

No. 4057

**UNITED STATES OF AMERICA
and
PHILIPPINES**

**Exchange of notes constituting an agreement relating to
the recruitment of Philippine labor by the United
States Army. Manila, 13 and 16 May 1947**

Official text: English.

Registered by the United States of America on 5 November 1957.

**ÉTATS-UNIS D'AMÉRIQUE
et
PHILIPPINES**

**Échange de notes constituant un accord relatif au recrute-
ment d'employés et de travailleurs philippins par
l'armée des États-Unis. Manille, 13 et 16 mai 1947**

Texte officiel anglais.

Enregistré par les États-Unis d'Amérique le 5 novembre 1957.

No. 4057. EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹ BETWEEN THE UNITED STATES OF AMERICA AND THE PHILIPPINES RELATING TO THE RECRUITMENT OF PHILIPPINE LABOR BY THE UNITED STATES ARMY. MANILA, 13 AND 16 MAY 1947

I

The American Chargé d'Affaires ad interim to the Philippine Acting Secretary of Foreign Affairs

EMBASSY OF THE UNITED STATES OF AMERICA

May 13, 1947

Excellency :

I have the honor to refer to my notes of February 21 and March 14, 1947² requesting the approval of the Philippine Government for the recruitment of Philippine labor for assistance in repatriation of World War II dead and for duty with the Guam Air Material Area at Guam and the approval of the Philippine Government appearing in Your Excellency's note of April 8, 1947² enclosing a copy of a communication dated March 21 signed by the Secretary of Labor concerning the additional provision of food, lodging and laundry. Reference is also made to Your Excellency's letter to Colonel J. W. Boone GSC PHILRYCOM dated March 22, 1947² regarding the recruitment of Manuel Marquez and others as laborers on Okinawa.

The Commanding General PHILRYCOM has now requested this Embassy to present for the approval of the Philippine Government a coordinated proposal for the compensation of all Filipino laborers recruited within the Philippines which will apply in the case of labor recruited for service with the Army Graves Registration Service as well as other Filipino laborers employed by the United States Army for duty outside the Philippines.

¹ Came into force on 16 May 1947 by the exchange of the said notes.

² Not printed by the Department of State of the United States of America.

The United States Army now foresees a need for about 8,000 Filipino laborers to be employed directly by the United States outside the Philippines including the Marianas-Bonins, Okinawa and elsewhere in the Pacific.

Insofar as Filipino employees who are hired directly by the United States Government at any place outside of the Philippines are concerned, the United States Army will in all cases agree to the payment of an increase in the current Philippine wages of 15 centavos per hour in lieu of free quarters and subsistence suggested by Your Excellency's Government, plus a 25% overseas differential, and then charge all employees for quarters and subsistence as furnished. The charges for quarters and subsistence will be as follows :

- (a) Quarters—₱2.00 per month.
- (b) Subsistence—90 centavos per day for the Philippine Scout Ration, or ₱1.50 per day for the regular U.S. Army Ration, whichever is furnished.

In addition to the above, the following benefits affecting Filipino personnel employed directly by the Army are offered :

- (a) Free laundry facilities.
- (b) Free medical services and dental care of an emergency nature while outside the Philippines.
- (c) Guaranteed transportation to and from point of hire regardless of the reason for separation from duty.
- (d) Pay while in a travel status not to exceed 40 hours a week, except while in a return travel status after having been removed for cause or for quitting the job.
- (e) Treatment and compensation for service connected injuries and death by the United States Federal Security Agency, Bureau of Employees' Compensation for Government employees.
- (f) Overtime payment at $1\frac{1}{2}$ times the basic rate for work in excess of the regular 40-hour weekly tour of duty performed by all employees. Laborers and mechanics will also be paid $1\frac{1}{2}$ times the basic rate for work performed in excess of 8 hours per day. In the latter case, any work in excess of 8 hours per day for which overtime compensation is paid will not count towards completion of the 40-hour week required for payment of overtime on a weekly basis.
- (g) Pay for absence on U.S. holidays, which are the only holidays celebrated on Guam. If work is performed on those holidays, holiday payment will be made at the rate of time and one-half of basic compensation.

It is desired to apply the above procedure to all operations carried on by the United States Army wherever they may be needed under the jurisdiction of the Commander-in-Chief, Far East Command.

Upon approval of this over-all policy by the Philippine Government, authority is requested to recruit Filipino employees as are necessary for duty outside the Philippines, and then process and ship such employee to the desired areas without further contact with Philippine authorities, except to submit the names, addresses and next of kin of such employees subsequent to shipment, to the Philippine Government. Approval of this procedure is requested in order to avoid delays subsequent to processing caused by the submission of rosters for approval before shipment.

Information is requested as to what documents each individual must possess prior to departure in order to comply with the requirements of Your Excellency's Government.

In addition to the 8,000 employees mentioned above, it is understood that arrangements with the Philippine Government have already been completed for the recruitment of 6,000 employees by Morrison Knudsen Company, Inc. and Peter Kiewit Sons, Inc., Contractors under the jurisdiction of the District Engineer, which includes the payment of basic Philippine rates, plus free quarters and subsistence, and upon satisfactory fulfillment of the contract, grants a bonus of 25% on the base rate of pay.

Contractors' employees receive the same benefits specified for Army employees except they receive treatment and compensation for service connected injuries and death in accordance with the Defense Base Extension of the Longshoremen's and Harbor Workers' Compensation Act for contractors' employees. These wages and benefits offered by contractors have been approved by the Commanding General, PHILRYCOM.

By note of April 11,¹ the Embassy had the honor to request the waiver of the posting of a bond to guarantee the return of employees hired for work under the Brown-Pacific-Maxon's Contract No. 13931 with the Bureau of Yards and Docks. No answer has been received to this communication. However, since the terms of recruitment and the guarantee of return to the Philippines applies to all labor recruited in the Philippines either by the Army or Navy or by contractors under the jurisdiction of the Army or Navy, it is again requested

¹ Not printed by the Department of State of the United States of America.

that the Philippine Government grant a waiver to the posting of a bond for such return.

The Embassy is in complete sympathy with the desires of the Army and Navy with regard to this recruitment program and concurs in requesting the approval of the Philippine Government for the above-mentioned program.

It is respectfully requested that the Embassy be informed of the decision of Your Excellency's Government as soon as possible inasmuch as there is urgent need for the inception of this recruitment program.

Accept, Excellency, the renewed assurances of my highest consideration.

Nathaniel P. DAVIS
Chargé d'Affaires ad interim

His Excellency Bernabe Africa
Acting Secretary of Foreign Affairs
for the Republic of the Philippines

II

*The Philippine Acting Secretary of Foreign Affairs to the American Chargé
d'Affaires ad interim*

REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF FOREIGN AFFAIRS

In reply refer to file No. 054.1

Manila, May 16, 1947

Sir :

I have the honor to acknowledge the receipt of your note of May 13, 1947 relating to the recruitment of Filipino laborers and employees by the United States Army, and the conditions under which they will be employed by the army.

I wish to inform you that the Philippine Government approves the plan and conditions outlined in your note under acknowledgment and authority is hereby granted to the United States Army to recruit Filipino laborers and employees and to ship them to the desired areas without documentation and prior consultation with the Philippine Government. However, a list in duplicate of such Filipino laborers and employees should be submitted to this Department

containing the following data : full name of laborer or employee, date and place of his birth, his address in the Philippines, nearest kin and his address.

Accept, Sir, the renewed assurances of my highest consideration.

Bernabe AFRICA
Acting Secretary of Foreign Affairs

The Honorable Nathaniel P. Davis
Minister-Counselor and Chargé d'Affaires ad interim
of the United States