

International Labour Office
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FRANCE 10

Decree: Code of Labour (Book II, Women and Children)

Décret du 5 mai 1928 portant règlement d'administration publique déterminant les tolérances et exceptions prévues par les articles 17, 24, 25 et 26 du livre II du code du travail. (Journal officiel, 1928, no. III, p. 5198; errata; J. O., 1928, no. II3, p. 5320.)

Decree issuing public administrative regulations defining the allowances and exceptions contemplated in sections 17, 24, 25 and 26 of Book II of the Code of Labour. Dated 5th May, 1928.

1. Temporary exceptions to the provisions concerning night work shall be granted to the following industries with respect to women over 18 years of age.

Industries

Industries	Number of days a year when women may be employed for the whole or a part of the night
Candied fruit . . .	90 days
Preserved fruit and vegetables . . .	25 "
Preserved fish . . .	90 "
Milk (factories for the treatment of)	60 "

2. In factories with continuous processes in which boys over 16 years of age are employed at night, the following work shall be permissible for this class of workers:—

Factories with continuous processes	Permissible work
Paper mills . . .	Helping machine minders, cutting, sorting, putting in order and preparing paper.
Sugar factories . . .	Washing, weighing, sorting the beetroot, manipulating the juice and water taps, watching the filters, helping at the diffusion batteries, sewing cloths, washing the apparatus and workshops.
Iron and steel works	Helping in the accessory work of refining, rolling, forging and wire drawing, preparing the moulds for the making of iron castings (first smelting).
Glass works . . .	Handing tools, making the first gathering, helping with blowing and moulding, carrying to annealing furnaces, withdrawing from annealing furnaces — all the above in accordance with the provisions of section 7 of the Decree of 21st March, 1914 ¹ .

3. The divisional inspector may grant temporary exemptions from the restrictions concerning the hours of work for children under 18 years of age and for women irrespective of age in the following industries: —

¹ Decree relating to dangerous work prohibited for women and children. Bulletin of the International Labour Office (Basle), vol. X, 1915, p. 103.

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butter factories;
fish preserving;
cheese factories;
factories for the treatment of milk.

The provisions of this section shall be repealed with regard to each industry named therein as from the date of the bringing into operation of the public administrative regulations to define the methods for applying the eight-hour day to the industries in question in virtue of sections 7 and 8 of Book II of the Code of Labour².

4. The heads of industrial undertakings authorised to utilise temporary exceptions to the provisions concerning night work in virtue of section 1 shall notify the man or woman inspector on each occasion of their intention to make use of such authorisation.

The notice shall be sent before work is begun under the exception, by means of a post card, a letter card or a telegram, so that the post-mark affords proof of the date of such notice.

A copy of the notice shall at once be affixed in a conspicuous place in the workshops, and shall remain there during the whole duration of the exception.

In the cases mentioned in section 3, a copy of the permit shall also be affixed. When, however, the permit has been granted for a fixed number of days and no mention has been made of the dates of such days, the head of the undertaking shall also send and affix notices as laid down in the second and third paragraphs above.

5. The heads of establishments desirous of availing themselves of the right to temporary exceptions to the provisions of sections 21 and 22³ of Book II of the Code of Labour and Social Welfare, in virtue of section 25 of the said Book, shall send a notice to the inspector in the manner prescribed in the second paragraph of section 4 of this Decree before work is begun under the exception, stating the nature of the interruption due to accident or *force majeure* which caused the stoppage, the number and the date of the days lost, the number and the date of the nights during which the exception is to be utilised, and the number of adult women and of boys affected by this exception.

6. Section 1 of the Decree of 30th June, 1913⁴, is hereby repealed.

The following provisions shall come into operation one month after the publication of these regulations in the *Journal officiel*, viz., (1) the provisions of sections 1, 3, 4 and 5 of these regulations; (2) the provisions of section 2 concerning paper mills and sugar factories.

² i. e. the Eight-hour Day Act of 23rd April, 1919. Legislative Series, 1919 (Fr. 3); Bulletin of the International Labour Office (Basle), vol. XIV, 1919, p. 48.

³ Legislative Series, 1925 (Fr. 1).

⁴ Decree defining the allowances and exceptions contemplated in sections 17, 23, 24, 25 and 26 of Book II of the Code of Labour, dated 30th June, 1913. Bulletin of the International Labour Office (Basle), vol. VIII, 1913, p. 291.

Section 1 reads: "In the industries enumerated below, women and girls over 18 years of age may be employed until 10 p. m. during certain seasons of the year, on not more than 60 days in each year, provided that their hours of actual work shall not exceed 12 hours in 24 hours:—

Hats (manufacture of), deep mourning for women and children;
Clothes (manufacture of), deep mourning for women and children."

By way of exception to the provisions of the said section 2, boys under 14 years of age may be employed at night in iron and steel works and in glass works on the work mentioned in the said section until 1st October, 1928; boys between 14 and 15 years of age may be so employed until 1st October, 1929; boys between 15 and 16 years of age may be so employed until 1st October, 1930.

The provisions of the Decree of 30th June, 1913⁴, shall be repealed respectively as from the date of the coming into operation of the different provisions of this Decree.

7. The Minister of Labour, Public Health, Public Assistance and Social Insurance shall be responsible for the administration of this Decree, which shall be published in the *Journal officiel* of the French Republic and inserted in the *Bulletin des lois*.

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