaniakh," in Akademiia Nauk SSSR, Institut gosudarstva i prava, Pravo i sotsiologiya (Moskva, Nauka, 1973), pp. 291-323.

51. This is particularly true of changes in legislation concerning labour disputes. See: Iu. N. Korshunov, "Novoe polozhenie o poriadke rassmotreniia trudovykh sporov," Sovetskoe gosudarstvo i pravo, 1974, No. 9, 44-51.

52. Evidence of the expansion of the Higher School of the Trade-Union Movement may be found in AUCCTU decrees, such as: SP VTsSPS, 1971 No. 4, 16-20; and SP VTsSPS, 1973, No. 1, 23-38. In addition, the AUCCTU has published or endorsed handbooks to assist union administrators in their duties. Among many such handbooks are A. Tsepin, Priem, perevod, i uvol'nenie s raboty (Moskva: Moskovskii rabochii, 1973); and,

N. Savrinov, V pomoshch' revizionnym komissiam FZMK (Moskva: Profizdat, 1974). Finally, union journals such as Sovetskie profsoiuzy have devoted considerable space to guides for union officials, such as "V pomoshch' predsedateliu FZMK," a series of articles which began to appear in November, 1973.

53. See, for example: SP VTsSPS, 1970, No. 3, 34-40; and SP VTsSPS, 1973, No. 1, 35-36.
54. For example: Uchebno-metodicheskii kabinet prof-soiuznykh kursov, Vologodskogo oblastnogo soveta prof-soiuzov, Metodicheskoe pis'mo po organizatsii shkol i postoianno-deistvuiushchikh seminarov po obucheniiu profsoiuznogo aktiva (Vologda: Oblastnaia tipografiia, 1972).
55. For example, the work of: A. A. Abramova, Distsiplina truda v SSSR (Moskva: Iurid. Lit., 1969); A. T. Barabash, "Ob izuchenii effektivnosti distsiplinarnogo i obshchestvennogo vozdeistviia," Sovetskoe gosudarstvo i pravo, 1968, No. 11, 104-108; V. I. Nikitinskii, Effektivnost' norm trudovogo prava (Moskva: Iurid. Lit., 1971); and V. N. Smirnov, Distsiplina truda v SSSR (Leningrad: Leningradskii gos. universitet, 1972).
56. Interview with author, February 13, 1975.
57. V. Ponomarev, "Reshenie prinimaet zavkom," Vechernyi Leningrad, October 22, 1974, p. 2.
58. Interview with author, May 28, 1975.
9. Interview with author, February 13, 1975.

Both A. N. Shelepin and L. I. Brezhnev made such an

argument before the Fifteenth Trade-Union Congress in March, 1972 (Sovetskoe profsoiuzy, 1972, No. 8, 6, 23). In addition, there has been sufficient support to allow Party funding of research confirming this position. For example, that of G. Podorov (G. Podorov, O distsipline truda (Moskva: Izdat. Polilit, 1972)); and that of the Academy of Social Sciences under the Central Committee of the CPSU (Akademiia obshchestvennykh nauk pri TsK KPSS, Kafedra Filosofii, Kollektiv i lichnost' (Moskva: Mysl', 1968)).

