

OF THE PEOPLE'S WORKERS.
(Revolutionary Council Law No. 6 of 1964)

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PREAMBLE

1. The Revolutionary Council is marching towards socialism along the Burmese Way to Socialism.
2. In this march, the principal basis will be the organised strength of the peasants and farmers who constitute the majority of the population of the country.
3. On this basis, it has been laid down that every man shall contribute labour in accordance with his ability and shall enjoy the benefits derived from his labour in proportion to his diligence in contributing his physical or mental labour.

In this march towards socialism :-

- (1) creation of a system under which all means of production and instruments of production are owned by the mass of the people which includes the working people is aimed at ;
- (2) a situation under which there shall be no exploitation of the working people is aimed at ;
- (3) all the material produced by the mass of the people will be apportioned by the mass of the people under a socialist plan for immediate needs; for reinvestment as socialist capital; for provision of facilities to children and the aged and for the improvement of the physical and mental strength of the mass of the people.

Hence -

- (1) It has become necessary for the working people to do everything with a new outlook that conforms to socialism;
- (2) It has become necessary to change the relationship with the capitalists who would remain during the interim period;
- (3) It has become necessary to amend the existing labour laws and
- (4) It has become necessary to overhaul the machinery that administers the existing labour laws.

For the above reasons, the Chairman of the Revolutionary Council enacts the following law :-

CHAPTER I
INTRODUCTION

TITLE

1. This law may be called "The Law Defining the Fundamental Rights and Responsibilities of the People's Workers".

EXTENT

2. This law shall extend to the whole of the Union of Burma.

DATE OF COMING INTO FORCE

3. This law shall come into force at once.

DEFINITIONS

4. In this law, unless there is anything repugnant in the subject or context :

- (a) "Worker" means anyone who earns his living by manual or intellectual labour;
- (b) "Employer" means anyone who is responsible for payment of wages to the workers.

Explanation (1) State Enterprises -

- a. State enterprises are owned by the people of the country as a whole.
- b. The Revolutionary Government shall decide what industries are to be built under the socialist economic plan, the commodities and the quantities to be manufactured, the quantity to be consumed and the quantity to be re-invested as capital, what rights the workers should enjoy and so on.
- c. The Government shall operate and manage state enterprises and see that the workers enjoy their legitimate rights.
- d. The State servants employed in the State enterprises have to carry out the day to day administration of the State enterprises on behalf of the Government. They have to consult the workers to achieve maximum production under the socialist plan. They have to see that the workers receive their legitimate rights. They have to settle the daily problems of the workers in consultation with them or help the workers to settle them by themselves.

Explanation (2) - Co-operative Enterprises -

- a. Co-operative enterprises are owned by the members of the Co-operative societies.
- b. The Executive Committee of the Co-operative manage the enterprises on behalf of the Co-operative. They have to see that the workers get their legitimate rights. They have to settle the daily problems of the workers in consultation with them or help the workers to settle them by themselves.
- c. The person appointed by the Executive Committee of the Co-operative as manager supervises the day to day administration. The commodities are produced in consultation with the workers. The manager ensures that the workers get their legitimate rights. He solves the daily problems of the workers in consultation with the workers or helps solving them by themselves.

Explanation (3) - Private enterprises -

- a. Private enterprises are owned by their respective owners.
- b. The owners themselves, or the managers or executives appointed by them, supervise the day to day administration. The commodities are produced in consultation with the workers. The legitimate rights of the workers are granted. The daily problems of the workers are solved in consultation with the workers or help is given to them to solve the problems by themselves.
- c. "Wages" means the fees received for the manual or intellectual labour of the workers but does not include the following :-
 - (1) Health and other relief benefits provided by the employer. e.g. value of drinking water, value of medicine for minor injuries.
 - (2) Social welfare benefits provided by Government, e.g. value of hospitals, value of schools.
 - (3) Cost of Living Allowance, Travelling Allowance and other Special Allowances.

CHAPTER II
RIGHTS AND RESPONSIBILITIES OF
PEOPLE'S WORKERS.

5. In the construction of a socialist system in the Union of Burma, the Government shall lay down rules from time to time prescribing what quantity of the produce of the whole of the Union should be immediately consumed and what quantity should be re-invested; what quantity should be used for children and the aged; what quantity should be used for raising the standard of living, the physical and mental wellbeing of the people of the whole of the Union and therefore the rights of the workers will develop only in proportion to the extent of the progress in the construction of the socialist system. On this basis, the Government shall from time to time prescribe by rules the minimum rights for all the workers in state enterprises, co-operative enterprises and private enterprises. Such rules shall especially include the following :-

- (1) The right to work -
 - (a) Right of adults to work.
 - (b) Right of children to work.
 - (c) Right of women to work.
- (2) The security of employment;
- (3) The right to leisure -
 - (a) Fixation of working hours.
 - (b) Fixation of leave.
 - (c) Fixation of holidays.
- (4) The right to education -
 - (a) Right of every worker to improve his education.
 - (b) Right of the children of the workers to education.

- (5) The right to maternity leave -
 - (a) Fixation of maternity leave,
 - (b) Fixation of wages during maternity leave,
 - (c) Fixation of medical treatment during maternity period.
- (6) The right to sickness benefits -
 - (a) Fixation of sickness leave,
 - (b) Fixation of wages during sickness leave,
 - (c) Fixation of medical treatment during sickness.
- (7) The right to compensation for occupational accidents -
 - (a) Fixation of leave for accidents,
 - (b) Fixation of wages during accident leave,
 - (c) Fixation of medical treatment for injury,
 - (d) Fixation of compensation for accident.
- (8) The right to security when unemployed for other reasons.
- (9) The right to old-age security -
 - (a) Fixation of pensions;
 - (b) Opening of Homes for the Aged.
- (10) The right to wages commensurate with the technique of work done -
 - (a) Fixation of wages.
- (11) The right to gradual rise in the standard of living -
 - (a) Relief works.
- (12) The right to gradual rise in cultural standard
 - (a) Cultural works.
- (13) The right of women workers to be treated on the same level as men workers.
- (14) The right to a pleasant place of employment -
 - (a) Sanitation and Cleanliness;
 - (b) Security from danger;
 - (c) Welfare of workers;
 - (d) First-Aid for accidents;
 - (e) Fire precaution.

6. Just as every worker has his legitimate rights, he has responsibilities too to fulfil. Government shall make necessary rules, regulations and directives enabling the workers to shoulder the following responsibilities :-

- (1) Responsibility to observe socialist discipline -
 - (a) social discipline
 - (b) discipline of the People's Workers' Council;
 - (c) work discipline;
 - (d) discipline in observing the law.
- (2) Responsibility to protect the state, co-operative or private means and instruments of production and products -
 - (a) to protect them from destruction;
 - (b) to protect them from loss;
 - (c) to protect them from wastage.

- (b) improvement in technology;
- (c) enthusiasm in work;
- (d) inventiveness;
- (e) emulation of good examples and correction of wrong ones;

(4) Responsibility towards the right of the workers -

- (a) to see that all the People's workers obtain their lawful rights and the rights which have been agreed between the employer and workers in Co-operative and Private enterprises;
- (b) to discuss and demand systematically rights necessary for advancement,

(5) Responsibility to maintain the unity of workers -

- (a) unity of workers in an enterprise, in a locality, in a township and in the country;
- (b) unity between workers and peasants;
- (c) success of plans according to enterprises.

[Note: (6) is missing]

CHAPTER III

TRADE DISPUTES

7. The Government shall make rules for regulating the settlement of trade disputes as follows :-

- (a) In State enterprises the employer and People's Workers' Council shall consult and settle the disputes; if no settlement is arrived at in this way they should be settled at a higher level between the employer and the People's Workers' Council in consultation; if no settlement is arrived at in this way, the Revolutionary Council shall settle them.
- (b) In Co-operative enterprises disputes shall be settled by the employer concerned and the People's Workers' Council in consultation; if not settled in this way, a body constituted by the Revolutionary Council by law shall settle the disputes.
- (c) In private enterprises disputes shall be settled by the employer concerned and the People's Workers' Council in consultation; if not settled in this way, a body constituted by the Revolutionary Council by law shall settle the disputes.

CHAPTER IV

WORKERS' RIGHT OF PARTICIPATION
IN MANAGEMENT OF ENTERPRISES.

8. Government shall prescribe by rule the manner in which the employer and the People's Workers Council shall jointly arrange for the participation by workers in the management of State enterprise, Cooperative enterprise and Private enterprise.

CHAPTER V

CREATION OF PEOPLE'S WORKERS' COUNCIL

9. Government shall make rules for the formation of People's Workers' Councils as the people's workers' own organisation in which all the people's

workers' own organisation in which all the people's workers may join freely without discrimination as to race, colour or creed.

CHAPTER VI
LABOUR DEPARTMENT

10. Government shall regulate the functions and powers of the Labour Department.

CHAPTER VII
PENALTIES

11. Anyone who infringes the provisions of this law, or rules, directives and orders issued thereunder -

- (a) shall be liable to be dismissed from work and to a fine not exceeding half the normal wages for one month if he is a worker;
- (b) shall be liable to be sentenced up to two years' imprisonment and dismissed from work if he is a member of the Executive Committee or manager in a private enterprise;
- (c) shall be liable to be sentenced up to two years' imprisonment if he is a manager in a State enterprise;
- (d) shall be liable to be dismissed from work and to be sentenced up to two years' imprisonment if he is a manager in a State enterprise.

CHAPTER VIII
GENERAL

12. Until such time as the rules can be prescribed under this law, the provisions of the under-mentioned laws shall be deemed to be rules prescribed under this law. The provisions of these laws shall be valid in so far as they are compatible with the aim and object of this law.

- (1) Employment and Training Act;
- (2) Regulation of Appointments Act;
- (3) Apprentices Act;
- (4) The Children (Hedging of Labour) Act;
- (5) The Dock Workers (Regulation of Employment) Act;
- (6) The Emigration Act;
- (7) Dock Labourers Act;
- (8) The Mines Act;
- (9) The Official's Act;
- (10) The Official's (Workers and Relief) Act;
- (11) Factories Act;
- (12) The Payment of Wages Act;
- (13) Farm Labourers' Minimum Wages Act;
- (14) Minimum Wages Act;
- (15) Leave and Holidays Act;
- (16) Shops and Establishments Act;
- (17) Workmen's Compensation Act;
- (18) Social Security Act;
- (19) The Trade Disputes Act;
- (20) The Trade Union Act;
- (21) Compilation of Business Statistics Act.

The provisions of the following Acts and Orders and other Acts and Orders relating to labour affairs shall be deemed to be the rules made under this law :-

- (1) The Railways Act;
- (2) The Inland Steam Vessels Act;
- (3) The Burma Aircraft Act;
- (4) The Burma Merchant Shipping Act;
- (5) The Ports Act;
- (6) The Rangoon Port Act;
- (7) The Outports Act;
- (8) The Pilots Act;
- (9) The Burma Lighthouse Act.

POWERS TO MAKE RULES, ISSUE INSTRUCTIONS AND ORDERS

14. Government may make rules or issue directives or orders for the purpose of giving effect to the provisions of this law.

DELEGATION OF AUTHORITY

15. Government may in consonance with this law or the rules made thereunder delegate its powers of issuing directives or orders under this law to a person or body of persons. Government may also delegate to such persons or body power to determine whether the provisions contained in the rules mentioned in Section 12 of this law are repugnant to the object of this law.

COMPILATION OF STATISTICS.

16. Government may compile statistics for the purpose of giving effect to the provisions of this Law.