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FOREIGN SERVICE DESPATCH

F800004-1463

837.06/3-2257

FROM : AMEMBASSY, HABANA

611  
DESP. NO.

TO : THE DEPARTMENT OF STATE, WASHINGTON.

March 22, 1957

REF : Voluntary Labor Report

25 For Dept. Use Only	ACTION REC'D 3-25	DEPT. IN F O OTHER	Rep-2 RMR-2 OR-8 90-4 ICA 10 P-1 Lab-5 USIA-10 Cia-14 Navy-3
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SUBJECT: Regulations Pursuant to Decree 538 of 1957

There is attached a translation of the regulations implementing Decree 538 of 1957 which pertain to the screening of workers to be employed by public service companies. 1/

As yet these regulations have not appeared in the Official Gazette. They have only been printed in the press under the date of March 20, 1957.

The new regulations stipulate the formation of a "screening" Commission which will have as president Dr. Leopoldo PIO Elizalde, the Under Secretary of Labor. Other members are to be a delegate from the Confederation of Cuban Workers (CTC); a delegate from the company or establishment employing a worker; and a delegate from the respective labor Federation in that industry appointed by the CTC.

This underlined provision is significant since it gives the CTC the right of choice of delegate over the particular federation itself. For example, in the case of the Labor Federation of Electric Gas and Water Plants, where a bitter fight is in progress, CTC Secretary General MUJAL could override COFINO, the Secretary General of the above federation. Thus control of recommended employment would reside in Mujal's hands, giving him added power and a real weapon for cutting down Cofiño's influence.

The new regulations name the chief of the Central Operations Agency of BRAC (Bureau of Repression of Communist Activities) as adviser to the Commission. They also name BRAC as the organization from which information about individuals may be requested.

Public service companies will not be permitted to employ new personnel "without prior and favorable approval" from the Commission.

DEPARTMENT OF STATE  
BUREAU OF  
INTER-AMERICAN AFFAIRS

MAR 26 1957

For the Ambassador:

John F. Correll  
Labor Attaché

1/ See Embassy Despatch No. 598, March 18, 1957.

JFC  
REPORTER

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From Diario de la Marina, March 20, 1957

REGULATIONS TO DECREE 538 of 1957 which provide for the screening of public service company workers.

DISPOSITIVE PORTION:

First: Before carrying out the customary tests of ability in cases of the entry of personnel, the public service companies shall advise the Ministry of Labor of the names and general data of the candidates, sending their photographs.

Second: If the concern has candidates already approved in previous tests, it shall immediately proceed in the manner provided in the preceding clause.

Third: The communication from the company will be sent to the Commission created in clause seven of this Resolution, which shall request of the Bureau for Repression of Communist Activities (BRAC), and of any other organizations considered necessary, the corresponding information.

Fourth: Once the Commission has reached its decision regarding the candidates, it shall so advise the undersigned who shall render the final decision, sending it to the Company.

Fifth: In no event shall public service companies admit new personnel without the prior and favorable approval referred to in the preceding clause.

Sixth: Within 180 calendar days following the date of publication of this Resolution in the Official Gazette, the company may use the personnel that it may urgently need, thus advising the Ministry of Labor within 24 hours in order that, without prejudice to their temporary employment during not more than 30 days, proper investigations may be made.

Seventh: A Commission is hereby created made up by the following permanent members: The Under Secretary of Labor, Dr. Leopoldo Pio Elizalde, who shall be its president; and a delegate from CTC, as well as by the following members subject to change: a delegate of the establishment in question appointed by the establishment; and a delegate of the respective labor Federation appointed by CTC. Each delegate shall have an alternate. The Advisor of the Commission shall be the Chief of the Central Operations Agency of BRAC. All the offices shall be honorary.

Eighth: Said Commission shall meet as often as it may deem necessary and shall act in the manner that it considers best for carrying out its duties.

Ninth: Communicate this Resolution to the persons whom it may concern and publish it for general publicity.

Translation: Dr. Leobardo Gonzalez

DECLASSIFICATION DATE 4/28/80

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