

## WORKS COUNCILS IN GERMANY

### INTRODUCTION

This study of the works council in its relations to the unions, the employees, the employer, and the community was suggested by the Office of Labor Affairs, Office of the U. S. High Commissioner for Germany. The following report summarizes the findings of this survey which was conducted in Western Germany and Western Berlin during the summer of 1950. 1/

Almost the entire period spent in Germany on this study was devoted to actual field work inasmuch as basic background material had already been consulted in the United States. This source material was then brought up-to-date through a study of current literature and labor court decisions in Germany.

The field survey centered on visits to industrial establishments where works council members, management, and employees were interviewed separately with the aid of carefully-prepared questionnaires; on conversations with union officials, representatives of employers' associations and of the Federal and Land Labor Ministries; and on talks with individuals in various walks of public life, such as university professors, etc.

In order to obtain a representative sample, 20 plants in various parts of Western Germany were selected so as to cover a wide number of industries as well as differences in organizational form, geographic location, and economic importance. These 20 enterprises were engaged in coal mining, the manufacture of iron and steel, building and construction, the production of machinery, vehicles, electrical appliances, cement, pharmaceuticals, rubber, paper, rayon, textiles, shoes and leather, food processing, shipbuilding, printing, and insurance.

NOTE: The views herein expressed are those of the author, and do not necessarily reflect the views of the Office of the U. S. High Commissioner for Germany.

1/ Certain phases of this subject have been treated by Charles E. Shaw in "Human Relations in Industry," Visiting Expert Series No. 4, December 1948, and in "Management-Labor Committees," Industrial and Labor Relations Review, Vol. 3, No. 2, January 1950, pp. 229 - 241.

The number of employees in these firms ranged from about 100 to 25,000. Among the various forms of ownership or administration were single proprietorships, different types of partnerships and corporations, but also firms under trusteeship as a result of denazification, decartelization, and nationalization.

The fifty-odd union officials interviewed represent a cross-section of the German Federation of Trade Unions (DGB), the German Salaried Employees Union (DAG), and of the Association of Employees in Managerial Positions (VELA). Relations between works councils and unions were discussed with top executives of the DGB at Duesseldorf, the directors of the DGB Economic Research Institute (WWI), DGB functionaries in the individual Land, district, and local DGB organizations, and with the union leaders, at national, regional, and local level, of the 11 most important unions affiliated with the DGB (total member unions number 16). Satisfactory coverage of employers' associations and Labor Ministries was also achieved.

The author wishes to express his appreciation for the extremely valuable assistance and guidance provided by the U.S. Departments of State and Labor, the Office of Labor Affairs, HICOG, and for the splendid cooperation offered by the French Division Travail and the British Office of the Manpower Adviser and, last but certainly not least, for the very cooperative attitude of all representatives of German organizations interviewed who gave so generously of their time and experience.

The interview of German public and private officials during this survey benefited from the results of the Department of State's exchange program which had enabled many of them to visit the United States. These persons had acquired sufficient insight into American institutions to give them a broader perspective of German institutions. Their contributions to the inquiry were therefore of considerable value.

In order to prevent this report from becoming unduly cumbersome, it was decided to give only a summary of the findings of this survey. A detailed documentation of all material presented in the report was omitted inasmuch as a more comprehensive study on European works council legislation will be prepared later by the author.

For the identical reason no comprehensive discussion of the whole problem was attempted. Instead, the discussion was focused on a few selected aspects.

In view of the great interest which union-works council relations have for the American observer, the greater part of the study is devoted to this subject.